

PLANNING COMMITTEE	DATE: 15/01/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

Number: 9

Application Number: C17/1144/39/LL

Date Registered: 21/11/2017

Application Type: Full - Planning

Community: Llanengan

Ward: Llanengan

Proposal: Site two additional static caravans to increase numbers from 17 to 19 and construction of new earth bank

Location: Tŷ Hir Caravan Park, Mynytho, Pwllheli, Gwynedd, LL537RR

Summary of the Recommendation: TO REFUSE

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REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

1. Description:

- 1.1 This is an application to site two additional static caravans on the site together with additional landscaping which would include the construction of a bank and reinforce the existing vegetation on the southern boundary. Two similar applications for this purpose have already been refused during 2017.
- 1.2 The existing static site has planning permission for 17 units. There is also a site for touring caravans located at Tŷ Hir, authorised via a legal use certificate application in 2013. The site is located in the countryside and access is via a narrow unclassified road. The site lies within a Special Landscape Area and a Landscape of Outstanding Historic Interest. The site in question is at the centre of the site, where there are no immediate neighbours to be affected.
- 1.3 The application is submitted to the Committee at the request of the Local Member.

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 Act (Wales) 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 **Gwynedd and Anglesey Joint Local Development Plan 2011-26 adopted 31 July 2017**

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 6: Alleviating and adapting to the effects of climate change

PCYFF 2: Development criteria

PCYFF 4: Design and landscaping

TWR 3: Permanent static caravan and chalet and alternative camping sites

PS 19: Protect and/or enhance natural environment

AMG 2: Special Landscape Areas

PS 20: Safeguarding and/or enhancing heritage assets

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

Supplementary Planning Guidance – Holiday Accommodation (2011)

PLANNING COMMITTEE	DATE: 15/01/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

2.4 National Policies:

Planning Policy Wales, Edition 9, November 2016.
 Technical Advice Note 13 – Tourism
 Technical Advice Note 18 – Transport

3. Relevant Planning History:

- 3.1 3/4/272B Extension of caravan site from 12 to 15 caravans - Approved 4 October 1968.
- 3.2 C12/1107/39/TC - Locate 20 touring caravans along the boundaries of O.S field no. 4819 to be occupied for holiday use only between 1 March and 31 October, with a maximum of 17 (unoccupied) touring caravans stored on their pitches over the winter between 1 November and 28 February - Certificate authorised 23 May 2013
- 3.3 C13/1081/39/LL Agricultural shed - approved 11 December 2013
- 3.4 C13/1082/39/LL – Extend the surface area of the existing static caravan site, site two additional static caravans, install a new sewage treatment system and minor landscaping work - approved 16 May 2014.
- 3.5 C17/0444/39/LL – Site two additional static caravans to increase numbers from 17 to 19 and construction of a new earth bank - refused 23 June 2017.
- 3.6 C17/0719/39/LL - Site two additional static caravans to increase numbers from 17 to 19 and construction of a earth bank - refused 8 September 2017.

4. Consultations:

Community/Town Council: Not received.

Transportation Unit: No objection to the proposal. The increase from 17 to 19 static units equates to an increase of approximately 10% and is considered to be within an acceptable development level.

Biodiversity Unit: Not received.

Caravans Officer: Not received.

Fire Service: No observations in terms of access for fire equipment and water supply.

PLANNING COMMITTEE	DATE: 15/01/2018
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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period ends on 21 December 2017 but no response had been received when preparing the agenda.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 A number of policies within the LDP are relevant when determining the application. The main policy to consider when assessing the principle of the development is policy TWR 3. The relevant part of the policy in terms of this specific application located within the Special Landscape Area is part 3. This may permit small extensions to the site's surface and /or re-locating units from prominent locations to less prominent locations subject to compliance with criteria.
- 5.2 One of the criteria is that the improvements do not lead to an increase in the number of static caravans or chalet units on the site, unless, in exceptional circumstances, the proposals involve relocating existing sites located within the Coastal Change Management Area. The policy does not, therefore, allow an increase in the number of static caravans on sites within the AONB or the Special Landscape Areas. This proposal involves increasing the numbers of units on site by adding two units. The proposal does not therefore comply with the requirements of Policy TWR 3 in terms of sites within the Special Landscape Area. The proposal is, therefore, contrary to the requirements of Policy TWR 3 of the LDP.
- 5.3 It is acknowledged that the application shows an intention to carry out landscaping along the boundaries of the site and to construct a new bank along the site's western boundary. However, it should be noted that the majority of this landscaping was included as improvements to the previous application C13/1082/39/LL, and therefore, the only new improvements proposed this time is the bank on the western boundary. During the site visit for application C17/0444/39/LL, the applicant was asked if the landscaping which was part of the previous application's improvements had been carried out. It was confirmed that the landscaping had not been carried out on the southern boundary as shown on the plan. Although improvements are proposed, there is concern due to the fact that the improvements from the previous application have not been carried out, that these latest improvements would not be completed either should the application be approved.
- 5.4 In a letter submitted with the application, the agent has referred to the fact that when application C13/1082/39/LL was considered, that the caravan site should have been recognised as a static caravan site as there is approval to keep 17 of them on site for 12 months of the year, and that this would have secured approval for an additional three units rather than two, when an increase of 10% was agreed under the policies of the Gwynedd Unitary Development Plan. In addition, the agent's statement mentions exchanging two of the touring units for the two new static units applied

PLANNING COMMITTEE	DATE: 15/01/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

for in the current application. For planning purposes, the touring units' are on a separate site to the static caravan site, and are located on a completely different field on the other side of the applicants' property. The Policy does not refer to the ability to exchange touring unit for static units, and it is not considered that exchanging two touring units for two static units would have any affect in terms of improving the appearance of either site. Also, if touring units are exchanged for static ones, it is not usually at the scale of one for one. Also, exchanging the touring sites would not contradict the fact that the Policy does not permit increasing the number of caravans on sites within a Special Landscape Area.

Visual amenities

- 5.5 The site is in a relatively sheltered and central hollow within the holding, where the new units would assimilate to the background. It is not considered that there will be a significant impact on the Special Landscape Area designation as a result of the development, and the proposed planting would also certainly help to assimilate the units to the landscape. Therefore, it is considered that the proposal conforms to the requirements of Policy AMG 2 of the LDP.
- 5.6 The proposed plan shows an intention to strengthen the existing landscaping with a bank, native shrubs and trees and additional landscaping on the bare boundaries. However, in fact, the only additional landscaping which forms a part of the current application is the bank on the western boundary as the reminder of the landscaping was included on the plans as part of the previous application C13/1082/39/LL. It was disappointing to learn that not all of the landscaping which formed part of that application had been completed, and the officers are concerned that the additional proposed bank would be completed either. However, it is considered that a new earth bank would be suitable for the location and would reinforce the existing landscaping by conforming with the requirements of Policy PCYFF4 of the LDP which relates to the landscaping schemes of developments.
- 5.7 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. In terms of its location and size, it is considered that the impact would be local and it would not have a wider impact on the historic landscape. Therefore, it is not considered that the proposal is contrary to Policy AT 1 of the LDP.

Transport and access matters

- 5.8 Policies TRA 2 and TRA 4 of the LDP involve assessing proposals in terms of their impact on road safety. The aim of the application is to increase the number of static units from 17 to 19. The Transportation Unit does not object to the proposal. It is unlikely that this increase would have a detrimental impact on road safety. Therefore, it is considered that the proposal complies with the requirements of the abovementioned policies.

Any other considerations

PLANNING COMMITTEE	DATE: 15/01/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

5.9 The observations of the Caravans Officer on the current application had not been received at the time of preparing the agenda. However, according to the two previous applications, the Council's Caravans Officer has declared concern about Health and Safety matters on the site relating to timber verandas and space between units. It is understood that the applicant is aware of the concerns, and it is understood that arrangements will be made to restore this situation. Planning regulations can not intervene with the requirements of Health and Safety regulations.

6. Conclusions:

6.1 It is acknowledged that the development demonstrates improvements to the facilities of the current static site, and that the additional landscaping would improve the appearance and the environment of the site. However, policy TWR 3 of the LDP does not permit an increase in the number of static caravans at existing sites within the Special Landscape Area. It is therefore considered that the proposal is contrary to policy TWR 3 of the LDP.

7. Recommendation:

7.1 To refuse -

1. The proposal involves increasing the number of static caravans on an existing static caravan site within a Special Landscape Area. Policy TWR 3 of the Gwynedd and Anglesey Joint Local Development Plan does not allow an increase in the number of static caravans or chalet units on existing sites within a Special Landscape Area. The proposal is, therefore, contrary to Policy TWR 3 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017).