

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

**Number: 3**

**Application Number: C20/0764/32/LL**

**Date Registered: 24/09/2020**

**Application Type: Full**

**Community: Botwnnog**

**Ward: Botwnnog**

**Proposal: To extend the caravan park's holiday season from 8 to 12 months to be open throughout the year for holiday use**

**Location: Gelliwig Farm Caravan Park, Botwnnog, Pwllheli, Gwynedd, LL53 8RG**

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

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

## **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. There is planning permission for 40 static caravans on the land, and the existing permission restricts the occupancy of the caravans to between 1 March and 31 October in any in one 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, a Planning, Design and Access Assessment was submitted. This document explains the background to the application, noting that there is demand to stay on the site over Christmas, the New Year and the February half-term, and that the park is currently closed over these periods. The application is therefore submitted in line with the recent changes seen in people's holiday patterns. Extending the season would be a way of upgrading the caravans on the site, and the applicant has stated that a significant sum has been invested over recent years in soft landscaping and improvements to the site's facilities in order to improve the site's appearance and its amenity value. Extending the holiday period would promote further investment. The Design and Access Assessment also notes that the proposal to open for 12 months a year would enable customers to spend and contribute to the local economy throughout the year, providing a sustainable market for local goods, services and facilities, and would assist with upgrading the caravan site. They also consider that extending the holiday period to 12 months would decrease the demand for second homes in the area as owners could use the caravans throughout the year, providing a valid alternative option to purchasing a second home.
- 1.3 The site is located in the countryside within a Special Landscape Area. The site is also within a Landscape of Outstanding Historic Interest. The site is served by an unclassified road and a public footpath runs along the southern boundary.
- 1.4 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

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

PCYFF 2 - Development criteria

ARNA 1 - Coastal Change Management Area

PS 14 - The Visitors' Economy

TWR 4 - Holiday Occupancy

PS 19 - Conserving and where appropriate enhancing the natural environment

AMG - Special Landscape Area

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.

#### 3. **Relevant Planning History:**

- 3.1 2/12/6 – Increase the number of caravans on site from 40 to 55 - Refused 22 July 1974.
- 3.2 34/65/686 F - Siting of 15 additional caravans - Refused 19 February 1972. Appeal refused 26 October 1973.
- 3.3 34/65/686E - Increase the number of caravans from 30 to 40 - Approved 23 December 1970. A condition on the permission restricting the occupancy period to between 1 March and 31 October in any one year.
- 3.4 34/65/686D - Increase the number of caravans from 25 to 30 - Approved 26 July 1970.
- 3.5 3/4/686C - Increase the number of caravans from 12 to 25 - Approved 2 February 1969.
- 3.6 3/4/686B - Siting of 12 caravans - Approved 30 November 1966.
- 3.7 3/4/686A - Siting of 12 caravans - Refused 29 July 1965.
- 3.8 3/4/686 - Siting of 12 caravans - Refused 28 April 1965

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

#### 4. Consultations:

Community/Town Council: Object. We feel, under the current circumstances, with the Health Service under such extreme pressure at the moment, that approving this type of application would encourage more incomers to the area for longer periods, and would consequently place more pressure on a service which is invaluable to the whole area.

Transportation Unit: Not received.

Caravans Officer: The Licensing Service has no objection to the planning application to change planning conditions to extend the opening period of the site, assuming that it has no impact on the licence conditions (to ensure the health and safety, fire safety and public health of the public who attend the site). It will be mandatory for the caravans to be of a sufficient quality to be able to withstand the harsh winter weather. They must also comply with:-

- Caravan Sites and Control of Development Act 1960
- Model Standards 1989 (permit conditions)

Welsh Water: No observations.

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

- Enabling the use of static caravans as permanent homes.
- Creating a precedent for other sites to extend the season.
- Noise and disturbance continuing for an additional four months.
- Use of the site during Halloween, Bonfire Night, Christmas and the New Year will create more noise and the possible use of fireworks that could disturb animals and livestock.
- The site is a SSSI.
- The area has a bat population, with many roosting in the vicinity.
- The need to maintain part of an access road that is in private ownership, due to the increased use from being open throughout the year.

#### 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

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

extended season would not increase the consequences of an extreme flooding event and that the extended season would not have a detrimental impact on the local environment.

- 5.2 The current permission permits the occupation of the units between 1 March and 31 October in any one year. Therefore, the caravan site is currently closed for four months of the year. From the information submitted with the application, it is understood that the caravan site is a member of the British Holiday and Home Parks Association (BH&HPA) and within the site's contracts it clearly states that owners are not permitted to occupy the caravans as a permanent private residence, but rather only for holiday and leisure purposes. If the terms of the contract are breached, the contract will be terminated. It is also understood that the occupiers must submit evidential documentation of their main address. Unless this is provided they will not be allowed to occupy the pitch. Although the applicant has measures in place, should the application be approved, it is considered 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. 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. The site is not located in a flood zone and therefore it is not considered that the proposal would increase the consequences of extreme flooding. Therefore, it is considered that the proposal is in accordance with point 2 of Policy TWR 4, along with Policy PS 6.
- 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 a longer period during the year would be likely to have an impact on the local environment.
- 5.6 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 them to be used in the winter. Holidays have now become increasingly varied in terms of location, season and length. By now, many more people go on holiday several times a year, 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 may be occupied for holiday purposes throughout the year and there are many case laws that are clear and supportive on this matter. There are now 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.

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

- 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.

### **Language 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. 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 language statement that was received notes that the applicant and site owners are first language Welsh speakers who promote the language, and support the local authority's measures to maintain and promote the Welsh language within local communities. It is understood that the caravans have been purchased and that many of the owners continue to have a caravan on the land for long periods of up to 25 years. During their years of ownership, the caravan owners are immersed in their local communities and are encouraged to understand and respect the Welsh culture. Some caravan owners speak Welsh or have a family connection to the area, and a percentage of those visitors also come from Wales.
- 5.12 The submitted statement also proceeds to explain the measures that are used to mitigate the impact of the development on the Welsh language in the community of Botwnnog. The owner of the caravan site also runs a family farm that has been run through the medium of Welsh for generations, and the owner encourages families and individuals from the caravan site to visit and participate in the daily activities on the farm. This immerses the occupiers in Welsh culture and the occupiers therefore come to respect and take an interest in the Welsh language. The business is operated in line with a bilingual policy whereby correspondence and social media materials are published and shared in Welsh and English. Additionally, signs and notices in the park are bilingual, and this is an important step in connecting the site to the identity of the area. The caravan site manager has links to tourist groups and Welsh business groups. The caravan site is part of Welcome Llŷn, which is a group of local business owners who work jointly to promote Welsh culture, and the local history, attractions and businesses within the communities of the Llŷn Peninsula. The group's aim is to improve interaction between tourists and the Welsh culture and to increase an awareness of Welsh culture and identity.
- 5.13 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 that they have submitted it in line with the requirements of the Supplementary Planning Guidance: Maintaining and Creating Unique and Sustainable Communities. Therefore, it is considered that the proposal is acceptable in relation to this aspect.

### **Visual amenities**

- 5.14 This proposal will not exacerbate the existing situation 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 Special Landscape Area it is considered that the proposal is acceptable based on the requirements of Policy PS19 and AMG 1 of the LDP.

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

### **General and residential amenities**

- 5.15 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 eight months a year. Although the site would be open throughout the year, it is likely that the site would not be occupied to the same extent during the winter months as during the main holiday seasons. It is not considered that the proposal would cause significant harm to the amenities of the local community. 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**

- 5.16 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 period of 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. It is noted that an observation has been received about maintaining a part of a private road. This is not actually a planning matter, but is something to be discussed and agreed between the owner and the applicant. It is therefore considered that the proposal complies with Policy TRA 4 of the LDP.

### **Biodiversity Matters**

- 5.17 The objectors have noted that the site is a Site of Special Scientific Interest (SSSI). However, having checked the restriction maps, it can be confirmed that the caravan site has not been designated as a SSSI. Although the site will be used for longer periods of the year, there are residential houses, farms and businesses in the vicinity that could already affect the biodiversity of the surrounding area. The proposal does not involve any physical alterations to the site that could impact biodiversity.

## **6. Conclusions:**

- 6.1 It is considered 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.

## **7. Recommendation:**

- 7.1 Approve – conditions

1. Holiday use and a register to be kept.