

Number: 3

Application Number: C17/0016/33/LL

Date Registered: 09/01/2017

Application Type: Full - Planning

Community: Buan

Ward: Efailnewydd/Buan

Proposal: Creation of touring caravan site for 10 units including a toilet / shower block, hard pitches and a septic tank

Location: Tŷ Cynan, Rhydyclafdy, Pwllheli, Gwynedd, LL53 7YL

Summary of the

Recommendation: TO APPROVE WITH CONDITIONS

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1. **Description:**

- 1.1 This is a full application for the creation of a new touring caravan site. It is proposed to locate 10 touring caravans on the site along with the construction of a toilet block measuring 9.2 metres long, 3.4 metres wide and 2.4 metres to the roof. It is proposed to cover the external walls of the toilet block with timber cladding and dark green sheets as roofing material. It is also proposed to build a track around the caravan pitches along with planting additional trees along the site boundaries in order to reinforce the existing hedges. The original proposal included a proposal to connect the toilet drains to a new septic tank. However, an amended plan was received from the applicant, showing the proposal to connect the toilets to the public sewer that runs through the site. During the inspection visit by officers it was noticed that the ground level had been raised, and a proportion of the track had already been placed on the site.
- 1.2 The site is located outside the development boundary of Rhydyclafdy and within the Landscape Conservation Area. The site is served by an existing access which also serves the sewage work site of Welsh Water.
- 1.3 A Design and Access Statement and Language and Community Statement were received as part of the application.
- 1.4 The application is brought to Committee as it involves more than five caravans.

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 Unitary 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 set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Gwynedd Unitary Development Plan 2009: (GUDP)**

POLICY A2 - PROTECT THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES - Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

POLICY B10 – PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS – Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant damage to recognised features.

POLICY B12 – PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in

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Wales from developments which would cause significant damage to their character, their appearance or their setting.

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B27 - LANDSCAPING SCHEMES - Ensure that permitted proposals incorporate soft/hard landscaping of a high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY D19 – NEW SITES FOR TOURING CARAVANS, CAMPING AND TOURING UNITS - Proposals for developing touring caravan sites, camping, or new touring unit sites will be approved if they conform with specific criteria regarding the design, setting, appearance and location of the development, traffic issues, restrictions on use of the units and the accumulative impact on the local area.

Supplementary Planning Guidance: Holiday Accommodation (July 2011)

Supplementary Planning Guidance, Gwynedd Council: Planning and the Welsh Language (November 2009)

PS 1: The Welsh Language and Culture

TRA 2: Parking standards

TRA 4: Managing transport impacts

PCYFF 1: Development criteria

PCYFF 3: Design and landscaping

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

PS 16: Protect and/or enhance natural environment

AMG 1 Special Landscape Areas

PS 17: Safeguarding and/or enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens 2.4

Gwynedd and Anglesey Joint Local Development Plan. (Composite Version including Matters Arising Changes, January 2017).

2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 13 – Tourism

Technical Advice Note 18 – Transport

Technical Advice Note 20 – Planning and the Welsh Language

3. Relevant Planning History:

3.1 No relevant planning history.

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4. Consultations:

Community/Town Council:	Not received.
Transportation Unit:	No objection to the proposal and suggest that a condition be imposed on the permission, enforcing an improvement to the access before use.
Natural Resources Wales (NRW):	<p>NRW has no objection to the proposal. NRW is of the opinion that the proposed development is unlikely to have a significant impact on the interests listed:</p> <p>Sewage Drainage The developer has confirmed in additional information (e-mail to NRW and the Council on 31/01/2017) that he intended to join the main sewer. This is suitable for the development.</p> <p>Flood Risk The application site lies a little outside of a C2 zone as defined by the development advice map referred to in TAN 15 - Development and Flood Risk (July 2004). Given the size of the proposed development, and in the absence of a flood consequence assessment, NRW considers that the risk could be acceptable subject to the developer being notified of the possible flood risks. Suggest siting every caravan as far away as possible from any watercourses.</p>
Welsh Water:	<p>Notify the Council that a public sewer crosses the application site and suggest including a condition on any permission stating that no development will be allowed within a safety zone on either side of the public sewer, and the developer should contact Welsh Water should he intend to connect to the public sewer in the future.</p> <p>It is understood that there have been discussions between the applicant and Welsh Water regarding the proposal and the work of building the track, and a copy of the e-mail from Welsh Water to the applicant was received, stating that it did not anticipate any issues arising because the track had been erected over the public sewer, but reminding him that Welsh Water had the right to access the land at any time it wishes for any maintenance work. The applicant has amended his development so that he will be connecting to the public sewer and a final response is expected from Welsh Water regarding this.</p>
Public Protection Unit:	No objection to the application as long as it complies with the licensing conditions as well as the amended plan dated 31.01.17 ref. TC/PSSL/001
Fire and Rescue Service	No intention of making observations regarding access for fire engines and water supply.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The notification period came to an end and correspondence was received supporting on the grounds of:

- The proposal will support the local public house, restaurant and gas company
- Pen Llŷn is very dependent on the tourism industry.
- The scale of the proposal is reasonable.
- It is hoped that the Council will support the application.

5. **Assessment of the material planning considerations:**

The principle of the development

- 5.1 Policy D19 permits proposals to develop new touring caravan and touring unit sites provided they conform to all of the noted criteria. These include the need for the development's design, layout and appearance to be of a high standard and that it is sited in an unobtrusive location, screened effectively by existing landscape features and/or where touring units can be readily assimilated into the landscape in a way that does not significantly harm the visual quality of the landscape; that the site is close to the main highway network and that adequate access can be provided; that the site is used for touring purposes only, and that the proposal will not exceed the reasonable, capacity of the immediate locality to accommodate the development taking into account any accumulative impact of existing touring caravan sites.
- 5.2 It is not considered that the site is located in an obtrusive spot in the landscape, as it is fairly concealed from the adjacent county road due to its location approximately 80 metres from the boundary of the road and behind the site's existing *clawdd* and hedges. The proposal is located within a field with semi-mature boundaries. It is, therefore, not considered that the proposal would cause significant harm to the visual quality of the landscape.
- 5.3 In terms of proximity to the roads network, the site access is located approximately 300 metres from a second class county road. The proposal includes reducing the height of the road boundary to create acceptable visibility lines and it is likely that this would have some impact on the landscape.
- 5.4 There is no caravan storage area as part of the application; and therefore it is understood that the touring caravans would not be kept on the land when not in use for holiday purposes.
- 5.5 There is no other caravan site within the local area and the proposal does not go beyond the reasonable capacity of the locality to accommodate such a development.
- 5.6 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The current 'Development Plan' is the Gwynedd Unitary Development Plan (2001-2016) and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) will replace the UDP as the 'development plan' once it is adopted. It is hoped that the JLDP will be adopted during July 2017.

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- 5.7 When dealing with any planning application the statutory test should be your first consideration at all times, i.e. it is necessary to determine planning applications in accordance with the development plan, unless other relevant considerations state otherwise. The JLDP is now a material planning consideration for the purposes of development control - see paragraph 3.1.3 Planning Policy Wales that states:
"Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies ..."
- 5.8 Although many policies have been discussed in detail during the Gwynedd and Anglesey Joint Local Development Plan Hearings, we will not know for certain what the contents of the Plan will be until the Inspector presents his binding report.
- 5.9 Paragraph 2.14.1 of Planning Policy Wales states:
"...thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances."
- 5.10 In this case, the JLDP policies as listed in 2.4 above are material and as these policies are consistent with the policies of the Unitary Development Plan, it is considered that the above assessment and the recommendation of this report is consistent with the emerging policy.

Visual amenities

- 5.11 One of the main objectives of policy B10 is to safeguard and enhance Landscape Conservation Areas and ensure that developments are integrated well in the landscape. It is not considered that this site creates a development that would be intrusive to the landscape, because the location of the site is approximately 80 metres away from the boundary of the county road and the site is surrounded by hedges. Consequently, it is not considered that the touring caravan site would stand out prominently in the landscape and it would not have an adverse impact on the Landscape Conservation Area. The site plan received as part of the application shows a proposal to reduce the county road's *clawdd* level in order to improve the visual lines of the access and this is likely to have some impact on the landscape. However, it is proposed to plant more trees around the site boundaries in order to add to the existing screen and to decrease the impact of the development on the landscape. Consequently, it is considered that the proposal complies with Policies B10 and B27 of the GUDP.

General and residential amenities

- 5.12 The application was advertised at the site and nearby residents were notified. No response was received as a result of the statutory consultation period. The site is located outside the development boundary of the village and over 60 metres from the closest residential dwellings. The site is located in a field between a wooded area to the east and a field to the west. The trees create a natural screen between the site and houses to the east, and although the site will be visible for the house to the east, the proposal to implement a landscape plan to reinforce the existing *clawdd* and hedge along the site's western boundary is likely to be of support to safeguard reasonable privacy for the users of that house. It is not considered that a site with 10 touring caravans would be an over-development of the site and would not lead to additional traffic to an extent that would significantly harm local amenities. The application proposes to establish a touring caravan site and it is usual to impose a condition

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restricting the holiday season to between 1 March and 31 October. As a result, the use of the site would be temporary. This would mean that there would be no change to local residents' amenities outside the holiday season. The applicant's property is located near the site; therefore, the owner would be living nearby, and would be available to manage the site and any potential incidents in respect of safety, noise, litter, anti-social behaviour etc. Therefore, although the site can be seen from dwellings, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood, and the proposal is considered acceptable in respect of Policy B23 of the GUDP.

Transport and access matters

- 5.13 Criterion 2 of Policy D19 of the GUDP requires that new caravan sites are located in close proximity to a highways network, and that adequate access can be provided without causing significant harm to the character and features of the landscape. Policy CH33 of the GUDP relates to road safety. Criterion 1 of Policy CH33 requests that vehicular access to the site is provided which is safe and in keeping with the local area, and Criterion 2 states that the existing road network must be of an adequate standard to deal with the flow of traffic that will derive from the development. The existing access to the third class county road is used for servicing the site along with the nearby Welsh Water sewage works site. Although there is no intention of altering the access layout, it is proposed to reduce the height of the *cloddiau* adjacent to the access to no higher than one metre above the level of the county road in order to improve visibility lines to the southern and northern direction.
- 5.14 The use and location of the site means that caravans would be likely to travel approximately 300m along the class three road before joining with the class two road, B4413, which is located to the north of the site. Criterion 2 of Policy D19 requests, amongst other things, that the site is near the highway network. The Council's Draft Supplementary Planning Guidance – 'Holiday Accommodation' elaborates on this and it is noted in paragraph 34 that it is important that new sites are located as near as possible to the main highways network i.e. class A and B. The site is located approximately 300 metres from the closest class two county road. It is not considered that this distance is unreasonable considering the nature of the use and the road and it would not have a significant impact on transport along the county roads. The observations of the Transportation Unit state that there is no objection to the proposal. It is not considered that the proposal is contrary to policy CH33 of the GUDP.

Flooding matters

- 5.15 The site lies a little outside a C2 zone as defined by the development advice map referred to in TAN 15 - Development and Flood Risk (July 2004). Given the size of the proposed development, and in the absence of a flood consequence assessment, NRW considers that the risk could be acceptable subject to the developer being notified of the possible flood risks. Suggest placing every caravan as far as possible away from a watercourse. It is proposed to send a copy of the NRW letter to the applicant to notify him of these matters.

Linguistic / community matters

- 5.16 Policy A2 of the GUDP states that proposals that would cause significant harm to the social, linguistic or cultural cohesion of communities, due to their size, scale or location, will be refused. As the proposal involves a tourism development which will create ten or more holiday units there is a requirement for a Language and Community Statement to be prepared in order to comply with the Supplementary

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Planning Guidance: Planning and the Welsh Language. A Language and Community Statement was received as part of the application and the Joint Planning Policy Unit was consulted. The Joint Planning Policy Unit's observations state, as this is solely a proposal for touring unit pitches and not for permanent pitches, that it is not believed that the nature or scale of the proposed development are likely to have a detrimental impact on the Welsh language. It is considered that the proposal is likely to have a positive impact on the area's economy and, therefore, will be of benefit to the Welsh language; and the development is also likely to create or contribute to economic opportunities for local people e.g. on site, in local shops and eateries, local attractions. In order to maximise potential positive effects, it is suggested that positive mitigation measures be considered in order to protect and promote the Welsh language. These can include bilingual signs on site and information about the history and culture of the area. Therefore, it is not considered that the proposal would cause significant harm to the social, linguistic or cultural fabric of the community, and is, therefore, deemed acceptable in respect of Policy A2 of the GUDP.

6. **Conclusions:**

- 6.1 Due to the scale and location of the application together with existing natural features the site is not considered to be obtrusive in the landscape, or likely to have a significantly harmful impact on the visual amenities of the Landscape Conservation Area. It is not considered that it would have any effect on road safety or have a significant detrimental impact on the amenities of the local neighbourhood. It is considered that the site can be correctly managed by imposing relevant conditions.

7. **Recommendation:**

7.1 To approve – conditions

- 1 Five years
- 2 In accordance with submitted plans;
- 3 The number of units on the site at any one time to be restricted to 10.
- 4 Conditions on the timeframe for letting caravans/holiday period/moving the caravans when not in use.
- 5 No storing on the land.
- 6 Records list
- 7 Landscaping
- 8 Improve access visibility before using the site.
- 9 Submit *clawdd* construction details along the site's northern and eastern boundary and implement it before using the site.