

<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 3**

**Application Number: C24/0346/45/LL**

**Date Registered: 07/05/2024**

**Application Type: Full**

**Community: Pwllheli**

**Ward: Pwllheli**

**Proposal: Change the use of land and develop a new holiday accommodation in the form of a) 2 permanent glamping pods and associated parking; b) 33 pitches for touring caravans and associated parking; c) well-being facilities including a toilet block, shower block and storage; and d) associated access arrangements, footpath link to Ffordd Abererch, drainage and landscaping**

**Location: Land near Allt Fawr, Lôn Nant-stigallt, Pwllheli, LL53 5YY**

**Summary of the Recommendation: Approve with conditions**

<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

## **1. Description:**

- 1.1. Application to change the use of land and develop a new holiday accommodation in the form of a) 2 permanent glamping pods and associated parking; b) 33 pitches for touring caravans and associated parking; c) well-being facilities including a toilet block, shower block and storage; and d) associated access arrangements, footpath link to Ffordd Abererch, drainage and landscaping.
- 1.2. The site is situated on a hillock in open countryside on the outskirts of Pwllheli town between the A497 and the A499. Residential houses are situated at the beginning of the hillock across both of these roads, as well as along Lôn Nant Stigallt which connects both highways. The site is located within the Llŷn and Bardsey Island Registered Landscape of Outstanding Historic Interest, and on the outskirts of a Wildlife Site. The bottom of the hillock closest to the coast has been designated a C2/Zone 2 and 3 flood area.
- 1.3. The documents below have been submitted as part of the application:
  - Land in Allt Fawr, Lôn Nant-stigallt Pwllheli: Archaeological Evaluation Version C September 2024 Bear Archeology
  - Japanese Knotweed Management Plan JKRW170193 25/04/2023
  - Foul Water Drainage Statement 370-LST-XX-XX-RP-D-0002 28.09.2023 Land Studio
  - Lighting Plan 31.05.2024
  - Welsh Language Statement 31.05.2024
  - Ecological Assessment ECO-967 25/07/2023 eco-scope
  - Ecological Assessment Update ECO\_1093EcoA\_A 29.05.2024 eco-scope
  - Historic Environment Desk Assessment 1087.R01a 07.05.2024 Fenix Heritage
  - Trees Assessment 12.04.2024 arbtech
  - Flood Consequence Assessment 370-LST-XX-XX-RP-D-0001 25.09.2024 Land Studio
  - Green Infrastructure Statement 370-LST-XX-XX-RP-L-1002 05.03.2024 Land Studio
  - Landscape and Visual Assessment October 2023 Land Studio
  - Planning, Design and Access Statement April 2024 Grimster Planning
  - Transportation Statement 230441-TA (0.0) 23.02.2024 SCP
- 1.4. The application is submitted to the Planning Committee as the application site is greater than 0.5 hectare. The Planning Committee visited the site on the 16/07/2024.

## **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.
- 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, 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 2011-26, adopted 31 July 2017**

PS 1: The Welsh Language and Culture

PS 4: Sustainable transport, development and accessibility

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

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

PS 14: The Visitor Economy

TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Holiday Accommodation

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

PS 19: Conserve and where appropriate enhance the natural environment

AMG 6: Protection Sites of Local or Regional Significance

PS20: Protecting and where appropriate enhancing heritage assets

AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

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

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

## 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note: 5 Planning and Nature Conservation (2009)

Technical Advice Note: 12 Design: June (2016)

Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note: 18 Transport: March (2007)

## 3. **Relevant Planning History:**

3.1 No recent planning history.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

#### 4. Consultations:

Community/Town Council:

##### Pwllheli Town Council Comments

Pwllheli Town Council requests that the Planning Committee gives attention to the Gwynedd Local Development Plan in relation to policies 6.2, 6.2.1 and 6.5.6.

Highlight the fact that Cyngor Gwynedd has applied an AMG 6 Wildlife Site designation to the site. Natural Resources Wales has confirmed that the site is in the process of receiving a SSSI designation.

Also, consider the Gwynedd Local Development Plan policy guidance, which suggests: Refusing proposals that would cause substantial harm to the linguistic character and balance of a community which cannot be avoided or mitigated satisfactorily by using an appropriate planning mechanism Strategic Policy PS 1: The Welsh Language and Culture.

##### Llannor Community Council Comments

Llannor Community Council Comments - Refuse

Traffic concerns, especially with the new Aldi development and the possibility of a housing development in the future on nearby land. Over-development leading to financial loss for other tourism providers in the area. Losing green space when entering Pwllheli.

Transportation Unit:

I refer to the above application and wish to state, although I acknowledge that concerns have arisen regarding the development, I do not object to the proposal.

During the pre-application consultation, the suitability of Lôn Nant Stigallt (LNS) to accommodate such a development was raised by the department, with primary concerns relating to:

The alignment, narrowness, lack of passing places and the potential impact of these factors on the ability of towing vehicles to navigate the road.

The increase in traffic as a result of the development.

The visibility splay on the junction between LNS and the A499.

Active travel links between the site and Pwllheli town centre.

Further observations received during the planning process included concerns regarding:

Towing vehicles' ability to access LNS when approaching along the A499 in a South bound direction.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Due to its gradient LNS can become impassible in a north bound direction in cold weather conditions.

LNS and the junctions at either end are dangerous.

Alignment, general narrow width, and lack of passing places.

It is acknowledged that LNS is generally narrow with some steep sections, however the site entrance is near the junction with the A499. At this location the width of the carriageway is greater than the average for LNS, and plans included within the Transport Statement indicate that two-way traffic for this short section of LNS is achievable.

Cyngor Gwynedd's traffic unit intends to implement a one-way system southward along LNS which would become operational at a point east of the proposed access point. This arrangement would ensure no vehicles would enter LNS via the A497 and travel north bound, while still allowing users of the site to travel both ways between the A499 and site entrance.

There is reference within the Transport Statement to existing passing points along LNS which include a private field access and a newly formed lay-by along the eastern side of LNS. Work to construct said lay-by passing point was unauthorised, as such it is not recognised by the highway authority and cannot be accepted as a mitigation measure. If, as part of the development, the applicant was to modify the layby passing point to the satisfaction of the highway authority I would be willing to accept it as mitigation while there is no one-way system in place.

The applicant has proposed to install signage encouraging vehicles to turn left which could reduce the amount of towed traffic along LNS. Further measures could be taken by the applicant, for example issuing an information package instructing guests to not access the site via the A497 junction.

The increase in traffic as a result of the development.

The trip generation assessment contained within the Transport Statement concludes that the number of traffic trips generated by a development of this size would have a negligible effect on the highway network. When considering the current traffic levels on LNS, the foreseen trip generation defined in the Transport Statement, and the location of the access to the site, the conclusion of the report is accepted.

The visibility splay between the junction between LNS and the A499.

Submitted plans indicate that visibility splays of 2.4mx120m are achievable, which would conform to the standards for a 40mph zone. Vegetation clearance on land within the applicant's ownership would

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

be required to achieve the splay to the south. Ensuring that this visibility splay is maintained could be ensured by including a planning condition regarding the matter.

Active travel links between the site and Pwllheli town centre.

Plans have been included that indicate a pedestrian route will be formed within the site which would join the public network on the A497. At present the footpath is indicative and I would ask that the applicant provides a detailed plan to demonstrate the path is feasible. The route appears to undergo a large change in levels over a relatively short distance, which could mean it is inaccessible to some users. The proximity of a new supermarket via the A499 is mentioned, however there is no pedestrian provision between that supermarket and LNS.

The inability of towing vehicles to access LNS when approaching along the A499 in a South bound direction.

Plans included within the Transport Statement demonstrate via tracking software that a 4x4 vehicle towing a twin axle caravan could make this movement.

LNS and the junctions at either end are currently dangerous.

No road traffic collisions have been recorded in the vicinity of the proposed site within the last 10 years, therefore there is no evidence to suggest that the road nor the junctions to the A499/A497 are inherently dangerous.

I request that the following conditions are included with any planning permission granted:

Conditions:

On the junction between Lôn Nant Stigallt and the A499, the visibility splay to the South shall be maintained to provide a splay of 2.4 metres by 120 metres as shown on plan SCP/230441/D01 in the Transportation Statement. Within the line of the visibility splay, nothing more than 1 metre above the level of the adjoining highways shall be allowed.

No development will happen until a detailed plan for the passing point at the southern end of Lôn Nant Stigallt is submitted to the Local Planning Authority and for it to be approved in writing.

No development will happen until a detailed plan for the footpath to connect the site to the A497 is submitted to the Local Planning Authority and for it to be approved in writing.

The first 6m of the access track will be surfaced with a bound material.

That any gates/barriers are placed 15m from the edge of the

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

carriageway.

The access must be completed in a way that satisfies the Local Planning Authority before the use permitted here is commenced.

The applicant must take every care to prevent surface water from the curtilage of the site discharging onto the highway.

I refer to the above application and wish to state that whilst I acknowledge that concerns have been raised regarding the development, I do not object to the proposal.

During a pre-application consultation, the suitability of Lôn Nant Stigallt (LNS) to accommodate such a development was raised by the department, with primary concerns relating to:

The alignment, narrowness, lack of passing places and the potential impact of these factors on towing vehicles ability to navigate the road.

The increase in volume of traffic generated by the development.

The visibility splay at the junction between LNS and the A499.

Active travel links between the site and Pwllheli town centre.

Further comments received during the planning Process included concerns regarding:

The inability of towing vehicles to access LNS when approaching along the A499 in a South bound direction.

That due to its gradient LNS can become impassible in a north bound direction in cold weather conditions.

That LNS and the junctions at either end are dangerous.

Alignment, general narrow width, and lack of passing places.

It is acknowledged that LNS is generally narrow with some steep sections, however the site entrance is near the junction with the A499. At this location the width of the carriageway is greater than the average for LNS, and plans included within the Transport Statement indicate that two-way traffic for this short section of LNS is achievable.

Cyngor Gwynedd's traffic unit intends to implement a one-way system southward along LNS which would become operational at a point east of the proposed access point. This arrangement would ensure no vehicles would entre LNS via the A497 and travel north bound, while still allowing users of the site to travel both ways between the A499 and site entrance.

Mention is made within the Transport Statement to existing passing points along LNS which include a private field access and a newly

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

formed lay-by along the eastern side of LNS. Work to construct said lay-by passing point was unauthorised, as such it is not recognised by the highway authority and cannot be accepted as a mitigation measure. If, as part of the development, the applicant was to modify the layby passing point to the satisfaction of the highway authority I would be willing to accept it as mitigation while there is no one-way system in place.

The applicant has proposed to install signage encouraging vehicles to turn left which could reduce the amount of towed traffic along LNS. Further measures could be taken by the applicant, for example issuing an information package instructing guests to not access the site via the A497 junction.

The increase in volume of traffic generated by the development.

The trip generation assessment contained within Transport Statement concludes that the number of traffic trips generated by a development of this size would have a negligible effect on the highway network. When considering the current traffic levels on LNS, the foreseen trip generation defined in the Transport Statement, and the location of the access to the site, the conclusion of the report is accepted.

The visibility splay between at the junction between LNS and the A499.

Submitted plans indicate that visibility splays of 2.4mx120m are achievable, which would conform to the standards for a 40mph zone. Vegetation clearance on land within the applicant's ownership would be required to achieve the splay to the south. Ensuring that this visibility splay is maintained could be ensured by including a planning condition regarding the matter.

Active travel links between the site and Pwllheli town centre.

Plans have been included that indicate a pedestrian route will be formed within the site which would join the public network on the A497. At present the footpath is indicative and I would ask that the applicant provide a detailed plan to demonstrate the path is feasibly. The route appears to undergo a large change in levels over a relatively short length, which could mean it is inaccessible to some users. Mention is made to the proximity of a new supermarket via the A499, however there is on pedestrian provision between the said supermarket and LNS.

The inability of towing vehicles to access LNS when approaching along the A499 in a South bound direction.

Plans included within the Transport Statement demonstrate via tracking software that a 4x4 vehicle towing a twin axle caravan could make this movement.



PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

LNS and the junctions at either end are currently dangerous.

No road traffic collisions have been recorded in the vicinity of the proposed site within the last 10 years, therefore there is no evidence to suggest that the road, nor the junctions to the A499/A497 are inherently dangerous.

I ask that the following conditions are included within any planning permission granted:

Conditions:

At the junction between Lôn Nant Stigallt and the A499, the visibility splay to the South shall be maintained to provide a splay of 2.4 metres by 120 metres as shown on drawing SCP/230441/D01 within the Transport Statement. Within the line of the visibility splay nothing more than 1 metre above the level of the adjoining highways shall be allowed.

No development shall take place until a detailed plan for the passing point at the southern end of Lôn Nant Stigallt has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until detailed plan for the pedestrian footpath to connect the site to the A497 has been submitted to and approved in writing by the Local Planning Authority.

The first 6m of access track shall be surfaced with a bound material.

That any gates/barriers are placed 15m from the edge of the carriageway.

The access shall be completed to the satisfaction of the Local Planning Authority before the use hereby permitted is commenced.

The Applicant shall take all appropriate measures to prevent surface water from within the curtilage of the sites to discharge onto the county highway.

Natural Resources Wales:

Latest observations 24.06.2024

We continue to have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome if the document noted below is included in the approved plans and documents condition on the decision notice:

Document – Landscape Plan Proposed Planting, land studio, LST-XX-XX-DR-L-0301, P02, 08.09.2023

Please note, without the inclusion of this document we would object to this planning application. Further details are provided below.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

### Protected Species

We note that the updated bat survey submitted to support the above application (Ecological Assessment including reptiles, birds and Phase 1 habitat, eco-scope, ECO\_967, Issue 2, 29/05/2024) notes that bats could be present on the application site.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three tests set out in the Regulations (please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to “demonstration of no detriment to the maintenance of the favourable conservation status of European protected species”.

The updated report has confirmed that "A single external light is proposed on the toilet and shower block. The light is to be on a timed-sensor and should be directed away from the Site boundaries. Tree planting and screening should be utilised to provide additional screening where deemed necessary. This will also limit any impact on potential foraging and commuting bats." The Lighting Plan document, unreferenced, states "The proposed lighting will be directed at the area leading to the shower/toilet block and the glamping pods to help safe passage, the lighting locations can be viewed on plan LST-XX-XX-DR-L-0301 Landscaping Plan and Proposed Planting".

Therefore, we are of the opinion that the development is unlikely to be harmful to the sustainment of the population of the species in question which has a favourable conservation status within its natural range.

Additionally, we advise that the proposed development is not likely to harm or disrupt the bats or breeding sites and the resting spots on this site, if there are only external lighting in the proposed site plan being installed.

The Landscape Plan Proposed Planting plan will need to be included in the 'approved list of plans/documents' condition within the decision notice should approval for the project be granted.

Contact us again if any further information shows that this is no longer a lower risk case.

### Foul Drainage

During the pre-application consultation, concerns were expressed

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

about the proposed foul drainage method, installing a private treatment unit to River Erch. However, the applicant has now confirmed the main method of foul drainage will be the main sewer, and has updated the Foul Drainage Statement, land studio, 370-LST-XX-XX-RP-D-0002, Ma4. On these grounds, we have no further concerns regarding the method of foul drainage. However, we recommend that the applicants fit a level alarm on the chemical toilet holding tank to prevent any overtopping.

#### Flood Risk

In terms of flood risk and further to our response to the statutory pre-application consultation (dated 10 April 2024), we note that the Flood Consequence Assessment has been updated (to Version P02. Dated 29/04/2024).

We would advise your Authority that the application's site boundary is partly within a C2 zone, these are the secondary egress/access routes through footpaths only. The primary access/egress to the site, as well as footprints for each of the proposed fields/pods and the associated facilities are suitably elevated above flood zones 3/2 in the Flood Map for Planning/Zone C2 in the Development Advice maps.

Due to this, we are satisfied that the flood risk associated with the proposal has been addressed in relation to Department 7/Appendix 1 of the TAN, namely part 6.2.iv of the justification test.

The updated LPA suggests closing off the footpath to the A497 during times of flooding. This is noted and supported but we would not request that this be conditioned as it would be difficult to enforce and would question the practicalities of ensuring compliance. We recommend for the applicant/owners to compile a flood action plan for the site which could be instigated upon the issuing of a Flood Warning for either Abererch Dunes (Sea) and Flood Warning for River Erch at Abererch.

Useful links would be as follows -

Natural Resources Wales / Guidelines for caravan and campsites owners and operators.

Natural Resources Wales / Register to receive flood warnings

Please be aware that your colleagues (YGC) acting as the Lead Local Flood Authority and SuDS Approval Body will also need to advise on the surface water drainage arrangements associated with the proposal.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

### Recent Comments 24.06.2024

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

Document – Landscape Plan Proposed Planting, land studio, LST-XX-XX-DR-L-0301, P02, 08.09.2023

Please note, without the inclusion of this document we would object to this planning application. Further details are provided below.

### Protected Species

We note that the updated bat report submitted in support of the above application (Ecological Assessment including reptiles, birds and Phase 1 habitat, eco-scope, ECO\_967, Issue 2, 29/05/2024) has identified that bats may be present at the application site.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three tests set out in the Regulations (Please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species".

The updated report has confirmed that "A single external light is proposed on the toilet and shower block. The light is to be on a timed-sensor and should be directed away from the Site boundaries. Tree planting and screening should be utilised to provide additional screening where deemed necessary. This will also limit any impact on potential foraging and commuting bats." The Lighting Plan document, unreferenced, states "The proposed lighting will be directed at the area leading to the shower/toilet block and the glamping pods to help safe passage, the lighting locations can be viewed on plan LST-XX-XX-DR-L-0301 Landscaping Plan and Proposed Planting".

We therefore 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.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided only the external lighting in the proposed site plan are installed.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

The Landscape Plan Proposed Planting must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

#### Foul Drainage

During pre-application consultation, we raised concerns that the proposed foul drainage method was by private treatment plant to the Afon Erch. However, the applicant has now confirmed the main method of foul drainage will be the main sewer, and has updated the Foul Drainage Statement, land studio, 370-LST-XX-XX-RP-D-0002, Ma4. On this basis, we have no further concerns regarding the method of foul drainage. However, we recommend that the applicants fit a level alarm on the chemical toilet holding tank to prevent any overtopping.

#### Flood Risk

With regards to flood risk and further to our response to the Statutory Pre-application consultation (dated 10 April 2024), we note that the Flood Consequence Assessment has been updated (to Version P02. Dated 29/04/2024).

We would advise your Authority that the application site boundary is partially within zone C2, this is the secondary access/egress routes via footpaths only. The primary access/egress to the site, along with footprint for each of the proposed pods/pitches and associated facilities are suitably elevated above flood zones 3/2 in the Flood Map for Planning/Zone C2 in the Development Advice maps.

As such we are satisfied that the flood risk associated with the proposal has been addressed in relation to Section 7/Appendix 1 of the TAN namely part 6.2.iv of the justification test.

The updated FCA suggests closing off the footpath to the A497 during times of flooding. This is noted and supported but we would not request that this be conditioned as it would be difficult to enforce and would question the practicalities of ensuring compliance. We recommend for the applicant/owners to compile a flood action plan for the site which could be instigated upon the issuing of a Flood Warning for either Abererch Dunes (Sea) and Flood Warning for River Erch at Abererch.

Useful links would be as follows-

- Natural Resources Wales / Guidance for caravan and campsites owners and operators

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- Natural Resources Wales / Sign up to receive flood warnings

Please be aware that your colleagues (YGC) acting as the Lead Local Flood Authority and SuDS Approval Body will also need to advise on the surface water drainage arrangements associated with the proposal.

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.

#### ASSET PROTECTION

The proposed development is crossed by a distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

#### SEWERAGE

We note the developer proposes to dispose of foul flows via the public sewerage system and discharge surface water run-off into a sustainable drainage system. Having reviewed the Foul Drainage Layout, we note it is proposed to create a new connection on the 300mm combined sewer in Abererch Road. We would advise that foul flows should be taken to an existing chamber on the public sewer.

We would advise for the avoidance of doubt under no circumstances would it be permissible to discharge the chemical waste from the holding tank into the public sewerage system.

Public Protection Unit:

#### Licensing Observations

Disabled provision (toilet, wash basin, shower) within the revised plan is acceptable.

Application for a Site Licence following planning application approval.

We wish that this information is reported on the planning permission

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

if the application is approved:

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.

#### Licensing Comments

The disabled provision (wc, wb, shower) within the revised plan is acceptable

Application for a site Licence following planning approval

We wish that this information is stated on the planning permission should this application be successful:

Following any planning application that is granted in relation to a caravan or tent site under the 1960 & 1936 Acts, it will be necessary for the applicant to apply for a site license and submit a detailed 1:500 scale plan of the site to The Licensing Service. To discuss further, contact the Licensing Enforcement Officer, Pollution Control and Licensing Service

#### Public Protection Observations

Thank you for consulting with the Public Protection Unit regarding the above. We have considered the planning application, and our observations are as follows:

Noise and dust control

The applicant should take all relevant precautions to reduce the possibility of disturbance to the occupants of nearby properties in terms of noise and dust during the periods of building the development. This should include not working outside normal working hours during the day, using water suppression for any brick or stone-cutting and advise neighbours beforehand for any work that is especially loud.

Generally, the acceptable hours for noisy work within the County is:

Monday to Friday 08:00-18:00

Saturday 08:30-13:00

Sunday No noisy work

During the work, the best practical methods should be used to reduce noise and vibration from the work and consider recommendations BS 5228: Code of practice for noise and vibration control on open sites and construction sites.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

### Lighting plan

The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2021 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused.

### Waste storage facilities

We note in the application form that the plans do not incorporate areas to store and facilitate waste collection.

Suitable and sufficient waste storage facilities should be provided for storing waste safely which derives from the business on the site to ensure that there is no harm to amenity from smell, flies or vermin. Therefore, the applicant must ensure that arrangements are in place for the maintenance of any commercial waste which derives from the development. The applicant must include a waste storage space in the planning drawings to reflect this.

### Statutory nuisance

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received. For further information, contact the Environmental Health Service.

### Public Protection Comments

Thank you for consulting the Public Protection service regarding the above. We have considered the planning application, and our comments are as follows:

### Noise and dust control

The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works.

### Working hours

In general, the acceptable hours for noisy work within the County are:

Monday to Friday

Saturday



PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

08:00-18:00

8:30-13:00

Sunday/Bank Holiday No noisy work

During construction work, the best practical methods should be used to reduce noise and vibrations from the work and consider the recommendations of BS 5228: Code of practice for the control of noise and vibration on construction sites and open sites.

Lighting scheme

The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2021 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused.

Waste storage facilities

I note from the application form that the plans do not incorporate areas to store and assist waste collection.

Suitable and sufficient waste storage facilities shall be provided for the safe and secure on-site storage of waste derived from the business to ensure that no detriment to amenity from smell, flies or vermin arises. Therefore, the applicant must ensure that arrangements are in place for the retention and collection of any commercial waste arising from the business. The applicant should include a waste storage area in the planning drawings to reflect this.

Statutory nuisance

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Service.

Biodiversity Unit:

Observations 19.06.2024

There was pre-application consultation last year refence Y23/0017 and further consultations earlier this year. I sent comments recommending surveys and stating it was a Wildlife Site in 2023.

This development proposal is partly within a confirmed Wildlife Site (Nant Stigallt 0759).

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

I visited the site in April.

#### The Site

The site is located on the top of a hill, a large rock outcrop. The development has already cleared some of the site without consideration for nature, habitats and species. I have several biodiversity concerns regarding this proposal. Works have already been undertaken to clear the site of vegetation and alter ground levels. Soils from the Aldi development, across the road have been imported. These works have been undertaken without planning permission and without advise from ecologists and habitats suitable for reptiles, birds, badgers and bats have been destroyed without measures to avoid harm to these protected species. The site did contain acid grassland, heath and bramble and bluebells.

#### Wildlife Site

The proposed caravan site is by surrounded and overlaps the adopted Wildlife Site Nant Stigallt 0759.

The Wildlife Site is designated for its habitats: Lowland Mixed Deciduous Woodland, Inland Rock Outcrop, Rush Pasture

And the diversity of the semi-natural habitats present; and it provides connectivity in the landscape. Several species have been recorded within the Wildlife Site: lesser spotted woodpecker, badger, yellowhammer, bullfinch, merlin, adder

#### Section 7 of the Environment Act 2016 – Habitats & Species

Habitats & Species of principal biodiversity importance listed by the Welsh Government.

#### Section 7 Habitats on the site:

- Lowland Mixed Deciduous
- Woodland,
- Inland Rock Outcrop,
- Rush Pasture
- Heathland

#### Section 7 Species:

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- yellowhammer
- bullfinch
- slow-worms (present on site)

#### Protected Species

Records for Barn owl & Badger within 100 meters of the site.

#### Ecological Reports

The applicant has provided:

- Ecological Assessment including reptiles, birds and Phase 1 habitat, at, Lon Nant-stigallt, Pwllheli, Gwynedd, LL53 5Y Produced by Ecoscope dated 25th July 2023
- Update Ecological Assessment produced by Ecoscope dated 29th May 2024

This survey found Japanese Knotweed in two clumps by main entrance, largest clump 30m. The survey also found a rare arable weed, Field woundwort *Stachys arvensis*, this is likely to have grown due to the soil disturbance.

Bluebells were found, this indicates ancient woodland.

The ecological report included a reptile survey and found a large population of Slow worm *Anguis fragilis* in grassland and adjacent scrub habitat. This report and survey has not assessed the ecological impact of the loss of habitats nor the impact to the slow worm population.

The ecological report estimates the footprint of the development to be 8000 meters square (0.8 ha) in table 11 (5.8.4.).

#### Proposed Plan

The proposed development is partly within the Wildlife Site and the plans show lodges on the plateau and the rocky slopes. There is a proposed footpath on the north-east corner of the site, which would be routed on a very steep slope and I am concerned that the creation of this would result in further loss of habitats. A new entrance was made on to the site and tree were felled and vegetation cleared. The trees appear to have been ash trees and a new trackway with an embankment has been made up to the plateau.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Photograph from the applicants highways plan (left) and photograph from street view (right).

I am concerned that these works have impacted on reptiles and is likely to have harmed reptiles which are protected under the Wildlife and Countryside Act 1981.

The proposed Foul Drainage is to take the sewage down the steep slope to connect with the public sewer (south east part of the site), the installation of this is also likely to result in damage to habitats and reptiles and other species.

During the consultation earlier this year I recommended further surveys for the following:

- Grassland fungi
- Bat flight paths
- Badgers
- Tree impact survey BS 5837

#### Mitigation Measures Required

- Reptile Mitigation Strategy
- Japanese eradication method statement
- Habitat loss, loss of trees, scrub, grassland
- Mitigate loss of habitat for reptiles
- Mitigate loss of habitat for yellowhammer

I object to this proposal for the follow reasons:

1. Impact to Wildlife Site and insufficient mitigation contrary to planning policy AGM 5 & 6
2. Loss of habitats of high biodiversity value, heathland, acid grassland, woodland
3. Loss of bluebells
4. Loss of reptile habitat
5. Loss of habitat for yellowhammer
6. Loss of habitat for potential grassland fungi

#### Biodiversity Enhancement

The development proposer has provided a biodiversity enhancement, this shows the creation of wild flower meadows and hedge and tree planting, however this is not enhancement neither is it mitigation as the overall result of this development would result in biodiversity loss and land-take within the Wildlife Site.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## Lighting

A lighting plan, has been submitted on the 31st May 2024 and produced by the applicant. This plan has not provided an illumination map showing lux levels across the site and into the surrounding land. It has not provided specific lighting details such as make and models stating the detailing specific lamps/lights and their locations. This report is insufficient.

## Summary

I object to this development because it will cause damage to the Wildlife Site, contrary to Gwynedd's planning policies. The development would cause the loss of habitats resulting in the fragmentation of habitats and ecological connectivity; as well as the loss of habitats for species such as slow-worms and yellowhammer. This development would result in a net biodiversity loss. I recommend that the habitats on the site are restored and enhanced for species.

## Observations 10.7.24

There are recent records for the Toadflax-leaved St John's wort *Hypericum linariifolium* within the Wildlife Site Nant Stigallt. The development proposal encroaches into the Wildlife Site, therefore this rare plant is under threat. The possible impacts to this plant is loss of individual plants, loss of suitable habitat for the plant to grow, fragmentation of suitable habitat. It favours steep, sunny slopes, acidic soils and plenty of space. Below is its distribution map in Britain (BSBI Atlas 2020).

As you can see from the above map that the plant only occurs within two locations in Wales, the only other sites are in Cornwall and the Channel Islands. Therefore the population of Toadflax-leaved St John's wort *Hypericum linariifolium* in Wales is worthy of statutory protection and covered by SSSI designation.

I recommend that the current development proposal be refused until NRW have consider the site for designation as an SSSI, and I will urge NRW to do this.

Nant Stigallt is a valuable site for local and national biodiversity and should not be developed.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Observations 23.10.2024

The observations from Arfon Jones NRW state, as the plant is not under threat on the site and lack of resources, it would be unlikely for NRW to move forward to designate the site as a SSSI.

To protect and manage the site, the applicant should provide a management plan for Toadflax-leaved St John's-wort *Hypericum linariifolium* as it was part of the Wildlife Site. Also, as the development has an impact on the Wildlife Site, by taking land and loss of habitats and follows policies in the Gwynedd LDP AGM6.

Trees

The proposed site plan indicates that a caravan pitch will be installed in the RPA of T5 – a Hawthorn the 5837 tree report states this is a ‘significant sized tree for species’ with ‘deadwood typical of hawthorn of this age’, I agree with this and would query that it qualifies as a veteran tree.

Damage to veteran trees is wholly unacceptable under local and national planning policy. These are irreplaceable habitats and damage must be avoided - there’s a strong case to refuse planning for not ensuring their retention and protection.

The siting of this pitch will also leave a legacy issue following installation. It is likely the tree will need to be cut to improve the view etc. or underground utilities will be installed in its rooting area.

I suggest this pitch is removed from this specific location and situated elsewhere onsite / removed entirely – enhancement planting should be put in its place to help protect the tree.

Details of how utilities (electric hook up / fresh water) will be provisioned should be provided. These must avoid tree roots, particularly around T5.

The list of tree species for planting is okay, however some recommendations are provided below to ensure the mix is in keeping with the local character of the area and the unique environmental conditions on site (often much harsher than the environment this specific species mix is designed for – I imagine south-east England).

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

English Oak (*Quercus robur*) should be substituted for local Welsh Oak (*Quercus petraea*), Silver birch (*Betula pendula*) substituted for locally sourced Downy Birch (*Betula pubescence*), Field Maple (*Acer campstre*) for Hazel; (*Corylus avellana*) (or a resistant variety of Elm (*Ulmus sp.*)), and Hornbeam (*Carpinus betulus*) for Beech (*Fagus sylvatica*). I do not expect any standard trees (4m high) to do very well unless significant aftercare is provided. I would suggest all trees are planted as one year old whips (unless instant amenity is required as part of the design).

The proposed planting adequately mitigates and compensates the required arboricultural losses, T5 must however be retained and protected.

Land Drainage Unit:

The site of the development is partly within flood zone C2 and because of this we will leave NRW to comment on flood risk issues facing the development.

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more than 1 house or where the construction area with drainage obligations is 100m<sup>2</sup> or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Cyngor Gwynedd in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, an application may need to be submitted to the SuDS Approval Body to be approved before construction work commences. No drainage plan has been submitted and until an application is made to the SAB there is no assurance that the site plan would enable compliance with the full suite of the national SuDS standards. Early consultation with the SAB is recommended.

The development site is partly within a C2 flood zone and as such we will allow NRW to offer comments on flood risk issues facing the development.

As of January 7th 2019, all new developments of more than 1 property or where the construction area with drainage implications is 100m<sup>2</sup> or more, will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

These systems must be approved by Gwynedd Council acting in its role as a SuDS Approving Body (SAB), before construction work begins. The SAB will have a duty to adopt compliant systems which serve more than one property so long as it is built and functions in accordance with the approved proposals, including any SAB conditions of approval.

Due to the size and nature of the development it may be necessary to provide an application to the SAB for approval prior to the commencement of the building work. No drainage details have been provided and until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards. As such early consultation with the SAB is recommended.

Heneb

Latest observations 09.09.24

Thank you for consulting us on this updated application.

I can confirm that I have received and approved the archaeological evaluation report included in this amended application.

The programme of Trial Trenching identified no archaeological remains, and whilst the work was relatively limited (in terms of ground area investigated) I am content that no further work is needed in this instance.

The development groundworks are limited as such that the potential for any yet unidentified archaeological remains is low. I do believe there still to be a broader potential for dispersed/discrete evidence of prehistoric occupation within the development site, however no mitigation is recommended in this instance – trusting the proposed ground-disturbing works is limited to that presented at the time of this response being composed.

Chief Fire Officer

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

The Fire Authority does not have any observations in regard to access for appliances and water supplies.



PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Public Consultation: A notice was posted on site and in the press and nearby residents were informed. The advertisement period has expired and correspondence was received objecting on the following grounds:

- Visual impact
- Impact on Biodiversity
- Over-tourism - excess of tourism developments in the area.
- Impact on the Welsh language
- Light pollution
- Noise Pollution
- Increase of antisocial behaviours, including an increase in fires due to the use of BBQ's etc.
- Increase in traffic and impacts on road safety.
- Over-development
- Impact of surface water due to an increase in hard-standing land
- Flooding

As well as the above objections, objections were received that were not material planning objections and these included:

- Incorrect use of roads/place names
- Public safety due to a slope on the side of the hillock

Observations were received which supported:

- Site had been managed and improved recently after a period of substantial overgrowth
- Site is naturally hidden
- Beneficial to local businesses and Pwllheli Town

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 As this is a site for touring caravans, as well as two permanent pods, the application must be considered under Policies TWR 3 (static caravan and chalet and permanent alternative holiday accommodation) and TWR 5 (touring caravans) of the Anglesey and Gwynedd Joint Local Development Plan (LDP) that sets out a series of criteria to approve such developments.

5.2 Criterion 1 of Policy TWR3: Static Caravan and Chalet Sites and Permanent Alternative Holiday Accommodation, notes:

1. Proposals for the development of new static caravan sites (i.e. single or twin caravan), holiday chalet sites or permanent alternative camping accommodation will be refused within the Anglesey Coast Area of Outstanding Natural Beauty, Llŷn Area of Outstanding Natural Beauty (AONB) and the Special Landscape Areas. In other locations, proposals for new static caravan or holiday chalet sites and permanent alternative camping accommodation will only be granted where:

<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

- i. It can be demonstrated that it does not lead to a significant excess in the provision of static caravan or chalet or permanent alternative camping sites in the locality; and
  - ii. That the proposed development is of high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape; and
  - iii. That the site is close to the main roads network and that adequate access can be provided without significantly harming landscape characteristics and features.
  
- 5.3 The site is not situated within the AONB or within a Special Landscape Area and therefore the criteria in this policy are relevant to the intention of providing two permanent pods on the site.
  
- 5.4 li) specifically refers to an excess of new developments. In order to define 'excess' in this context, one should refer to the paragraph of explanation in 6.3.69 in policy TWR 3 (along with Appendix 3 - Sensitivity and Capacity Maps (paragraph 5.3.3), SPG Tourist Facilities and Accommodation) that refers to the 'Anglesey, Gwynedd and Eryri National Park Landscape Sensitivity and Capacity Study' (Gillespies, 2014). Within each Landscape Character Area (as defined by the Gwynedd Landscape Strategy (2012)), the landscape's capacity is assessed to ascertain the capacity of the local landscape for further developments of holiday chalets or caravans.
  
- 5.5 This specific development falls within the G10 Landscape Character Area (Mid Llŷn). The Landscape Sensitivity and Capacity Study notes the indicative capacity for the Landscape Character Area. Specifically, in relation to the LCA relevant to this application, it is noted, "Outside the AONBs and SLAs there may be very limited capacity for developments typically comprising of small scale to very small scale, sensitively sited and well planned developments that should relate well to the existing built environment / urban ground cover". The Study defines very small developments as those up to 10 units and small developments as those between 10 - 25 units. Therefore, appropriate consideration will need to be given to the scale of the proposed development in the location in question. In accordance with the Landscape and Sensitivity and Capacity Study, the number of units (2 pods) proposed for this site is defined as a very small development.
  
- 5.6 lii) refers to the design, layout and appearance of the proposed development. The policy states that new developments should be located in an unobtrusive location. Within the Plan, an unobtrusive location is described as being one which is well screened by existing landscape features 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. Although the site is situated on the top of a hillock, the site is quite flat and is hidden to the majority of vegetation and ridgelines surrounding the site. A Landscape and Visual Appraisal has been submitted as part of the application, which includes standpoints from the site, the nearby area and from a distance. The Appraisal is of a standard and it confirms the development would not be visible from the majority of the standpoints, and whilst the development would be visible from some high or distant standpoints, only a part of the site would be visible or it would also be visible in the context of Pwllheli's wider view. It is also noted that there is an intention to landscape the site further and it is considered that suitable landscaping could be ensured through a planning condition. It is, therefore, considered that the proposal conforms to this criterion.

<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

- 5.7 Criterion iii) refers to ensuring suitable access to the site. It is noted that there is a further assessment of transportation matters under the relevant heading of this report, and considering this, it is considered that the development is acceptable in terms of this criterion too.
- 5.8 The proposal also relates to providing 33 touring plots, and criterion 1 of policy TWR 5 states that any new 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.
- 5.9 The proposal is situated on a space of flat grass above a hillock on the outskirts of Pwllheli Town. The site has already been screened through vegetation and current ridgelines and there is an intention to reinforce screening the site through a landscaping plan. This site is not within the (AONB) or a Special Landscape Area and it is not believed that the development would cause significant harm to the quality of the landscape. The proposal is designed to meet the requirements of the licence in terms of space and facilities and therefore it is accepted that the development is up to standard. The contents of paragraph 5.6 above are also noted which refer to a Landscape and Visual Appraisal that has been submitted as part of the application.
- 5.10 Policy PCYFF 4 of the LDP also requires that every proposal should assimilate with their surroundings and will refuse proposals that do not show how consideration has been given to landscaping matters from the outset as part of the design proposal. It is believed that the choice of location and additional landscaping proposed also meet with the objectives of this policy.
- 5.11 The second criterion of Policy TWR 5 asks to avoid excessive areas of hard standing. In this case, no hard standings are shown for the caravans. The only hard standing shown is the track of compressed hardcore leading up to and around the site of the entrance. It is considered that this track can acceptably assimilate into the landscape. As no hard standings are shown, it is considered that it would be suitable to impose a condition that any hard standings are restricted to the caravan pitches only.
- 5.12 The third criterion requires assurance that the site would only accommodate touring units - this can be controlled with a suitable planning condition.
- 5.13 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. There is no current facility or building on the site. There is an intention to provide a toilet block and new services which measure 14.5m by 7.3m and 2.5m to the eaves and 4m to the ridge. It is intended to finish the building with green steel sheets. It is considered that the facilities are appropriate for the development in question and respect the context of the site and its position in the landscape. The proposal therefore satisfies criterion 4 of TWR 5 as well as policy PCYFF 3 of the LDP.
- 5.14 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 and the contents of paragraph 5.7 are noted above.
- 5.15 The sixth criterion requires assurance that occupancy is restricted to holiday use only - this can be ensured with a suitable planning condition.

<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

- 5.16 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.
- 5.17 Overall therefore, it is believed that this proposal meets the requirements of the criteria set by Policy TWR 5 and the policy requirements of PCYFF 3 and 4 in the LDP.
- 5.18 It is noted that concerns about the cumulative impact have been raised in the Committees recently and are public observations in terms of the site's proximity to nearby static caravan sites and the Llŷn area in general. 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. The cumulative impact has been assessed in accordance with the TWR 5 planning policy requirements in paragraphs 5.4-5 above. In addition, the criteria within policies TWR 3 and 5 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 and should the application be approved it is proposed to add more screening. In paragraph 6.3.81 of the policy, it states that caravans should not be permitted in open settings near the coast 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. It is not considered that the development would appear excessive or harmful to the landscape at this site.

#### **General and residential amenities**

- 5.19 The site is located in a central location on a hillock, and has already been screened as a result of current ridgelines and vegetation. Residential dwellings are located at the bottom of a hillock, specifically across the A497 on the road into Pwllheli from the direction of Porthmadog. The vehicular access would be into the site on the other side of the hillock to these dwellings, but there is an intention to provide two footpaths down from the site to this direction. An objection has been received on the grounds of antisocial behaviour impacts as a result of these Paths, as well as noise pollution. It is noted that the paths have not been situated immediately near existing residential property, it would be about 15-20m away. It is acknowledged that this proposal would cause more use of the pavement in front of the dwellings in this location, as well as the paths up to the site from the town, but because of this area's urban location, it is not considered that the proposal would cause substantial impact on the amenities of these dwellings. Antisocial behaviour is a matter that is managed under legislation separately and is a matter for the police.
- 5.20 Based on the distance and the concealed nature of the field, it is not considered that the proposal would have a substantial detrimental impact on 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.

#### **Transport and access matters**

- 5.21 There is current access into the site from Lôn Nant Stigallt near the junction with the A499. There is an intention to improve this entrance and use it for the development. A Transportation Statement has been submitted with the application and the Transportation Unit has proposed observations on the proposal and confirmed that there is no objection subject to imposing conditions on any planning permission.
- 5.22 The Transportation Unit acknowledges that Lôn Nant Stigallt is generally narrow with some steep sections, however the site entrance is near the junction with the A499. At this location, the width

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

of the carriageway is greater than the average for the road, and plans included within the Transport Statement indicate that two-way traffic for this short section of the road is achievable. As a result of this, with the intention of either providing passing places, or achieving a one-way system across the rest of the road (towards the south only operational in a space to the east of the proposed access point) the Transportation Unit considers that the use of the road is acceptable.

- 5.23 Submitted plans indicate that visibility splays of 2.4mx120m are achievable, which would conform to the standards for a 40mph zone. Vegetation clearance on land within the applicant's ownership would be required to achieve the splay to the south. Ensuring that this visibility splay is maintained could be ensured by including a planning condition regarding the matter, and to this end, the Transportation Unit considers that access to the site is acceptable.
- 5.24 Based on the above, in addition to what is being proposed in the application and the planning conditions to ensure road safety, 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.

### **Trees and Biodiversity Matters**

- 5.25 The following documents have been submitted as part of the application based on Biodiversity and Trees matters:
- Japanese Knotweed Management Plan JKRW170193 25/04/2023
  - Ecological Assessment ECO-967 25/07/2023 eco-scope
  - Ecological Assessment Update ECO\_1093EcoA\_A 29.05.2024 eco-scope
  - Trees Assessment 12.04.2024 arbtech
  - Green Infrastructure Statement 370-LST-XX-XX-RP-L-1002 05.03.2024 Land Studio
  - Lighting Plan 31.05.2024

It is noted that the applicant has also provided responses to the Biodiversity Unit's observations.

- 5.26 The updated bat survey submitted to support the above application notes that bats could be present on the application site. Based on the information presented in the amended report and the Lighting Plan, Natural Resources Wales believes that the development is unlikely to harm or disrupt the bats or breeding sites and the resting spots on this site, if only the external lighting in the proposed site plan is being installed.
- 5.27 The observations from the Trees Unit note concern regarding the location of one pitch due to its impact on a hawthorn tree; asking for details of the location of utilities pathways (electricity, water etc.); suggesting acceptable types of trees to be planted as part of the landscaping plan, as well as confirming that the proposal is acceptable as long as the hawthorn tree is protected.
- 5.28 As a response to these observations, an amended site plan to move the pitch that was located too close to the hawthorn tree, an amended landscaping plan to include the species suggested by the Trees Unit, as well as a plan confirming foul water drainage paths were provided. No response was received from the Trees Unit to these changes, but it is considered that they are acceptable

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

and respond to the concerns raised. It is considered that it is possible to agree on paths to provide electricity and water through a planning condition to ensure that it would not harm the tree roots' protection zone.

- 5.29 Extensive observations have been received by the Biodiversity Unit raising concerns regarding developing the site based on impact on a rare species and loss of habitat and impact on a wildlife site. It is noted that the existence of a rare species of Toadflax-leaved St John's-wort *Hypericum linariifolium* in the vicinity outside of the application's boundary has been highlighted to Natural Resources Wales, with a suggestion that the site should be earmarked as a Site of Special Scientific Interest to protect the plant. Natural Resources Wales have confirmed that there is no intention to earmark the site.
- 5.30 The application site abuts a Wildlife Site and the proposal would involve the loss of nearby habitat. Following extensive discussions as well as further information from the applicant, the Biodiversity Unit has confirmed that the development could be acceptable subject to a management plan for Toadflax-leaved St John's-wort *Hypericum linariifolium*. It is considered that this information could be ensured through a planning condition. A Green Infrastructure Statement, as well as a Biodiversity improvement plan, have been submitted as part of the application and they propose improvements to include planting, provision of a wild-flower meadow and SUDS features. The improvements are also highlighted in the latest Ecological Report and there is a plan to eradicate Japanese Knotweed. It is considered that this information could be ensured through an appropriate planning condition.
- 5.31 Based on the above and appropriate planning conditions, it is considered that the proposal is acceptable and conforms with the requirements of policies PS19 and AMG 6 of the LDP, as well as an update to Chapter 6 of Planning Policy Wales which ensures that developments give consideration to a step-by-step method and offers appropriate Biodiversity improvements.

### **Archaeological Matters**

- 5.32 The documents below have been received as part of the application:
- Land in Allt Fawr, Lôn Nant-stigallt Pwllheli: Archaeological Evaluation Version C September 2024 Bear Archaeology
  - Historic Environment Desk Assessment 1087.R01a 07.05.2024 Fenix Heritage
- 5.33 Following the initial observations of Heneb (formerly the Gwynedd Archaeological Planning Service), an archaeological evaluation of the site was received, which confirmed that there were no archaeological remains on the site. Based on the minimum excavation work as a result of this proposal, Heneb is satisfied with the evaluation's conclusions and no further action is required. Based on this, it is considered that the proposal is acceptable and complies with the requirements of policies PS20 and AT1 of the LDP.

### **Sustainability matters**

- 5.34 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)".*

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

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

- 5.35 It is considered that the policies of the LDP are consistent with local and national planning policies in terms of how it deals with sustainable development principles.
- 5.36 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.
- 5.37 It is noted that there is an intention to provide footpaths from the site towards the A497 where there is a pavement to walk to the town centre. A train station and bus stops are in the middle of the town and there are many facilities and attractions available in Pwllheli. In the context of all the relevant material planning considerations, it is considered that the location of the site is sustainable and 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.

### **Flooding matters**

- 5.38 The boundary of the application site (secondary exit/access footpaths) is partly within flood zones 2/3 in the Flood Map for Planning and C2 zone in the Development Advice maps. It is noted that the main entrance to and from the site, as well as the footprint of the touring units and permanent pods and the associated facilities are all suitably elevated above the flood zones. A Flood Consequence Assessment from Land Studio has been submitted as part of the application.
- 5.39 Natural Resources Wales has confirmed, as a result of the development's location and the Assessment, that they are satisfied that the flood risk which is associated with the proposal has been addressed in relation to Section 7/Appendix 1 of the Technical Advice Note, namely part 6.2.iv of the justification test. As no part of the holiday unit development and main entrance are within a flood zone, it is noted that the proposal is not substantially contrary to the requirements of part 6 of Technical Advice Note 15.
- 5.40 The Fire Service has confirmed that there is no objection to the proposal in terms of providing access for Fire vehicles.
- 5.41 Based on the above, it is considered that the proposal is acceptable and that it complies with the requirements of policy PS6 of the LDP, as well as Technical Advice Note 15: Development and Flood Risk (2004).

### **Language Matters**

- 5.42 In accordance with the Planning (Wales) Act 2015, it is a duty when determining a planning application to consider the Welsh language, where relevant. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 11, 2019), along with Technical Advice Note 20.
- 5.43 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.

PLANNING COMMITTEE	DATE: 18/11/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

5.44 A Welsh Language Statement 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 'Allt Fawr' and bilingual signage
- Bilingual branding and advertising
- A Welcome Pack to include bilingual information and encourage the use of basic Welsh words.
- The development will be an investment of £350,000-£400,00 with a substantial sum spent with local contractors and suppliers.
- Employ two staff members who are Welsh speakers.
- A central site to the area and is a hub to the Town.
- Visitors contribute directly and indirectly to the local rural economy by spending in public houses, restaurants and local shops.

5.45 It is deemed 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 and a Welsh name and mitigation measures can be ensured by imposing conditions.

#### **Response to the public consultation**

5.46 Many observations were received in response to a public consultation on the application, and they are listed in the consultations table above. The observations have already been addressed in the report, and it is not considered that they change the assessment.

#### **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, biodiversity or road safety.

#### **7. Recommendation:**

7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:

- Time
- In accordance with the revised plans.
- Restrict the number of touring units to 33 caravans and 2 pods only.
- Holiday use only and maintain a register.
- Touring unit's holiday season - 1 March to 31 October
- No storing of touring caravans on the site.
- Complete the landscaping plan in the first planting season following approval.



<b>PLANNING COMMITTEE</b>	<b>DATE: 18/11/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

- Trees and hedges along the site's boundaries must be retained.
- Any hard standings are limited to caravan pitches only.
- Agree on electricity and water utilities pathways
- Present Toadflax-leaved St John's-wort *Hypericum linariifolium* Management Plan
- Complete Biodiversity improvements in accordance with the information submitted
- Highway Conditions
- Construction work hours
- Welsh Name
- Bilingual advertisements

Notes:

Public Protection Note

Highways Notes

NRW letter note

Welsh Water letter note

SUDS note

Licensing Note