

PLANNING COMMITTEE	DATE: 02/03/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

**Number:** 4

**Application  
Number:** C19/0812/39/LL

**Date Registered:** 30/10/2019

**Application  
Type:** Full

**Community:** Llanengan

**Ward:** Abersoch

**Proposal:** Extend the holiday occupation period to be open  
throughout the year for holiday purposes

**Location:** The Warren Caravan Park, Lôn Pont Morgan, Abersoch,  
Pwllheli LL53 7AA

**Summary of the  
Recommendation:** TO APPROVE WITH CONDITIONS

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## 1. Description:

- 1.1 This is an application to extend the occupancy period on the static holiday caravan site so that there is a 12 month holiday season. The existing permissions restrict the occupancy of the caravans to between 1 March in one year and 17 January the following year. The proposal would increase the occupancy period by around six weeks a year. It is not intended to add to the number of static caravans on the site, only to extend the occupancy period. There will be no alterations or additions to the existing facilities on the site.
- 1.2 As part of the application, the Planning, Design and Access Assessment was submitted. This document explains the background to the application and notes that there is demand to stay on the site during the February half-term and also at the time of St. Valentine's Day and currently the park is closed during these periods. The document notes that holiday parks make a substantial contribution towards local sustainable communities, and provide trade for local goods, services and facilities. It is believed that opening throughout the year will be a way of maintaining local businesses during off-peak times and it would also be a way of reducing the disadvantages of seasonal work including the retention of trained and experienced staff. Extending the season would also be a way of making part-time jobs into full-time jobs throughout the year. The document notes that currently there are 60 part-time jobs and 40 full-time jobs and that the proposal would be likely to change this to be around 80 part-time jobs and 55 full-time jobs. Haulfryn Group already has measures in place to ensure that the static caravans are used for holiday purposes only. This includes signing a legal agreement noting that the caravan cannot be used as a permanent residence and providing the address of their permanent residence. A request would be made for documentation to prove that they reside in the permanent residence noted. The agreement also states that the caravan would be used for holiday and recreational purposes, and not as a permanent residence. The company has recently spent £8 million on the site, including on a spa and leisure facilities, including replacing a café / restaurant near the beach. They have also spent £500,000 on soft landscaping throughout the site in order to improve the site's appearance.
- 1.2 The site is situated in the countryside and lies within an Area of Outstanding Natural Beauty (AONB). The site is also within a Landscape of Outstanding Historic Interest. The site is served by a class 1 road. Part of the site lies within a C2 flood zone.
- 1.3 The application is submitted to the Committee as it involves a site that is 0.5 hectares or more.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Planning Policy Wales emphasise that planning decisions should be 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 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PS 1 - The Welsh Language and Culture

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

TRA 4 - Managing transport impacts

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PCYFF 2 - Development criteria  
 ARNA 1 - Coastal Change Management Area  
 PS 14 - The Visitors' Economy  
 TWR 4 – Holiday Occupancy  
 PS 19 - Conserving and enhancing the natural environment  
 AMG 1 - Areas of Outstanding Natural Beauty Management Plans

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities (July 2019)  
 Supplementary Planning Guidance: Holiday Accommodation (July, 2011)

## 2.4 National Policies:

Planning Policy Wales (Edition 10, December 2018)

Technical Advice Note 13 – Tourism

Paragraph 14 – Authorities should give sympathetic consideration to applications to extend the opening period permitted under existing permissions.

Technical Advice Note 15 – Development and Flood Risk

## 3. Relevant Planning History:

- 3.1 There is a lengthy history to the site. The most recent planning history is listed below.
- 3.2 C09D/0996/39/LL – Relocate seven static caravans and extend the site in order to undertake landscaping work and environmental improvements - Approved 17 December 2019.
- 3.3 C18/1120/39/LL - Installation of air source heating pump on the rear elevation of the café / restaurant - Approved 15 January 2019.
- 3.4 C18/1119/39/11 - Installation of two underground LPG storage tanks (2 x 4000 litre tanks) - Approved 15 January 2019.
- 3.5 C17/1007/39/LL - Construction of beach café / snack bar to replace the existing - Approved 14 December 2017
- 3.6 C17/0213/39/LL - Erection of a soil *clawdd* and landscaping - Approved 13 April 2017
- 3.7 C17/0118/39/LL - Change of use application to re-locate four caravans in zone T - Approved 23 March 2017
- 3.8 C17/0033/39/LL - Change of use application to re-locate four holiday caravans in zone Y in the park (no increase in numbers), along with landscaping and environmental improvements - Approved 8 March 2017
- 3.9 C16/1105/39/LL - Extension to a leisure building to extend the existing spa, including treatment rooms, pools, restaurant and changing rooms - Approved 10 November 2016
- 3.10 C14/0687/39/LL - Change of use of the land to extend the caravan site in order to re-locate 12 holiday static caravans along with landscaping and environmental improvements - Approved 10 September 2014
- 3.11 C13/1299/39/LL - Change of use of redundant tennis courts and part of maintenance / parking area to a boat storage area together with landscaping and environmental improvements - Approved 7 February 2014.

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- 3.12 C13/1138/39/LL - Change of use of land to re-locate 3 holiday caravan pitches together with landscape and environmental improvements - Approved 23 December 2013.
- 3.13 C13/0966/39/LL - Change of use of redundant car parking and display area to re-locate 6 static holiday caravans (no increase in number) and demolition of office building - Approved 13 November 2013.

#### 4. Consultations:

Community/Town Council: Objection because it could lead to the site becoming an estate of new permanent homes that would increase the number of holiday homes in the community. Also, it would be a precedent for other sites to request an extension to the occupancy period.

Transportation Unit: No recommendation as it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Natural Resources Wales: **Flood Risk**  
Thank you for providing an amendment to the Flood Consequence Assessment carried out by Roy Lobley Consulting, Extended Holiday Season, The Warren, Abersoch, dated December 2019 (RLC/0466/FCA01).

We can agree that the existing units located near the unnamed watercourse in the north of the site have been raised enough (at least 0.8m) above ground level to ensure that they will keep dry if the culvert becomes overwhelmed or blocked.

A small number of units towards the northern end of the site continues to carry a tidal / overtopping flood risk in the future due to the site's topography. However, although no detailed assessment of the likelihood of any overtopping waves has been carried out, it is considered that the flood risk can be managed.

The Flood Consequence Assessment (Part 4 - Mitigation) recommends requirements to be included in an update to the Flood Response Plan for the site. We would wish to see this included in a condition on any planning consent granted.

In addition, we would need to ensure that those units at greatest threat (those on the lower land near the front) are bound securely in position.

For information, the applicant should be aware that the Shoreline Management Plan in this location is for the next period and beyond for regulated remodelling.

#### **Protected Sites**

The site lies within 130 metres to the Pen Llŷn a'r Sarnau Special Conservation Area (SAC) and within 50 metres of the Mynydd Tir y Cwmwd Site of Special Scientific Interest and the Shores towards

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Gimblet Rock. From the information submitted, it is considered that the proposal is unlikely to have a significant impact on the SAC and the SSSI.

### **Protected Species**

We note that there is no information regarding protected species with the application and therefore we take it for granted that your Authority has screened the application and has concluded that there is no reasonable likelihood of protected species being present.

### **Landscape**

The site lies within the Llŷn Area of Outstanding Natural Beauty (AONB). We recommend that the applicants review the existing and future lighting requirements to reduce any potential impact on the AONB.

Caravans Officer:

There is no objection to the application provided that all-year use does not introduce additional paraphernalia and create untidiness around the holiday units which could lead to breach of licence. The conditions are relevant to Health and Safety, Fire Safety and Public Health provision. The development must comply with the Acts and Standards as follows:

- Caravan Sites and Control of Development Act 1960
- Model Standards 1989 Permit Conditions of Static Holiday Caravans
- The Health and Safety at Work etc. Act 1974

The applicant will be required to contact the Licensing Unit within the Public Protection Service to discuss the application to vary the site's licence should this application be approved.

AONB Unit:

The Warren is a substantial holiday park in the Area of Outstanding Natural Beauty. Recently, a number of applications to extend and re-develop the site have been received. Although this application is not associated to any 'development' as such, it would involve a more intensive and permanent use of the site and it could create a precedent for other similar applications.

Water and Environment  
Unit YGC:

The development is in coastal area PU 13.1 'The Warren' within the CCMA listed in appendix 6 of the Anglesey and Gwynedd Joint Local Development Plan (2017), as it is intended to implement the 'Managed Realignment' in the West Wales Shoreline Management Plan (SMP2) 2. We do not consider that the proposal would present any increase in the risk to life, or any significant risk to property, therefore, the unit does not have an objection to the application.

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Public Consultation: A notice was posted on the site. The notification period came to an end and one objection to the proposal was received on the grounds of:

- Creation of a serious precedent that will open the door to many other applications as there are so many caravan sites here in Llŷn.
- Within time, it will lead to permanent use as the Council does not have the resources to manage and monitor the use due to cuts.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 Policy TWR 4 supports proposals to extend the holiday season of existing static caravan and chalet sites 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. It must also be ensured that the accommodation is suitable for occupation during the winter, that the extended season would not increase the consequences of an extreme flooding event and the extended season will not have a detrimental impact on the local environment.
- 5.2 The existing permissions for the Warren caravan site permits occupation of static units between 1 March in one year and 17 January the following year. Therefore, the caravan site is currently closed for six weeks of the year. From the information submitted with the application, Haulfryn Group has its own measures in place to ensure that the static caravans are only used for holiday purposes and that the owner is not to use the caravan as a permanent residence. They ask for evidence of the address of their main residence and create their own legal agreements to ensure that holiday and leisure use is made of the caravan and that it is not used as a permanent residence. Although the applicant has measures in place, it is considered, should the application be approved, appropriate to include a condition that the static caravans are only used for holiday purposes and that a register is kept of the names of the caravans' occupiers, the duration of their stay and the address of their main residence. In terms of this aspect, it is considered that the proposal is acceptable.
- 5.3 Over the years, the quality of static caravans has improved. It is considered that the static caravans on this site are suitable for habitation during the winter. Some of the caravans have been updated and upgraded relatively recently. The proposal is considered acceptable in relation to point 1 of Policy TWR 4 of the LDP.
- 5.4 Point 2 of Policy TWR 4 of the LDP requires that the extended season does not increase the consequences of extreme flooding. A small area of the site lies within flood zone C2 as designated in Technical Advice Note 15 – Development and Flood Risk. A Flood Consequence Assessment was submitted as part of the application. A consultation was held with Natural Resources Wales and their comments recommend including conditions on any planning consent in terms of reaching agreement and providing an update to the Flood Response Plan and also ensure that the caravans on the lower land near the front have been bound securely in position. Technical Advice Note 15 – Development and Flood Risk states that new developments should be positioned away from flood C. However, in this case, the static caravan site is long established on the land and it is currently open for 10 and a half months of the year. Nevertheless, the static caravans remain on the land throughout the year, even when the site is closed. Considering that the static caravan site already exists on the land and that this is a proposal to extend the occupancy period by six weeks in a year, it is considered that the proposal is acceptable in terms of flooding matters, in particular from imposing the two conditions recommended by Natural Resources Wales on the planning consent. Therefore, it is considered that the proposal is in accordance with point 2 of Policy TWR 4, along with Policy PS 6.

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- 5.5 In the context of point 3 of Policy TWR 4, it is not considered that extending the occupancy period would have a detrimental impact on the local environment. The static caravans are already on the land and it is not considered that occupying them for an additional six weeks a year would have an impact on the local environment.
- 5.6 Historically, conditions were imposed on such sites to ensure holiday use and historically, the standard of the units was not suitable enough for them to be used in the winter. By now, the nature of holidays have become increasingly varied in terms of location, season and length. Many more people go on holiday several times a year now, more often for shorter breaks and not necessarily during the summer.
- 5.7 Supplementary Planning Guidance: Holiday Accommodation (2011) also refers to using a holiday occupancy condition which allows the use of holiday units throughout the year but with relevant conditions which ensure that such units are not used for permanent residential use.
- 5.8 Policy TWR 4 does not restrict the period that static caravans / chalets can be occupied. Therefore static caravans / chalets can be occupied for holiday purposes throughout the year and there are many case laws that are clear and supportive on this matter. By now there are several sites in Gwynedd that operate in this way, with a condition to ensure that they are only used for holiday purposes. A condition can be imposed that the static caravans on the site can only be used for holiday purposes and that a register is kept of the names of all occupiers of the caravans, the duration of their stay and the address of their main residence.
- 5.9 In light of the above and by imposing appropriate conditions on the permission, it is considered that the proposal would be acceptable in terms of Policy TWR 4 of the LDP.

### **Linguistic Matters**

- 5.10 In terms of the proposal in question, there is no requirement to submit a Welsh Language Statement under Policy PS1 of the LDP. Point 1a of the policy refers to retail, industrial or commercial development that employs more than 50 workers and / or has an area of 1,000 sq.m or more. We realise that the Warren site currently employs 60 part-time staff and 40 full-time staff, however, the development in question is not going to create 50 jobs and therefore, it is not considered that a Welsh Language Statement needs to be submitted. However, in accordance with the content of Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities, applicants are encouraged to present a record of how consideration was given to the Welsh language when drawing up the planning application. As part of the application, a statement was received from the applicant noting how they had considered the language as part of the planning application.
- 5.11 The statement submitted regarding the language refers to the fact that Haulfryn Group owns five Holiday Parks in Gwynedd, including The Warren, and that this park is considered as a valuable tourism asset for the area and provides a number of local jobs. The company has a number of employees, including managers and wardens in their Holiday Parks who are Welsh and use the Welsh language as their first language. The use of the Welsh language in the workplace is encouraged. On new development sites within their Parks, Haulfryn Group has used Welsh names such as Glan-yr-Afon at Tal-y-fan Holiday Park and Trwyn Garreg at Gimblet Rock Holiday Park. A number of families who own a holiday caravan on Haulfryn holiday parks in Gwynedd are Welsh, they speak Welsh and have a permanent address in North Wales and they use their caravans for short stays throughout the year and during school holidays. There is strong demand for holiday accommodation during half term and also for St. Dwynwen's Day and St. Valentine's Day. Haulfryn Group offers a letting service on behalf of the caravans' owners to assist with short stays during the year. This assists to maximise revenue for the local economy by supporting local businesses during the quiet season. Extending the holiday season would encourage visitors to spend in the local economy, assisting to safeguard local employment and

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create new employment opportunities. Several of the site's users return throughout the year for a weekend or for a short stay and this brings revenue to the local area, supporting local restaurants, pubs, shops, garages, services and facilities. Extending the holiday season would encourage visitors to visit outside the usual holiday season, which would have a positive impact on the local and regional economy. Extending the holiday season attempts to maintain the local community, safeguarding and providing full-time local employment, creating jobs for the local workforce and leading to further investment. Visitors to the Warren stay for short periods in the local area and this will not have a long-term detrimental impact on the Welsh language or the community. Haulfryn Group has strict measures in place to ensure that the holiday accommodation is not being used for residential purposes. The company has recently spent £8 million, upgrading and improving the Warren site. This investment has created a number of new employment opportunities for the local workforce and not only for those being employed on the Warren site but also for local traders and contractors, many of whom speak Welsh. An all-year occupancy period would assist to reduce the disadvantages of seasonal employment, including retaining trained and experienced staff. It is considered that the all-year holiday season would assist to turn part-time and seasonal jobs into full-time jobs. Currently, there are 60 part-time staff and 40 full-time staff in the Warren and it is considered that this will change to 80 part-time staff and 55 full-time staff by being open throughout the year. The income generated in The Warren will be given back to the local community with upgrading works being done by local tradespeople and companies. Visitors are also encouraged to visit local attractions and facilities. Being open throughout the year would not lead to outward migration; rather it would maintain employment within the local community by supporting local traders and businesses, many of whom are dependent on tourism as their main income. The statement concludes that the proposal would therefore have a positive impact on the language and considers that the above shows how consideration was given to the Welsh language as part of the planning application.

- 5.12 As a result of the above, it is considered that the applicant has considered the impact of the proposal on the Welsh language and the local community when preparing the application and what was submitted coincides with the requirements in the Supplementary Planning Guidance: Maintaining and Creating Unique and Sustainable Communities. Therefore, it is considered that this proposal is acceptable in relation to this aspect.

#### **Visual amenities**

- 5.13 This proposal will not make the existing situation worse in relation to the impact of the static caravans on the environment as they are already located on the site throughout the year and it is not intended to increase their number. Since there will be no change to the visual amenities of the AONB it is considered that the proposal is acceptable based on the requirements of Policy PS19 and AMG 1 of the LDP.

#### **General and residential amenities**

- 5.14 It is deemed that extending the occupancy period of the caravans will not have a significant impact on the amenities of the local neighbourhood, bearing in mind that the site is already used for 10½ months in a year. The addition of six weeks over the winter period will not cause much difference to the current situation. It is therefore believed that the proposal is acceptable in terms of the requirements of Policy PCYFF 2 of the LDP.

#### **Transport and access matters**

- 5.15 The application does not involve any increase in the number of static caravans, only an extension to the occupancy period. It is not considered that the additional six weeks in the occupancy of the static caravans over the winter months will lead to a significant intensification in the use of the road network serving the site. The Transportation Unit did not have an objection to the proposal. It is therefore considered that the proposal complies with Policy TRA 4 of the LDP.



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## Coastal Change Management Area

5.16 The development is in the PU 13.1 'The Warren' coastal area, which is located within the Coastal Change Management Area (CCMA) listed in appendix 6 of the Anglesey and Gwynedd Joint Local Development Plan (2017). The proposal for this area in the West Wales Shoreline Management Plan 2 (SMP2) is managed alignment. The observations of YGC's Water and Environment Unit were received and they did not consider that the proposal would lead to any increase in the risk to life, or any significant risk to property, therefore, the unit did not have an objection to the application. Given that this is a proposal to occupy static caravan units for an increased period of six weeks in each year, the proposal is considered acceptable in terms of policy ARNA 1 of the LDP.

## 6. Conclusions:

6.1 It is believed that the application, with appropriate conditions to ensure that the static caravans are used for holiday purposes and to keep a register, is acceptable on policy grounds. Conditions may also be imposed as recommended by Natural Resources Wales in relation to the flooding matters.

## 7. Recommendation:

- 7.1 Approve - conditions
1. Holiday use and a register to be kept.
  2. Submit and agree on an update to the Flooding Response Plan.
  3. Ensure that the caravans on lower land in the front of the site are bound securely in position.