

PLANNING COMMITTEE	DATE: 01/02/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 4

Application Number: C20/0835/39/AC

Date Registered: 13/10/2020

Application Type: Remove/Vary condition(s)

Community: Llanengan

Ward: Abersoch

Proposal: Application to remove condition 3 from planning permission 34/64/371'C' for a caravan site to approve the use of caravans throughout the year.

Location: Glyn Caravan Park, Lôn Garmon, Abersoch, Pwllheli, Gwynedd, LL53 7UL

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1. This is an application to remove a condition that prevents the use of caravans on a static caravan site between 1 December and 1 March of the following year. Such a permission would enable extending the occupation period for the site to have a 12 month holiday season. The proposal would increase the occupancy period by four months in the year however it is not intended to add to the existing number of static caravans, namely 25. There will be no alterations or additions to the existing facilities on the site.
- 1.2 As part of the application, a supporting letter was submitted explaining the background of the application and noting the Welsh Government encouraged assisting the tourism industry to survive the long term effects of COVID-19. It also notes that this is a permanent site which is long-established and that the units are of a high quality that are suitable for use during winter months and which are well screened.
- 1.3 A Language Impact Assessment was submitted along with the application.
- 1.4 The site is located 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 three road.
- 1.5 This application has been brought before the Committee in accordance with the delegation scheme as the surface area of the site is greater than 0.5ha.

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 planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 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**
 - PS 1 - The Welsh Language and Culture
 - TRA 4 - Managing transport impacts
 - PCYFF 2 - Development criteria
 - PS 14 - The Visitors' Economy
 - TWR 4 – Holiday Occupancy
 - PS 19 - Conserving and where appropriate enhancing the natural environment
 - AMG 1 - Areas of Outstanding Natural Beauty Management Plans

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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, 2018

Technical Advice Note 6: Planning for sustainable rural communities

The Welsh Government Circular 016/2014: Use of Planning Conditions to Manage Developments

3. Relevant Planning History:

2/19/419E: Construction of stable block for two horses - Approved 16/06/92

2/19/419D: Stables - Refused 18/05/92

2/19/419C: Extension to create a restaurant - Approved 14/03/90

2/19/419B: Application to remove condition 2 (Club Manager) from planning permission 34/64/371D - Refused

2/19/419A: Extensions and internal alterations - Approved 30/04/84

2/19/419: Construction of beer store - Approved 24/10/80

3/4/371F: Improvements to the Club: Approved 26/07/73

3/4/371E: Annex to the hotel for the owners' use: Approved 21/04/71

3/4/371D: Construction of permanent bungalow on site: Approved 02/09/71

3/4/371C: Renewal of planning permission for caravan site - Approved 26/08/70

3/4/371B: Chalet of the owners of the site: Approved 04/12/69

3/4/371A: Extension of club building: Approved 04/10/68

4. Consultations:

Community/Town Council: Object 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 set a precedent for other sites to request an extension to the occupancy period.

Transportation Unit: Not received

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- Welsh Water: No observations to offer
- AONB Unit: This application is not associated with any physical development as such; therefore, there will be no direct impact on the area's landscape.
- However, removing the condition would mean a denser and more permanent use of the site. There is also concern about the possibility of the units being used for permanent residential use - and the impact of this on the area's communities.
- Licensing Unit: No objection provided the site adheres to the licensing conditions
- Public Consultation: A notice was posted on the site and nearby residents were notified. The following observations were received in response to the consultation relating to material planning considerations:
- Concern that the development would enable people to live on the site throughout the year
 - There will be an additional strain on local services due to the increase in use

The following observations were also received; these are not material planning considerations:

- That the seasonal use on other sites was shorter

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 permission for the Glyn caravan site permits the static units to be occupied between 1 March and 1 December in any given year, therefore the site is closed for four months of the year. From the information submitted with the application, the owners are prepared to accept restrictions for measures to be in place to ensure that the static caravans are only used for holiday purposes and are not used as a permanent residence.
- 5.3 By imposing a suitable condition on the permission to replace the condition that is proposed to remove, it is believed that the proposal could be acceptable in terms of this aspect of the policy.
- 5.4 Over the years, the quality of static caravans has improved and the agent in this case confirms that the units on the site are of a modern high quality standard and are entirely suitable for use during winter months. It is therefore considered acceptable in terms of criterion 1 of Policy TWR 4.

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- 5.5 Criterion 2 of Policy TWR 4 requires that the extended season does not increase the consequences of extreme flooding. There is no record that the site is vulnerable to flooding and therefore the application complies with this criterion.
- 5.6 In relation to criterion 3, 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 a longer period would have a greater impact on the local environment than the current situation.
- 5.7 Historically, conditions were imposed on such sites to ensure holiday use and in the past the standard of the units was not suitable enough for their use in winter. By now, the nature of holidaying has become more varied in terms of location, season and duration. Many more people go on holiday several times a year now, more often for shorter breaks and not necessarily during the summer.
- 5.8 The 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.
- 5.9 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. Several sites in Gwynedd now operate in this way with a condition to ensure 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.
- 5.10 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 and policy PS 14, as it involves promoting a local tourism industry that thrives all year.

Language Matters

- 5.11 Excluding the developments that meet the thresholds for submitting a Welsh Language Impact Statement / Assessment noted in Policy PS1, guidance is provided in terms of the type of relevant applications where it is needed to give consideration to the Welsh language in Appendix 5 of the SPG. The guidance notes that every retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement / Assessment should show how consideration has been given to the language.
- 5.12 In response to this, the applicant has submitted a Language Impact Assessment which concluded that the development's impact on the language locally would be negligible, and if anything, it would have a positive impact by strengthening the business's economic position and enable it to continue to employ local people and also help to maintain the local economy during winter months. In addition, in accordance with the requirements of policy PS1, the applicant is happy to accept a condition to ensure bilingual signage on the site. In light 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 they have submitted coincides with the requirements in the Supplementary Planning Guidance: Maintaining and Creating Unique and Sustainable Communities.

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Visual amenities

- 5.13 This proposal will not exacerbate the situation regarding 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 small and is already used for eight months a year. It is recognised that there are some residential dwellings in the site's vicinity but it is likely that any increase in activity will be limited to the site itself and it is not believed that there will be any significant change to the current situation in terms of the impact on properties beyond the site. 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 occupancy of the static caravans over the winter months will lead to a significant intensification in the use of the roads network serving the site. It is therefore considered that the proposal complies with Policy TRA 4 of the LDP.

6. Conclusions:

- 6.1 Based on the above assessment, and having considered the relevant matters, it is believed that removing the condition in question is acceptable provided it is replaced with an appropriate condition to ensure the use of static caravans for holiday use only and that a comprehensive register is kept of those using the units. Also, it is believed that imposing a condition to ensure bilingual signage within and outside the site is a way of highlighting the Welsh language within the development. Despite the concerns expressed regarding the possibility that these units will become permanent homes, this is not under consideration as part of this application and previous planning decisions set a precedent on how this may be prevented from happening by imposing suitable conditions.

7. Recommendation:

- 7.1 To approve subject to conditions
1. Holiday use only and a register must be kept of all users.
 2. All internal and external signs to be in Welsh only or bilingual with priority given to the Welsh language.