

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

Number: 4

Application Number: C17/0958/14/LL

Date Registered: 24/10/2017

Application Type: Full - Planning

Community: Caernarfon

Ward: Cadnant

Proposal: Replace 32 touring caravan and 68 tent pitches with 26 holiday chalets to be used for 12 months a year

Location: Cwm Cadnant Valley, Llanberis Road, Caernarfon, LL552DF

Summary of the Recommendation: TO REFUSE

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

1. Description:

- 1.1 This is a full application to replace 32 touring caravan and 68 tent pitches with 26 chalets that would be available for use as holiday accommodation throughout the year on the site known as Cwm Cadnant, opposite Llanberis Road in Caernarfon. The site currently has single avenues, a play area, landscaping that includes trees, bushes and green areas, a washroom/toilet block, office/reception, bin storage and specific pitches for tents to the north of Cadnant River, with touring caravans and motorhomes to the south of the river. The proposal would entail dispersing chalets/holiday cabins within the boundaries of the current site, and to include additional bin storage and parking spaces. The lower part of the site would be linked to the upper part of the site by a new bridge for pedestrians and vehicles.
- 1.2 The cabins/chalets would measure 12m in length, 6m in width, with a height to the ridge of 3.8m, with the intended use as holiday accommodation available throughout the year.
- 1.3 The site is accessed from the class I county road, Llanberis Road (A.4086) which is located outside the development boundary as included in the Gwynedd and Anglesey Joint Local Development Plan, 2017 (LDP). The lower part of the site on both sites of Cadnant River is located within a C2 flood zone, and the northern part of the site is designated as Coed Mawr Wildlife Site. The site is also the subject of Maesincla/Cadnant River Tree Preservation Order 3/TPO/A56.

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 2011-2026 adopted 31 July 2017:-**
 - Policy PS1 - The Welsh Language and Culture
 - Policy TRA2 – parking standards.
 - Policy TRA4 – managing transport impacts.
 - Policy PCYFF2 – development criteria.
 - Policy PCYFF3 – design and place shaping.
 - Policy PCYFF4 - design and landscaping.

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

Policy TWR3 – permanent static caravan and chalet and alternative camping sites.

Policy TWR 4 – holiday occupancy.

Policy PS6 - mitigating the effects of climate change and adapting to them.

Policy AMG5 - local biodiversity conservation.

Supplementary Planning Guidance (SPG): Holiday Accommodation (2011).

Anglesey, Gwynedd and Snowdonia National Park Capacity and Sensitivity Study - (Gillespies, 2014).

2.4 National Policies:

Technical Advice Note (TAN) 12 Design (2016).

TAN15 Development and Flood Risk (2004).

TAN 13 Tourism (1997).

TAN 23 Economic Development (2014).

Planning Policy Wales, Edition 9 (2016).

3. Relevant Planning History:

3.1 There is a lengthy planning history to this site with the latest application granted in July 2010 under reference C10A/0288/14/LL for improvements to the reception.

3.2 It is also noted that no pre-planning enquiry was submitted by the applicant in relation to this specific application.

4. Consultations:

Community/Town Council: Object due to the application for 12 month dwellings, and not a specific application in relation to holidays only. The units are also too close together.

Transportation Unit: No objection.

Natural Resources Wales: Part of the site is within a C2 flood zone, and the information submitted with the application does not show that the flood risk can be managed in accordance with the requirements of TAN 15.

Welsh Water: Condition regarding the disposal of surface water / drainage from the site.

Public Protection Unit: No response.

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

Public Protection Licensing Unit: No confirmation of compliance with licensing conditions has been received. Observations regarding the location and construction of the cabins/chalets.

Biodiversity Unit: This site is part of Coed Mawr Wildlife Site, and to this end, an Ecological Impact Assessment and a Trees Survey and an Impact Assessment of the development on the trees themselves will need to be submitted.

Fire and Rescue Service: No observations.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has already expired and correspondence has been received objecting on the following grounds:

- As this proposes changing the site from temporary units to permanent units, is there a risk that the units will be used as permanent residences?
- A language impact assessment will be required.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Policy TWR3 of the LDP states that 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 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:

- It can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality;
- 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
- That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.

5.2 The first guideline specifically refers to an intensification of new developments. The term *intensification* in the context of this policy is explained in paragraph 6.3.69 of the policy explanation. The paragraph refers to the Anglesey, Gwynedd and Snowdonia National Park Capacity and Sensitivity Study (Gillespies, 2014). Within each Landscape Character Area (as described by the Gwynedd Landscape Strategy, 2012)

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

the landscape's character is assessed to ascertain the capacity of the local landscape for further developments of holiday chalets or caravans.

- 5.3 This current development falls within the G04 Landscape Character Area (that includes the ancient town of Caernarfon and the north Arfon plateau), and the above strategy states the indicative capacity for the Landscape Character Area. Specifically, this part of the Study states *that within each area that contributes towards the setting of the national park there is no capacity for static caravan/holiday chalet park developments. However, outside these areas there could be limited capacity for small/micro-scale caravan/holiday cabin park developments that are well located and developed.* The study concludes that there is available capacity within the G04 Landscape Character Area for small developments (between 10-25 holiday unit/static caravans) within sites that are outside the AONB and Special Landscape Areas, if they are well-linked to the built environment/townscape.
- 5.4 This current proposal involves locating 26 holiday units within a concealed site and within the built environment and it is considered, in this case, that the proposal will not lead to an intensification of similar static caravan/chalet sites in the vicinity of the application and that, in itself, it will not have a substantial and significant impact on the character and amenities of the local landscape. It is also noted that the proposal would reduce the density of the use of the current site, by replacing 32 touring caravans and 68 tent pitches.
- 5.5 The second guideline relates to the development's design, layout and appearance, and its setting in an unobtrusive location. Within the LDP, an unobtrusive location is described as a location 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. The site is situated in a dip near Cadnant River which is screened by a wall to the north, by structures to the east, and by structures and woodland to the west. Any views from it would be local and very intermittent, and would be from private land rather than any nearby public right of way. Consequently, and given the setting of the units and the associated facilities within the site, it is not considered that the proposal would have a substantial impact on the local landscape, and that it is, additionally, located on a site that is unobtrusive within the townscape.
- 5.6 The third guideline refers to the proximity of the site to the main roads network, and that adequate access can be provided without significantly impairing the character and features of the landscape. In this case, the site is parallel to a class I county road (A.4086) with existing access serving the touring holiday park. As the nature of the development will lead to a reduction in the traffic and the use made of the existing entrance, it is not considered that the proposal, if approved, would undermine road safety. No improvements would be needed to the existing entrance and therefore, the proposal would not have a detrimental impact on any features or characteristics of the local landscape/townscape.
- 5.7 Policy TWR 4 of the LDP states that proposals for new static caravans and chalets or proposals to extend the holiday season of existing static caravan and chalet sites will be granted provided it can be demonstrated that the accommodation is being used exclusively for holiday purposes and does not become the occupant's main or sole place of residence. In this respect, it is confirmed that the proposed cabins/chalets would be used for holiday purposes, and this use could be enforced by the inclusion of a standard condition if the application was approved. Conditions such as these are accepted by Inspectors during appeals and, therefore, would be an acceptable condition in this case.

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

- 5.8 In this respect, it is believed that the proposal is acceptable, given its concealed location within the townscape; its scale (26 new holiday units would replace 32 touring caravans and 68 tent pitches); the holiday accommodation and the overall site would provide high quality facilities; the site is already used to provide holiday accommodation and it is intended to employ two full-time and two part-time staff members in addition to the existing employees.
- 5.9 In this particular case it is considered that the current application conforms with the requirements of Policies TWR3 and TWR4 in relation to the provision of static caravan, chalet and camping accommodation sites. However, although the proposed development is acceptable in relation to these policy requirements, these elements of the application do not mean that the overall development is appropriate and acceptable, based on other policy requirements and planning advice.

Visual amenities

- 5.10 This is a green site, concealed from other public places, located in a sheltered dip in a built-up area that includes a variety of established trees and bushes. It is considered that locating 26 holiday accommodation units of the proposed type, size and design will not have a substantial or detrimental impact on the visual amenities of this part of the townscape. It is therefore considered that this proposal is acceptable based on the requirements of Policy PCYFF3 and PCYFF4 of the LDP.

General and residential amenities

- 5.11 As referred to above, there are residential dwellings located nearby the application site, but between these residences and the site itself there are an established woodland and structures. As historic holiday use has already been established within the site, with the associated activities and noise (albeit seasonal), it is considered that fewer permanent holiday units would lead to a reduction in the density of traffic entering and exiting the site, and less noise disturbance. It is also noted that no response was received from the public to this element of the proposal following the statutory notification period. It is, therefore, believed that the proposal is acceptable based on the requirements of Policies PCYFF2 and TWR2 of the LDP.

Transport and access matters

- 5.12 It is intended to use the existing entrance to the site from the adjacent A.4086 class I county road (Llanberis Road) and to create additional parking spaces within the site. This proposal means a reduction in the movements entering and exiting the site, given that the holiday accommodation would be permanent rather than touring units. The Transportation Unit has no objection to the proposal on the grounds of road safety and, in this respect, it is considered that the proposal is acceptable based on the requirements of Policies TRA2 and TRA4 of the LDP.

Biodiversity matters

- 5.13 The northern part of the site has been designated as Coed Mawr Wildlife Site, which includes the river corridor (Cadnant River), a mixed deciduous lowland woodland, with lowland pasture and meadow. However, a detailed assessment of the impact of the development on the ecology of this part of the site cannot be undertaken until an ecological assessment and a trees assessment has been received. In spite of efforts by officers to request information from the agent, it has not been received, and therefore

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

it has not been possible for the LPA to undertake a detailed and comprehensive assessment of the development on biodiversity, protected trees and local ecology. Therefore it is impossible to consider or assess whether the proposal conforms to the requirements of Policy AMG 5 of the LDP in relation to protection and, where appropriate, the improvement of biodiversity identified as important to the local area.

Flooding matters

- 5.14 As referred to above, the northern part of the site on both sides of Cadnant River are located within a C2 flood zone. As the number of holiday units are located in the lower part of the site, within and exactly opposite the flood zone, the advice contained in TAN15, the requirements of Policy PS6 of the LDP and the outcomes of recent appeals clearly state that applications for developments identified as developments that are *vulnerable to harm* (including holiday use units/accommodation/caravans) should not be permitted if they are located within a C2 Flood Zone. The only exceptions to this restriction is when the development is part of a regeneration strategy that is necessary to maintain a dwelling, or is a development that contributes to key employment objectives that are supported by the local authority in order to maintain an existing settlement. The development that is the subject of this application does not correspond to one of the above exceptions.
- 5.15 In addition to this restriction, there are also concerns about the suitability of the escape route from the lower part of the site, if the Cadnant River overflowed. The only escape route from this part of the site is a narrow bridge, and the restricted width of the bridge would hamper the effectiveness of evacuating users of the holiday units from escaping from the lower part of the site to the safety of higher ground. In this respect it is not considered that the proposal as submitted is acceptable based on the requirements of Policy PS6 of the LDP and the advice contained in TAN15.

Linguistic matters

- 5.16 Policy PS1 of the LDP states that a Welsh Language Statement will indicate how the proposed development will safeguard, promote and strengthen the Welsh language, where the proposed development has a commercial surface area of 1,000m² or above. The total floor area of the holiday accommodation is 1,872m² and, therefore, would be subject to the submission of this type of statement. Although the applicant's agent has been informed of the need for this assessment, no such assessment has been submitted, and therefore the Local Planning Authority is unable to undertake a detailed assessment of the development's impact on the Welsh language and culture. One of this Policy's main objectives is to demonstrate a commitment to the promotion of balanced, sustainable and distinctive communities and therefore, as a result of this omission it is considered that the proposal is contrary to the requirements of Policy PS1 of the LDP.

6. Conclusions:

- 6.1 Given this assessment and in acknowledging that some elements of the proposed development are acceptable, it is impossible to overcome the fact that sections of the proposed site are located within a C2 flooding zone and a development that is vulnerable to harm within a C2 flood zone cannot be permitted. In addition to this shortcoming, no Trees Assessment, Ecological Impact Assessment or Welsh Language Statements with the application to enable the Local Planning Authority to make an informed decision on the impact of the proposal on local biodiversity and on the Welsh language and culture. Therefore, having considered the above assessment in its entirety, it is believed that the proposal, as submitted, does not conform with relevant local and

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	CAERNARFON

national policies and advice, and it is therefore recommended that the application is refused on the following grounds:-

7. Recommendation:

7.1 To refuse:-

1. The proposed development is contrary to the requirements of Policy PS6 of the Anglesey and Gwynedd Joint Local Development Plan (2017) together with Technical Advice Note 15 Development and Flood Risk as the proposal involves locating a highly vulnerable development within a C2 Flood Zone.
2. The proposed development is contrary to the requirements of Policy PS1 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as no Welsh Language Statement was submitted with the application, therefore, the Local Planning Authority was unable to assess the impact of the development on the Welsh language.
3. The proposed development is contrary to the requirements of Policy AMG5 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as no Tree Assessment nor Ecological Impact Assessment was submitted with the application, therefore, the Local Planning Authority was unable to assess the impact of the development on local biodiversity.