

PLANNING COMMITTEE	DATE: 04/07/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 7

Application Number: C21/0734/46/LL

Date Registered: 20/08/2021

Math y Cais: Full

Community: Tudweiliog

Ward: Tudweiliog

Proposal: Full application for change of use of agricultural land to create a caravan site for 32 pitches, construction of new building to accommodate showers/toilets, all associated hard standings, resurfacing and access.

Location: Tyddyn Isaf, Tudweiliog, Pwllheli, Gwynedd, LL53 8PB

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 The decision on this application was deferred in April in order to hold a site inspection visit by committee members. Following the site visit on 10 June, the application was resubmitted to the planning committee on 13 June and the decision was deferred again as a result of a significant risk to the Council in respect of the Planning Committee's intention to approve the application contrary to officers' recommendation, therefore, the matter was referred to a cooling off period. This is a full application to change the use of agricultural land to create a touring caravan site that would provide 32 pitches. As part of the proposal, a new detached building would be constructed that would include washing and cleaning facilities.
- 1.2 The site is located outside any development boundary on an open site in the countryside. The current holding comprises a dwelling house, farmyard and associated buildings. A class 3 public road runs past the site and separates the yard and the proposed caravan site access from the nearby dwelling. The site and the nearby area is located within the designation of the Llŷn Area of Outstanding Natural Beauty as well as the Llŷn and Bardsey Landscape of Outstanding Historic Interest.

The details of the proposal are as follows:

- Creating 32 pitches in accordance with the existing licensing standards for touring caravans
- Creating an access/site road
- Landscaping
- Construction of building with washing facilities - facilities will be provided for women to include 3 showers, 3 toilets and 3 sinks and the same provision separately for men, see also a proposal to include separate rooms to include a family/disabled shower and rooms to include washing machines, dish-washing room etc. and a boiler/storage room. The building would be constructed on part of the existing yard alongside existing external buildings.

As part of the application, the following information was submitted:

- Planning and Access Statement
 - Ecological Assessment
 - Details of drainage system
 - Business plan
 - Landscaping plan
 - Language Assessment
- 1.3 For clarity, there is a previous application relating to this site with a proposal to convert outbuildings for holiday use together with a proposal to create a touring caravan site. The application was not registered at the time due to the size of the area of the full proposal that fell within the definition of a major application. A more recent application was submitted with the caravan element removed from the proposal and was therefore solely an application was to convert outbuildings. This application was refused for various reasons, mainly due to the lack of information to support the enterprise.
- 1.4 This current application therefore involves creating a touring caravan site only, it can be seen that amendments and adaptation have been made to the application since its original submission including reducing the size of the building that would include the washing facilities, confirmation of the drainage details and landscaping details and the site plan has been amended to accord with standard licensing requirements in terms of layout and size of the pitches.

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1.5 As referred to in the additional observations form submitted to the planning committee on 13 June, an additional landscaping plan had been received. Following a site visit by the Planning Committee, additional observations were received from the applicant's landscape specialist stating: A stock of plants of local provenance would be purchased with a minimum height of 1.5 metres to 2 metres, either bare root or cell grown plants, depending on the time of year they would be planted. The planting work would be added to the existing hedges with species that are in keeping with the existing hedges. Specifically, Hawthorn, Blackthorn and a few hazel trees. The planting work will be undertaken in a standard triangle shape in order to provide a full screen. Use of mature stock will ensure an immediate visual screen from the site.

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 made 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 (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 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 2011-2026, adopted 31 July 2017

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable developments

PS 6: Mitigating the Effects of Climate Change and Adapting to Them

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: LOCAL BIODIVERSITY CONSERVATION Local Biodiversity Conservation

PS 19: Conserving and where appropriate enhancing the natural environment

PS 1: The Welsh Language and Culture

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 14: The Visitor Economy

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

AT 1: Conservation areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

PS 20: Preserving and where appropriate enhancing heritage assets

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 12: Design

Technical Advice Note 13: Tourism

Technical Advice Note 18: Transport

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 6 Planning for Sustainable Rural Communities

3. **Relevant Planning History:**

3.1 C21/0147/46/LL - Full application for the conversion of agricultural outbuildings to provide a bunk house and holiday studio unit to include access and connection to required services (to include a foul system, soakaway and oil tank) and construction of building to include separate washing facilities - refused 24/08/21

2/26/144A - siting of 7 touring caravans - refused 27/10/87

2/26/144 - siting of 15 touring caravans - refused 27/06/86

4. **Consultations:**

Community/Town Council: This application was discussed and it was decided to 'Support' it whilst also noting that the area lies within the AONB.

Second consultation - It was resolved to 'Support' whilst also noting that the area lies within the AONB.

Transportation Unit: Initial observations - Oppose the plan on the grounds that the development would have an excessive impact on the existing roads network. The existing road is very narrow and unsuitable for caravan-towing vehicles.

As a result of discussions between the applicant and the transportation unit officer, a series of passing places were agreed upon to ease movements towards the site along with a proposal to erect brown tourism signs. Consequently, it is accepted that the plan is now

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acceptable.

Natural Resources Wales: We have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome by attaching a protected landscape condition to any planning permission that is granted.

Further observations were received regarding Biodiversity matters in response to the second consultation, these are discussed later in the report.

Welsh Water: Standard conditions and advice

Public Protection Unit: The Service has no further observations regarding the plan. The development will be subject to relevant Legislation stated below relating to Health and Safety, Fire Safety and Public Health provision perspective.

Licensing Officer: It was originally noted that the details of the licensing conditions within the planning application were insufficient.

In response, an amended plan was received along with additional information which is now in accordance with licensing requirements in terms of the layout of the site and distances between the pitches.

AONB Officer: Tyddyn Isaf is located within a rural area in the vicinity of Tudweiliog and in the AONB. The site is proposed for the caravan site is close to farm buildings and there is a public road nearby. The site is currently an agricultural field with 'cloddiau' and hedgerows along some of the boundaries. Any caravans on the site would be visible from the road and from some paths in the vicinity, however, it is not believed that they would be visible from the Coastal Path. The intention to introduce additional landscaping is noted. If it is intended to approve the application, conditions are suggested to ensure a comprehensive landscaping scheme and a suitable lighting scheme in the interests of biodiversity and protecting the AONB environment.

Fire Service: No observations

Trees/Biodiversity Unit: Initial observations: This proposal needs to submit a Biodiversity

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Improvement Plan.

A Habitats Regulations Assessment was undertaken due to the proposal's potential impact on protected areas, in this case, the Pen Llŷn a'r Sarnau SAC and the West Wales Marine SAC, both of which are located approximately 500m from the application site to the north-west. It was noted that there was insufficient information to assess whether there would be an impact on these designations.

Response to additional information:

The site is in very open land where the sea air will certainly have an impact on the growth of any trees on the site. The landscaping scheme seeks to provide a response to the need to screen the site by planting trees on top of the existing 'clawdd', add a new 'clawdd' and plant 10 native trees on the site.

The scheme outlines how the mix of trees will be planted and the watering and maintenance programme will be undertaken to try to ensure their success. What is outlined in the programme is a good scheme, however, as the scheme outlines the variety of trees in terms of size and species, there are concerns as sea wind and salt will cause many to fail. Looking at the existing species they are short in growth and height and are characteristically resilient and able to grow in coastal and windy sites - such as blackthorn, hawthorn, thorn and gorse.

It is necessary to look at which species will be suitable for the site and growing conditions, and to also ensure that they come from 'provenance 303' to increase the likelihood that they will succeed. Also, in terms of 10 trees that will be planted on the site, they also need to have 'provenance 303' and of a 'heavy standard' size.

Response of the Trees Unit to the landscaping plan:

From looking at the information, the plan has been drawn up to a good standard and seeks to present a solution to how prominent the development will be in the landscape. It is a challenging site to grow trees as it is so exposed to the sea air, but the new information submits a long-term plan for the hedges and trees and does its best to respond to the difficult growing conditions and proposes to replant any trees or hedges that do not grow. The applicant takes the matter of screening and creating a screen in the landscape seriously and submits a plan that will seek to reduce the visual impact of the site in the landscape. It is expected for the trees/hedge to take approximately four years to establish and the report outlines the maintenance and replanting work should it be needed. It is possible to ensure this by means of a condition.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and no letter / correspondence of objection has been received.

A petition was received via the applicant showing substantial support to the plan.

5. Assessment of the material planning considerations:

The principle of the development

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5.2 Criterion 1 in policy TWR 5 states that any new touring caravan development 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 proposed development is located on a site that is relatively flat within the landscape in a field surrounded by established cloddiau and hedgerows on both sides and it can also be seen that there is a series of outbuildings associated with the dwelling that would keep the site partly screened from the north. Nevertheless, the site is entirely open to the west towards the coastal path.

5.4 It is acknowledged that it is intended to reinforce the site screening by improving and adding to existing hedgerows and creating a clawdd with indigenous trees along it on the western boundary, however, the policy requires sites to be well screened by existing landscape features and / or where the touring units can be readily assimilated into the landscape. As things stand, the site is not well screened by existing landscape features and it is not considered that the site could be readily assimilated into the landscape. The site is in an open space near the coast and when visiting the local area it is apparent that there were only a few species that grew successfully in this area due to the sea wind.

5.5 The existing and proposed cloddiau will screen the lower sections of the units, but due to the height of vehicles and touring caravans the site will be visible in the broader landscape. Due to the size of the site with units across the entire field, it is unlikely that the landscaping will screen the site or assimilate it into the landscape without a substantially harmful impact.

5.6 Therefore, there is considerable concern even if the landscape scheme is successful, as on top of this it will take a significant amount of time to establish and consequently it is deemed that the site's visual impact will be harmful to the landscape during this time and the impact could last for years. From the observations of the Biodiversity Unit it can be seen that there is concern about the success of the landscaping scheme in such an open area that is also comparatively close to the sea. Despite the proposal that recommends good use in terms of the type of trees to be planted, there is no assurance that they will succeed in such an open location. From the general existing growth in the area it can be seen that the growth of trees that have managed to establish are short and it is very likely, should the landscaping scheme succeed at all, that it would take considerable time to establish. In addition, it is noted that Natural Resources Wales have also raised concerns as the site may be visible from the coastal path to the west and the open, coastal location such as this could make successful landscaping problematic. They add that an effective landscaping scheme is therefore totally essential to protect the character of the Llŷn ANOB. It is acknowledged that the applicant has submitted further details regarding landscaping and as the Trees Unit confirmed, the

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selection of indigenous species is suitable. It is also proposed to plant taller trees to better screen the site. Although this is praiseworthy, if a proposal needs to maintain substantial landscaping such as in this case, this in itself confirms how open and prominent the site is and that there is justification in the officers' concerns regarding the visual impact and the fact that the proposal fails to meet criterion 1 of policy TWR 5.

- 5.7 There are other touring sites in the area that are visible from several public vantage points over existing cloddiau and hedges and a concern about this development could contribute to the cumulative impact of touring caravan developments that already have a negative impact on the landscape. As a result, it was not considered that the proposal complied with criterion 1 of policy TWR 5. Furthermore, policy AMG 1 notes that proposals that are within or affect the setting/views into or out of the AONB, will need to give consideration to the AONB Management Plan. Paragraph 6.13.2 of the plan notes:

"Recently, an increase has been seen in sites and numbers of touring caravans - especially around Aberdaron and along the northern coast. There is concern about the cumulative impact of a number of new sites that are fairly close together".

Policy TP 9 of the management plan confirms:

TP 9 RESIST NEW CARAVAN DEVELOPMENT AND EXTENSIONS TO EXISTING SITES IN PROMINENT LOCATIONS IN THE LANDSCAPE OR COAST OF THE AONB AND PROMOTE LANDSCAPING OF EXISTING SITES. Caravan developments have certainly affected the landscape and coast of some parts of the AONB. A number of these are historical developments dating back to the 1960s such as the Warren and Penrhos. During the past twenty years, there has been a regular increase in new sites for touring caravans and the tendency to leave caravans on the site throughout the season increases their visual impact. Recently, there are more applications in the Aberdaron area and the northern part of the peninsula. In order to protect the beauty and views of Llŷn and the AONB there is a need to restrict new sites to concealed locations and, if possible, to impose landscaping conditions to conceal prominent existing sites.

- 5.8 The site is within the AONB and the observations of the AONB Unit recognise that the site would be visible from several public vantage points. It must be borne in mind that the main objective of the AONB is to protect and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours safeguarding the area's natural beauty. For the reasons discussed above, it is not considered that the scheme would protect or enhance the AONB and it is not considered that any economic benefit resulting from the plan would outweigh the harm to the landscape or the conflict with criterion 1 of policies TWR 5 and PS19.. Also, the site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest which contributes towards the sensitivity and importance of the landscape.
- 5.9 The second criteria of Policy TWR 5 asks to avoid excessive areas of hard standing. In this case, it is not intended to create any concrete pitches for the caravans or the access road as it is proposed to use geomembrane, a material that provides a hard, weight-bearing surface whilst also allowing grass to grow through it. It is believed that the scale of the work and the proposal in terms of the use of this material means that these features could easily assimilate into the landscape.
- 5.10 The third criterion asks for assurance that the site would only accommodate touring units - this can be managed with a suitable planning condition.

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- 5.11 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. The facilities building, although a new building, is to be constructed on part of an existing yard and its use is now dormant. There are other buildings on the yard but it is believed that they are already in use and are not available for conversion.

The facilities have been redesigned to satisfy the original observations of the Licensing Unit on the application, therefore it is considered that the facilities are now appropriate for the development in question. It is also considered that the appearance and design of the facilities are acceptable and by setting conditions to manage finishes and materials, the building complies with the requirements of PCYFF 3.

- 5.12 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.
- 5.13 The sixth criterion requires assurance that occupancy is restricted to holiday use only - this can be ensured with a suitable planning condition.
- 5.14 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.
- 5.15 It is acknowledged that the proposal complies with most of the requirements of policy TWR 5 but due to the size of the proposal and the layout of the units across the field, the open nature of the site

General and residential amenities

- 5.16 There are dwellings and farmhouses dispersed throughout the area and the nearest farmhouse, Tyddyn Mawr, is approximately 110m to the east of the site's nearest boundary. It is not considered that the touring caravan site would lead to an increase in noise and disturbance to the extent that it would cause additional significant harm to local amenities and therefore it is considered that the proposal is acceptable in terms of Policies PCYFF 2 and PCYFF 3 of the LDP as they involve protecting the amenities of nearby land users.

Transport and access matters

- 5.17 In response to the original observations of the Transportation Unit further proposals were submitted to improve access to the site and the latest proposals, which include creating three passing places and arranging that a series of brown tourism signs are erected in prominent locations to direct traffic to the site, are acceptable to the Transportation Unit.
- 5.18 By setting appropriate conditions to secure the above arrangement in the long-term, it is believed that the application would meet the requirements of Criterion 5 of policy TWR 5 and policy TRA 4 as they relate to protecting the safe and efficient operation of the local roads network.

Biodiversity Matters

- 5.19 The Biodiversity Unit noted that the applicant was required to provide a Biodiversity improvement plan. There was also some confusion at the start as an ecological assessment submitted with the application included a reference to converting outbuildings that were subject to the previous

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application and not the application in question. An amended Ecological Assessment was received in due course along with an additional landscaping plan and drainage details.

- 5.20 A habitats regulations assessment was carried out by the Biodiversity Unit and matters were raised relating to concerns about foul water reaching the designated site on the coast to the direction of the north-west through an existing ditch that runs in that direction from the site. A response to these matters were requested and after receiving the information provided in response to the points made in the assessment, NRW had nothing to add to their previous response only that they believe that the SAC is an open coastal site and that any discharge could be diluted quickly as soon as it reaches the marine environment. Consequently, NRW was of the opinion that the discharge is not likely to have a substantial impact on SAC features. Nevertheless, an application for an environmental water discharge permit from NRW is needed and a sufficient year-round flow of water in the the receiving watercourse is mandatory.
- 5.21 It is acknowledged that concern has been raised regarding this proposal at this location, mainly by the Biodiversity Unit. It is believed that misleading information as submitted has complicated some issues nevertheless an attempt has been made to respond to matters raised by the Biodiversity service and NRW. It is possible to ensure through formal conditions that any necessary information that may not have been confirmed explicitly so far such as lighting, landscaping, drainage etc, is agreed formally prior to commencing the development. Having considered all the information and the responses received, it is believed that the proposal meets the relevant requirements of policies AMG 5 and PS 19.

The Welsh Language

- 5.22 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.
- 5.23 A document was submitted to support the application explaining how the Welsh language had been considered when formulating this plan noting that the development would help to sustain the rural economy in a Welsh-speaking area. It is noted that the applicants are a local family with experience of working in tourism and who wish to develop the site to offer a future for their children and enable them to remain in the area. In addition, it is proposed to promote the Welsh language by;
- The entire family is Welsh speaking.
 - All signs will be bilingual.
 - Bilingual information about attractions, facilities and local services will be provided
 - Local employment opportunities are provided and local contractors used.
- 5.24 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.

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Response to the additional information/landscaping details

- 5.25 Although acknowledging that additional information has been submitted and that the applicant, by using a landscaping specialist, seeks to ensure that there is suitable landscaping for the site, clear concerns regarding the visual impact remain as the site and the local landscape is open and visible. The four-year period where trees/hedge are expected to establish is a long period of unacceptable significant visual impact. The proposal continues to fail to comply with the requirements of policies TWR 5 and AMG 1.

6. Conclusions:

- 6.1 Based on the above assessment, and despite the additional information received and the acceptable elements, it is considered that the proposal is unacceptable and that it would cause a detrimental and substantial impact on the landscape and local visual amenities.

7. Recommendation:

- 7.1 To refuse for the following reason:

It is not considered that the site is well screened by existing landscape features and is not in a location where touring units can be readily assimilated into the landscape. In addition, there is no certainty that the landscaping plan would succeed due to its close proximity to the coast and as a result of the period it would take to establish, if at all, the site would be prominent for a long period within the landscape. Because of this it is considered that the development would have a substantially significant and harmful impact on the visual amenities of the local area and it is not considered that the proposal would protect and improve the Llŷn Area of Outstanding Natural Beauty. It is therefore considered that the proposal is contrary to criterion 1 of policies TWR 5 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted July 2017.