

PLANNING COMMITTEE	DATE: 02/07/2020
REPORT OF THE ASSISTANT HEAD OF THE ENVIRONMENT DEPARTMENT	CAERNARFON

**Number: 1**

**Application Number: C19/0903/33/LL**

**Date Registered: 14/10/19**

**Application Type: Full**

**Community: Buan**

**Ward: Efailnewydd / Buan**

**Proposal: Application to amend condition 4 (season), 7 (submission and agreement of pod details) and 8 (agreement of storage arrangements) attached to planning permission C14/1218/33/LL.**

**Location: Plas yng Ngheidio, Ceidio, Pwllheli LL5**

**Summary of the Recommendation: TO REFUSE**

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## 1. Description:

- 1.1 This application is to amend conditions 4 (restriction of pitching season), 7 (submission and agreement of pod details) and 8 (agreement of storage arrangements) attached to planning permission C14/1218/33/LL. Planning permission C14/1218/33/LL gave conditional planning consent for the change of use of a field to form a touring caravan site for 11 caravans and 2 camping 'pods' along with the construction of a toilet block. Based on the information submitted as part of the application, it is understood that the occupancy period of the pods would be between 1 March and 31 October but that the pods would remain on site unoccupied for the rest of the year. Details of the pods were not submitted, nor details of where they were to be stored, as required by conditions 7 and 8 of the planning permission granted in March 2015.
- 1.2 Each pod would have a natural timber finish and a green-coloured roof. Each one would measure 2.4 metres by 4.4 metres, with a crest height of 2.5 metres, and would rest on hardstanding.
- 1.3 The current planning permission allows for a total of 18 touring caravans on the site. This permission is for an occupancy period between 1 March and 31 October in any given year, and no touring caravans or pods are permitted to be stored on the site between 1 November and 28 February in the following year. In addition, planning application C17/0317/33/LL was approved to create a storage area for up to 30 touring caravans on surplus land within the farm's tenancy, and application number C19/0090/33/LL for the creation of a camping site for 8 pods, access road, parking places and the extension of a facilities building was turned down in 2019.
- 1.4 The site is located in open countryside outside any development boundaries recognised in the adopted development plan, and lies within a Special Landscape Area. It is also located within a Landscape of Outstanding Historic Interest. The site is served by a class 3 road which runs parallel to the farm. Nearby lies the Cors Geirch Site of Special Scientific Interest (SSSI), which is also a Ramsar site, and the Llŷn Fens Special Area of Conservation (SAC).
- 1.5 In accordance with the scheme of delegation, the application is submitted to Committee as the site is owned by a Council 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.

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

TRA 2 – Parking standards  
 TRA 4 - Managing transport impacts  
 PCYFF 1 - Development boundaries  
 PCYFF 2 - Development criteria  
 PCYFF 3 - Design and place shaping  
 PCYFF 4 - Design and landscaping  
 TWR 3 - Static caravan and chalet sites and permanent alternative camping accommodation  
 PS 19 - Conserving and enhancing the natural environment  
 AMG 2 - Special Landscape Areas  
 AMG 5 - Local biodiversity conservation  
 PS 20 - Conserving and enhancing cultural assets  
 AT 1 - Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

Supplementary Planning Guidance – Holiday Accommodation (2011)

2.4 **National Policies:**

Planning Policy Wales, Edition 10, December 2018  
 Technical Advice Note 13 – Tourism  
 Technical Advice Note 18 – Transport

**3. Relevant Planning History:**

- 3.1 C19/0090/33/LL - Creation of camping site for 8 pods, access road, parking spaces and extend amenity building - Refused - 24 July 2019
- 3.2 C17/0317/33/LL - Change of use of part of an agricultural field to store up to 30 touring caravans during the winter months – Approved - 8 June 2017.
- 3.3 C16/1090/33/LL - Increase the number of touring units from the 11 that were approved to 19 (eight more) and erect a washing facility - Approved - 20 December 2016.
- 3.4 C14/1218/33/LL - Change of use of a field to form a touring caravan site for 11 caravans and two camping ‘pods’ along with the construction of a toilet/shower block and installation of a new septic tank - Approved - 27 March 2015.
- 3.5 C12/0718/33/LL Improvements to vehicular access and engineering work - Approved - 16 July 2012
- 3.6 C12/0195/33/A Site for 12 touring caravans and washing facilities - Refused - 19 April 2012
- 3.7 C08D/0048/33/AM Single-storey dwelling - Refused - 14 April 2008
- 3.8 C07D/0267/33/AM Erection of two houses - Refused - 19 September 2007
- 3.9 C02D/0035/33/LL Agricultural shed - Approved - 12 April 2002.

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#### 4. Consultations:

Community/Town Council: No response.

Natural Resources Wales: No observations.

Countryside Unit: Not received.

Caravans Officer: No objection.

Public Consultation: A notice was posted on the site and nearby residents were notified. The consultation period has come to an end and no correspondence was received.

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

##### The principle of the development

- 5.1 When conditional planning consent was given for the pods in question in 2015, it was done on the understanding that they would be mobile pods that could be moved to and from the site without any hindrance. Despite the clear conditions attached to the original permission to agree the details of the pods and storage arrangements, this was not done. A clear condition also states that no touring caravans or pods are to be stored on site between 1 November and 28 February the following year. Despite this, the application states that the pods on the site may be weakened or damaged in being moved at the end or beginning of the season, and the application includes a comment from the carpenter responsible for constructing the pods, which confirms the risk of their being weakened in transit. Due to the intention to place the pods on the site throughout the year and that there is no intention to remove them from the site during the winter months, the application must be considered under Policy TWR 3 of the LDP, which concerns touring caravan and chalet sites and permanent alternative camping accommodation. Permanent alternative camping accommodation includes pods such as these. For clarification, the applicant's statement to confirm that there is no intention to use the pods between 1 November and 28 February the following year does not change the fact that policy TWR 3 is the relevant policy to be considered in this case.
- 5.2 As referred to above, the proposal to keep the pods on the site throughout the year would equate to the creation of a new permanent alternative camping accommodation site. There is no intention here to move them to a storage area on an alternative site during the winter months, as stipulated in the condition attached to the original permission. The site lies within a Special Landscape Area and Policy TWR 3 of the LDP states that proposals for the development of new permanent alternative camping accommodation within the Special Landscape Area will be refused. A Landscape Capacity and Sensitivity Study was commissioned in Anglesey, Gwynedd and Snowdonia National Park to manage developments such as static caravan and chalet sites by identifying and protecting sensitive areas, and particularly from inappropriate developments. The outcomes of the Landscape Capacity and Sensitivity Study form

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the basis for Policy TWR 3, which confirms that new static caravan and chalet sites and permanent alternative camping accommodation would not be supported within the AONB nor the Special Landscape Area. In light of the above, the proposal is therefore contrary to point 1 of Policy TWR 3 as it would establish a new permanent alternative camping accommodation site within a Special Landscape Area.

- 5.3 Recent appeal decisions involving similar sites within the AONB and the Special Landscape Area have affirmed and upheld the principle contained in policy TWR 3, which is that any proposals for the development of new permanent alternative camping accommodation within the Special Landscape Area will be refused. Appeal decisions have stated very clearly that proposals to develop new static caravan sites, new holiday chalet sites or permanent alternative camping accommodation in the AONB and the Special Landscape Areas will be refused.

#### **Visual amenities**

- 5.4 Both timber pods are in place already, and they are located to the north of the existing farm buildings, and they can be seen from afar as part of that cluster of buildings. Policy PCYFF 4 of the LDP states that every proposal should integrate with their surroundings and will refuse proposals that do not show how consideration has been given to landscaping matters from the outset as part of the design proposal. In addition, Policy AMG 2 of the LDP requires that a development maintains, improves or restores the recognised character of the Special Landscape Area. It is not considered that approving a permanent pod site in this location would be of assistance to maintain, improve or restore the character of the Special Landscape Area. Due to the presence of the units on the land throughout the year, it is considered that the proposal would have a detrimental impact on the Special Landscape Area which would be visible from the surrounding area. It is realised that it would be seen in the same context as the existing touring caravan site between March and October; however, the proposed units would be visible during the winter months. Although the pods in question are located nearby existing buildings, a permanent development of this nature would be likely to cause harm to the visual quality of the landscape and it is therefore considered that the proposal is contrary to Policy PCYFF 4 and Policy AMG 2 of the LDP.
- 5.5 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The proposal involves the creation of a new permanent alternative camping accommodation site. In terms of its location and size, however, it is considered that the proposal would only have a local impact and that it would not have a broader impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

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

- 5.6 Other than the Plas yng Ngheidio farmhouse, there are two dwellings in the surrounding area, namely a bungalow known as Tŷ Ni which is within the ownership of the farm, and the property opposite which is known as Graeanfryn. It is not considered that allowing these pods to remain on site during the winter months would lead to an increase in traffic, nor would it create any additional disruption such that it would have a significantly detrimental impact on local amenities. Therefore, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and the proposal is considered to be acceptable in terms of Policy PCYFF 2 of the LDP.

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### **Transport and access matters**

- 5.7 It is proposed that the existing entrance to the site be used for the development and it is understood that there would be no change in terms of parking and access arrangements. It is considered that the proposal is acceptable in terms of road safety and complies with Policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.8 Cors Geirch lies approximately 200 metres to the north of the site which runs parallel with Afon Geirch. The marsh has been identified as a Ramsar site and a Special Area of Conservation (SAC) which is of international conservation significance. The marsh is also designated as a Site of Special Scientific Interest (SSSI) of national significance. The principles at issue here involve other policies within the LDP, and it is not considered that the matters relevant to this particular application would be contrary to Policy PS 19 of the LDP and national planning guidance.

## **6. Conclusions:**

- 6.1 The proposal to vary the conditions attached to this permission equates to the establishment of a new static alternative camping accommodation site within a Special Landscape Area, as the pods would remain on site throughout the year. Policy TWR 3 does not support the establishment of new alternative camping accommodation sites within a Special Landscape Area and it is therefore considered that the proposal is contrary to point 1 of Policy TWR 3 of the LDP. It is not considered that the proposal would do anything to maintain, improve or restore the recognised character of the Special Landscape Area and the proposal is therefore contrary to the requirements of Policies PCYFF 4 and AMG 2 of the LDP.

## **7. Recommendation:**

- 7.1 To refuse – reasons:
1. The proposal would equate to the creation of a new alternative camping accommodation site within a Special Landscape Area and is therefore contrary to point 1 of Policy TWR 3 of the LDP.
  2. It is not considered that the proposal would do anything to maintain, improve or restore the recognised character of the Special Landscape Area and the proposal is therefore contrary to the requirements of Policies PCYFF 4 and AMG 2 of the LDP.