

PLANNING COMMITTEE	DATE: 15/10/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 5

Application Number: C18/0780/20/LL

Date Registered: 11/09/2018

Application Type: Full - Planning

Community: Y Felinheli

Ward: Y Felinheli

Proposal: Siting of 4 seasonal holiday accommodation units in the form of shepherds' huts together with a shower hut (amended application from that refused under reference C18/0393/20/LL)

Location: Fferm Plas Llanfair, Ffordd Caernarfon, Y Felinheli, Gwynedd, LL55 1TT

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is a full application for the siting of 4 seasonal holiday accommodation units in the form of shepherds' huts together with a shower hut. The proposal will also entail the installation of trees and bushes together with the creation of a parking area with a slate waste surface for users of the holiday units and a footpath made of straw matting. Internally, the units would contain an open space for a bed, seating area and a work/kitchen area for two people. Externally, the units would be in the form of shepherd huts set on four wheels and would measure 5.4m in length, 2.2m in width and 2.8m in height from the ground to the ridge of the arched roof. The mobile unit containing the washing facilities would have separate spaces for men and women, including two showers and toilets. Externally, it would measure 6.7m in length, 2.7m in width and would be 2.8m above the level of the nearby land. The units' external appearance would be green to reduce their impact on visual amenities and they would be built by the applicant using recycled materials such as timber from the farm. It is intended to create footpaths that would connect the units with the parking facility together with the planting of apple trees and an informal hawthorn *clawdd* in front of the units. This most recent application is an amendment of the plan refused in June, 2018 under delegated rights where the holiday units were sited in a row within the site of the application, rather than in a semi-circular formation as in this current application.
- 1.2 Outside the summer season, the units would be relocated/stored within a shed on the agricultural holding of Fferm Plas Llanfair, and the parcel of land would be reused as a pasture for livestock. The site is on an open parcel of land in a south-eastern corner of an agricultural field, with unobstructed views toward the Menai Strait and Anglesey to the west. Access is gained from private roads network that is already used for agricultural purposes and by nearby residential dwellings. North of the site lie the agricultural land and residential dwellings of Llanfair Hall, to the east, is the residential dwelling of Llanfair Old Hall, to the south is open agricultural land, and to the east lies the rest of the agricultural field beyond which are the Menai Strait (a Special Conservation Area) and Anglesey (within its AONB are the banks of the Menai).
- 1.3 A Design and Access Statement was included with the application (although not mandatory) which contains the marketing details for the holiday accommodation enterprise and an Ecological Evaluation. It is intended for the development to be of a high standard and quality and is aimed at those seeking an eco holiday in a rural setting and will be advertised at the high end of the glamping market - luxury camping/camping in style as referred to in SPG: Holiday Accommodation (2010).

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.

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2.3 **Gwynedd and Anglesey Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:**

Policy TRA4 – managing transport impacts.

Policy PCYFF2 – development criteria.

Policy PCYFF3 – design and place shaping.

Policy PCYFF4 - design and landscaping.

Policy TWR 5 - touring caravan, camping or temporary alternative camping sites.

Policy PS5 - sustainable development.

Policy PS6 - Mitigating the effect of climate change and adapting to them.

Policy PS14 - the visitor economy.

Policy PS 20 - preserving and where appropriate enhancing heritage assets.

Policy AMG 1 - Areas of Outstanding Natural Beauty Management Plans.

Policy AMG3 - protecting and enhancing features and qualities that are distinctive to the local landscape character.

Policy AMG5 - local biodiversity conservation.

Supplementary Planning Guidance (SPG): Holiday accommodation (2009).

2.4 **National Policies:**

Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities (2010).

TAN5 Planning and Nature Conservation (2009).

TAN12 Design (2016).

NCT13 Tourism (1997).

NCT23 Economic Development (2014).

TAN24 The Historic Environment (2017)

Planning Policy Wales, Edition 9 (2017).

3. **Relevant Planning History:**

- 3.1 Application number C18/0393/20/LL - siting 4 seasonal holiday accommodation units in the form of shepherds' huts together with a shower hut, was refused in June, 2018 under delegated rights on the grounds of visual amenities and residential amenities.

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4. Consultations:

Community/Town Council:	No response.
Transportation Unit:	No objection, but recommends providing an additional passing place approximately half way up the access track.
Natural Resources Wales:	No response.
Welsh Water:	No observations.
Public Protection Unit (Licensing Enforcement Officer):	The development needs a site licence and needs to comply with Legislation on Caravan Standards, safety and fire safety, etc.
Isle of Anglesey County Council:	No observations.
Conservation Officer:	No response.
Biodiversity Unit:	No response.
Footpaths Unit:	No response.
Public Consultation:	<p>A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received objecting on the following grounds:</p> <ul style="list-style-type: none"> • The development continues to affect the setting of the grade II listed buildings of Llanfair Hall. • The development continues to affect the setting of the Anglesey Coast AONB. • Lack of details about the removal sewage. • Disturbance, refuse and noise pollution will affect nearby residential amenities. • The proposal would have a detrimental effect on the visual amenities of a sensitive landscape/coastline. • Siting holiday units so close to residential dwellings would lead to overlooking and loss of privacy. • Dangerous junction from the access road to the road that serves the dwellings of Llanfair Hall and the Plas Llanfair farmhouse. • Insufficient landscaping plan since parts of the accommodation units would remain visible above the landscaping. • The proposal would affect the ecological characteristics of the local area. • Concerns about the suitability of the avenue that serves the site.

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Concerns about the content of the ecological evaluation.

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

- No pre-consultation with local residents.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of developing this site for establishing new, temporary holiday accommodation (including touring caravans, camping and alternative camping accommodation as in this case) is included in Policy TWR 5 of the LDP. Such developments are approved if compliance with a number of criteria can be secured:

- That the proposed development is of a 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 that does not significantly harm the visual quality of the landscape; the amended proposal entails the siting of four mobile holiday accommodation units in the form of shepherd huts together with washing and toilet facilities in the corner of an open field on the banks of the Menai Strait. The units are in a half circle formation with spaces between them that contain amenity areas for users of the holiday accommodation. They would be of green coloured timber and landscaping is, this time, confined to the southern, front part of the site and the front, west-facing gable end of the shower hut, in an attempt to reduce the impact the structures would have on the visual and open amenities of this part of the coast. North of these units are parking bays for four vehicles, between the shower hut and the existing single track, which is used for agricultural purposes and by the residents of The Old Boathouse, it is surfaced with slate waste. There is vegetation to the rear of the site and in front of the dwelling known as Llanfair Old Hall, which includes mature trees and bushes. However, there is a lack of existing vegetation on the southern, western and northern boundaries of the application site and there would be unobstructed views of the holiday accommodation, associated equipment and the parking/vehicle area, especially from the north where public footpath Number 19 Y Felinheli is located, and by users of the Menai Strait. Despite being located in the uppermost corner of the field, such a development (including various necessary equipment associated with the alternative holiday accommodation usage, despite the seasonal nature of the accommodation units) on an open parcel of land would be an obtrusive development in the landscape and would create structures that are incompatible with the open landscape/landform.

Despite the considerable age of the buildings to the east of the application site, including the original Llanfair Hall, it is believed that developing this part of the field would continue to create an obtrusive development to the detriment of visual amenities and views of the site from the Menai Strait and the local landscape. Historically, this part of the landscape would have been identified as park land, associated with the former stately home, and of an open nature and unobstructed views toward the Menai Strait and Anglesey. Although other developments have

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taken place in relation to the nearby dwellings, these are developments on a domestic scale rather than developments within the open landscape.

Although the application has been amended in terms of the layout of the holiday accommodation, the shower hut, the parking bays and landscaping, in order to reduce the physical impact of the development on the landscape, this, in turn, would undermine the open character and nature of the existing landscape and would introduce vegetation to a parcel of land that is open in its nature and character. It is also believed that the site does not have existing landscape features that could reduce the impact of the proposal on the landscape; the proposal would, consequently, have a substantially detrimental effect on the visual quality of the landscape.

Considering the nature and amended layout of the holiday accommodation units, the parking bays, the associated equipment and the introduction of human activities of a tourist nature to the landscape, the cumulative effect of these elements of the development would still be akin to creating an obtrusive development in the local landscape.

- The proposal avoids an excess of areas of hard standings - four units and the washing facilities would be located on a small parcel of land compared with the size of the existing field and any hard standings would be retained for parking with pathways to the accommodation created through the use of straw matting material.
- Physical contact with the ground is restricted and items can be removed from the site during the closed season - as previously referred to the holiday accommodation units would be in the form of shepherd huts with the chassis/frame on wheels to this end. Thus, any physical contact with the ground would be minimal.
- Any ancillary facilities should be located in an existing building; or, if this is not possible, any new facility is commensurate with the scale of the development - the only ancillary facility that is part of this proposal is the mobile unit for washing and toileting which also takes the form of a shepherd hut and would be slightly larger in size, in length and in breadth. It is believed that adding this structure to the four holiday units would not be commensurate with the scale of the development since it would increase the density of the units on site by 20%.
- The site is close to a main roads network and sufficient access could be provided - the site is served by private access roads owned by the applicant and are used for agricultural purposes and by nearby residents. The access roads are connected to the main roads network through a standard access to the Class III County Road to y Felinheli, which has a junction to the A487 trunk road farther to the south. Given the scale of the development (four holiday units) it is believed that approving this application would not undermine road safety on the public roads in the vicinity of the site of the application and this element of the proposal is acceptable to the Transportation Unit, subject to creating an additional passing place near the site itself.
- Occupation of the development is restricted to holiday use only - the applicant has confirmed that use made of the holiday accommodation units would be seasonal only and the applicant has confirmed that the accommodation units along with the shower huts will be removed from the site for six months outside the holiday season.

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- That the site is used for touring purposes only and that any units are to be removed from the site at times of non-use - the applicant has confirmed that the accommodation units will be removed from the site and stored indoors in a building on the farmyard.
- 5.2 Policy PS14 of the LDP states, when ensuring consistency with the local economy and local communities and the protection of the environments, local tourism developments will be supported provided that several criteria are adhered to, including:
- Focusing on tourism, cultural, artistic, and leisure developments that are sustainable, active and on a larger scale in the built up centres - although four touring units and an ancillary facilities unit would usually be described as a small-scale development, within its current context, it is believed to be a development on a scale that is obtrusive and located on a sensitive and open site in the countryside.
 - Managing and improving the provision of high quality tourism accommodation in a form that includes alternative luxury camping and touring caravans - this current development proposes to prepare and provide luxury accommodation at the higher end of the glamping or camping market in style/luxury as referred to in SPG: Holiday Accommodation.
 - Supporting new tourism provisions and enterprises on an appropriate scale in sustainable locations in the countryside by reusing existing buildings, if appropriate, or as part of diversification on farms - it is acknowledged that this development would be means of diversifying on a working farm with profits being channelled back into the business of the agricultural holding; however it is believed that the scale of the proposal is not suitable for its sensitive setting in the countryside.
- 5.3 As a result of this assessment, it is not believed that this amended proposal is acceptable on the grounds of location, scale, and detrimental impact on visual amenities in the local area; to this end, therefore, it is not acceptable in principle and does not comply with all the requirements of Policy TWR 5 and PS 14 of the LDP.

Visual amenities

- 5.4 As referred to above, the application site is located in the corner of an open field on the coast near the banks of the Menai Strait. Vegetation creates a backdrop to the development with the intention of landscaping the rear of the site in addition to informal landscaping to the front of the site. Views from public open spaces will be restricted to the public footpath that runs approximately 110m to the north of the site, with views of the site also to the west and from Anglesey and by users of the Menai Strait. Despite the surrounding area not being recognised or designated a special landscape and that the development would not have a substantial impact on the Anglesey Coast AONB, it is believed that the proposal would continue to have a detrimental impact on the character and feel of the local landscape/park land as it would create an intrusive development in a rural landscape.
- 5.5 The site is located within an area described in Gillespie's Landscape Capacity and Sensitivity Assessment (2014) as a moderate landscape and open coastline along with a varied landscape pattern. It concludes that the general sensitivity of this area is of moderate importance for static caravan/chalet developments since part of the coastline has already been influenced by modern developments that, in turn, reduce its sensitivity to static caravans and chalets. Although this current proposal does not involve static and permanent holiday accommodation, the landscape within which the application is located, is a rural landscape that has not been influenced or undermined by modern

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developments and retains its character as open park land that is sensitive to modern tourism developments of the type proposed herein. The accommodation units would be on the site for at least six months of the year and it is believed that the impact of the development during this time would harm visual amenities and the character and feel of the rural landscape. To this end, therefore, it is believed that the proposal is contrary to Policy PCYFF 3.

- 5.6 Although the listed buildings are located approximately 90m to the north-east of the site of the application, in the form of Llanfair Hall, it is believed that, given the distance between them, the layout of the accommodation units in the corner of the field, their design, the scale and mobile/temporary nature, the setting of the listed buildings themselves would be significantly affected. It is also believed that it would not substantially impact the views from the listed buildings toward the surrounding landscape. The proposal is, therefore, believed to comply with the requirements of Policy PS 20 of the LDP.

Transport and access matters

- 5.7 As mentioned above, the site is served by private access roads owned by the applicant and used for agricultural purposes and nearby residents. The tracks are connected to the main roads network through a standard access to the Class III County Road to y Felinheli (Caernarfon Road), which has a junction with the A487 trunk road farther to the south. Considering the scale of the development (four holiday accommodation units) a substantial increase in traffic is not expected on this network of roads as a result of the development, to the detriment of road safety. The Transportation Unit has no concerns about the effect the proposal would have on any road or proposed road subject to creating an additional passing place. The proposal is, therefore, acceptable based on the requirements of Policy TWR 5 and TRA 4 of the LDP.

The economy

- 5.8 The agent for the applicant confirms that the proposal is a way of diversifying the agricultural holding of Plas Llanfair through financially supporting the activities of the holding itself. This, in itself, does not override the planning matters noted above.

Residential and General Amenities

- 5.9 As referred to above, several correspondences were received objecting to this proposal for various reasons, including:
- Noise and general disturbance - the dwelling closest to the application site (Llanfair Old Hall) is approximately 20m to the east of the application site with the residential dwellings of Llanfair Hall approximately 90m to the north-east. Concerns were expressed that noise disturbance would emanate from the occupation of the holiday accommodation, along with trespassing, antisocial behaviour and the protection of the health of local residents. Given that the site, at present, can be described as having a rural, quiet and tranquil character and feel, siting holiday accommodation units on this parcel of land would inevitably disturb the quiet character of this part of the rural landscape and would undermine the residential and general amenity of nearby occupants on the grounds of noise/voice disturbance, outside activities by users of the holiday accommodation and movement of cars, compared to the current situation. To this end, therefore, it is believed that this amended proposal continues to be contrary to the requirements of Policy PCYFF 2 of the LDP.

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- Visual amenities - concern has been expressed by local residents about the impact of the proposal on visual aspects and amenities of the landscape and the impact on nearby listed buildings. As referred to in the above assessment, the proposed development would be an obtrusive development on a site that extends into a rural open landscape. It is also believed that siting holiday accommodation units for half the year in front of Llanfair Old Hall would have a substantial impact on the general and residential amenities of the residents of this dwelling since it would create a screen for them that would replace the open space and open landscape as it currently stands. The proximity of the holiday accommodation, not only to the private curtilage of Llanfair Old Hall, but to the curtilage/private gardens of the residents of Llanfair Hall which extends down toward the site of the application, would result in over-looking and direct loss of privacy for the private amenity areas of the occupants of this property despite the vegetation to the rear of the application site. It is not believed that there would be a substantial impact on the setting of the listed buildings for the reasons already mentioned in this assessment.
- Road safety - considering the scale of the proposal it is not believed that there would be a substantial increase in the traffic using the private driveways and the entrance to the nearby Class II county road. The Transportation Unit has no concern about the impact of the proposal on road safety subject to the creation of an additional passing space near the site of the application.

Biodiversity matters

5.10 Policy AMG 5 of the LDP states that proposals should protect and, where appropriate, improve biodiversity identified as important to the local area. Considering the response of the Biodiversity Unit on the previous application, stating the need for an Ecological Impact Assessment, a Biodiversity Improvement Plan and a Tree Survey as part of the application, an Ecological Evaluation was presented as part of this current application. This states that biodiversity mitigation/benefit measures will need to be followed as regards the open drain, further landscaping and the installation of bat and bird boxes. The evaluation concluded that protected species would not be negatively affected. Although the response of the Biodiversity Unit had not been received at the time of preparing this report, it is believed that this most recent proposal, as a result of receiving the Ecological Evaluation, is acceptable on the grounds of the requirements of Policy AMG 5 of the LDP since there would not be any local biodiversity implications stemming from this development.

6. Conclusions:

6.1 Given the above assessment and having considered all material planning matters including local and national policies and guidance together with the objections and observations received, the proposal is not considered to be acceptable based on principle, its detrimental impact on visual amenities and the detrimental impact of the proposed development on residential and general amenities of nearby residents.

7. Recommendation:

7.1 To refuse:

1. The proposed development is contrary to the requirements of Policy TWR5, PCYFF3, PS14 and AMG 3 of the Anglesey and Gwynedd Joint Local Development Plan (2017) together with Supplementary Planning Guidance:

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Holiday Accommodation as it would create an obtrusive development at the expense of safeguarding the visual amenities of the local landscape.

2. The proposed development is contrary to the requirements of Policy PCYFF2 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as it would detrimentally affect the residential and general amenities of nearby residents on grounds of noise and disturbance and by creating an overbearing development. The development is also contrary to the advice contained in Planning Policy Wales (2017), TAN13 Tourism and TAN23 Economic Development which states the need to avoid harm to residential amenities by steering economic developments to appropriate locations.