

PLANNING COMMITTEE	DATE: 04/10/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 4

Application Number: C21/0085/18/LL

Date Registered: 04/02/2021

Application Type: Full

Community: Llanddeiniolen

Ward: Penisarwaun

Proposal: Re-design existing touring caravan pitches, create 5 additional touring caravan pitches and locate 8 static caravans to replace the existing touring caravan pitches

Location: Tros y Waen Caravan Park, Lôn Castell, Rhiwlas, Bangor, Gwynedd, LL57 4EF

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to re-design existing touring caravan pitches, create 5 additional touring caravan pitches and locate 8 static caravans to replace the existing touring caravan pitches at Tros y Waen Caravan Park established back in 1979. The whole touring caravan site is not included within this current application as it is not proposed to undertake any improvements on these sections.

1.2 The proposal also includes the following elements:-

- Improve the existing washing facilities/toilets on the site.
- Install private sewage treatment equipment on the western edges of the site.
- Undertake landscaping work (trees and bushes) within the site.
- Widen the private driveway that serves the caravan park where required.

1.3 The site is located to the south west of the village of Rhiwlas with access to it, together with nearby dwellings, from the class III county highway (Lôn Carfan) that has a junction to the south with class I county highway (Ffordd Deiniolen). The site is located in open countryside with a screen in the form of Tros y Waen broadleaved Woodland on the eastern, southern and western edges of the site (that is also a Wildlife Site). The northern edges are more *open* and visible from the north-west, however, a stone wall and the local landscape's topography to some extent reduce this view. There are scattered residential dwellings to the east of the site where the private driveway ends and also includes agricultural holdings and a bus stop.

1.4 The site has not been designated for any specific land use within the Anglesey and Gwynedd Local Development Plan, 2017 (LDP) and is outside the Area of Outstanding Natural Beauty and the Special Landscape Area. However, the site has a certificate of lawful use for 45 touring units together with one static unit for the manager (with 12 months use) that was granted in 2017.

1.5 In order to support the application, the following documents were submitted:- Preliminary Ecology Assessment together with a Planning Statement. It is noted here that the proposal is not a *major development* as described by Welsh Government considering the surface area of the site and it is not the subject of screening under an Environmental Impact Assessment (EIA), Schedule 2, Column 1 (12e) Permanent camp sites and caravan sites - as the area of the site is less than 1ha.

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 (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.

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2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted 31 July 2017:-**

PS1 - The Welsh Language and Culture

PS2 - infrastructure and developer contributions.

ISA1 - Infrastructure provision.

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA4 - Managing transport impacts.

PS5 - Sustainable development.

PS6 - Mitigating the Effect of Climate Change and adapting to them.

PCYFF2 – Development criteria.

PCYFF3 – Dylunio a siapia lle.

PCYFF4 - Design and landscaping

PS14 - The visitors' economy.

TWR3 - Static Caravan and Chalet Sites and Permanent Alternative Holiday Accommodation.

TWR5 - Touring caravan, camping or temporary alternative camping sites.

PS19 - Conserving and enhancing the natural environment

AMG 3 - Protecting and improving features and qualities that are unique to the character of the local landscape

AMG5 - local biodiversity conservation.

Supplementary Planning Guidance (SPG): Tourist Facilities and Accommodation (2021).

SPG Maintaining and Creating Distinctive and Sustainable Communities (2019)

Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Assessment, 2014, Gillespies 2014.

2.4 **National Policies:**

Future Wales: The National Plan 2040.

Planning Policy Wales (Edition 11, February 2021).

Technical Advice Note (TAN) 12: Design.

Technical Advice Note 13: Tourism.

Technical Advice Note 5: Nature Conservation and Planning.

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Technical Advice Note 18: Transport

3. Relevant Planning History:

- 3.1 Application 3/18/148A - site for 10 touring caravans approved in 1977.
- 3.2 Application 3/18/148A - site for 10 additional touring caravans approved in 1980.
- 3.3 Application 3/18/148C - siting 10 touring caravans previously approved was deferred in 1981 for the applicant to sign a legal agreement to revoke permission number 3/18/14A.
- 3.4 Application 3/18/148D – siting of 5 chalet units, 40 tents, 100 additional touring units and convert a hay barn for leisure use and winter storage of caravans - refused in 1984.
- 3.5 Application 3/18/148E - improvements to the access road approved in 1985.
- 3.6 Application 3/18/148F - extend the existing car park, adapt the hay barn for leisure use and a hostel together with the construction of toilets was approved in 1985.
- 3.7 Application 3/18/148G - caravan storage for a temporary period, approved in 1991.
- 3.8 Application 3/18/148H - change of use from 10 permanent touring units to 10 static pitches, refused in 1991.
- 3.9 Application 3/18/148I - siting 20 touring caravans deferred for the applicant to sign a Section 106 agreement to limit the use of the site from March to October only in the same year.
- 3.10 A lawful use certificate application to site 45 touring caravans (12 months) and one static caravan as staff accommodation (12 months) approved in November, 2017.

4. Consultations:

Community/Town Council: No objection.

Transportation Unit: No objection.

Natural Resources Wales: No objection, but propose observations on foul drainage, protected species and other matters.

Welsh Water: Need to consult with NRW as it is proposed to use private sewage treatment equipment.

Public Protection Unit,
Pollution Control: No objection to the development, however, the applicant will need to ensure that the existing sewage treatment equipment can cope with the additional five touring units.

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Biodiversity Unit: No objection subject to including a condition to comply with the mitigation measures within the Preliminary Ecology Assessment.

Trees Unit: No response.

Pollution Control and Licensing Service: It will be necessary to comply with relevant legislation reacting to health and safety, fire safety and public health provision.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and no objections were received from the public to the proposal following the statutory advertisement period.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 As there is no specific policy in the LDP that deals with replacing touring caravan sites with static sites this element of the application will have to be assessed against Policy TWR3. This policy clearly states that proposals for the development of new static caravan sites will only be granted where it can be demonstrated that the proposal does not lead to a significant intensification in the provision of sites; that the development is of a high quality in terms of design and the site is close to the main highway network.
- 5.2 The caravan park and the application site is within the G02 Penisarwaun Plateau Landscape Character Area and in accordance with the guidance included in the Landscape Sensitivity and Capacity Study it is noted that this area could have some capacity for small-scale to very small scale, sensitively sited and well planned developments that should relate well to the existing built environment/urban ground cover. In this context, the scale of small to very small is defined as 0 to 25 static units.
- 5.3 As referred to above, the touring and static units already on the site or who can use the site, have a legal right for 12 month use a year and should this application be approved it would mean that up to 50 touring units together with 8 static units could be located on the site throughout the year although the majority of these units would be touring units. Therefore, to this end, the capacity of the local landscape to be able to cope with the proposal will have to be considered and to ensure that it is in keeping with the natural landscape.
- 5.4 In the context of the above observations, it is deemed that this section of the landscape can cope with an increase in the numbers of touring units together with the replacement of touring units with 8 static units on the grounds of:-
- There would be 46 touring units (including those that have an existing legal use together with the relocation of others) would continue to be sited within the woodland and any views from them would be very intermittent, if at all, from nearby public spaces.

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- It is considered that siting 4 new touring units on the eastern outskirts of the woodland and the existing caravan park would not create an incompatible structure in the local landscape, given the topography of the land and the fact that buildings already exist nearby in the form of residential dwellings together with external buildings and any views from the units would be limited to nearby views rather than from the public road network that surrounds the site itself.
- Although the 7 touring units are currently sited in the north-western corner of the site near the access to the caravan park itself, it is considered that a combination of a natural stone boundary wall together with the topography of the landscape would be of assistance to reduce the physical impact of the 6 static units that would be in their place on the local landscape especially from the direction of the north along the class III county highway (Lôn Carfan). It is also noted that 2 of the static units would be re-located closer to the woodland itself and would further reduce its visual impact on the local landscape.
- The associated engineering work to re-locate some of the touring units within the woodland (e.g. seeding and cultivating the land and providing reinforced green spaces for car parking) would be a minimum and in places where they would not be visible from nearby public places.

5.5 Part of this current proposal deals with siting 5 additional touring units where no legal right exists for them. The principle of this element of the application should be considered under Policy TWR5 that allows development of this type as long as they are 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 together with the need to avoid areas of hard standing and to ensure that any units are removed from the site during periods when not in use.

5.6 One of the touring units would be located within the existing legal site of the touring units and in the south-western corner of the caravan park that is screened by the existing woodland. However, it is intended to site the other 4 units on the south-eastern outskirts of the park with the woodland as a backdrop. They would be set out in a row with open amenity spaces between them and sited on pitches of reinforced grass hard standings. Although these units are located on the eastern outskirts of the caravan park, given that the existing woodland is a backdrop to them, the topography of the undulating nearby landscape together with the fact that there are established buildings nearby, is not believed that this element of the proposal would have a detrimental impact on the area's visual amenities.

5.7 Having considered the above assessment, it is believed that the proposal as amended (that would entail a total of 58 mixed units compared to the existing 45 touring units and one static unit), is acceptable based on principle.

Visual amenities

5.8 As referred to above, the site lies in open countryside with established woodland extending along the western, southern and eastern boundary and screens an extensive section of the caravan ark from nearby public rights of way (including footpaths and roads). The local area has not been protected by any statutory amenity designation although it is recognised as a GO2 *Penisarwaun Plateau* Landscape Character Area in the Landscape Sensitivity and Capacity Study. Although the view from the north towards the south is one where elements of the caravans can be seen, it is considered that these views are intermittent and the proposal, should it be approved, would not entail the creation of incongruous structures prominent and dominating the local landscape. To

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this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PCYFF2, PCYFF3, PCYFF4, TWR5, PS19 and AMG5 of the LDP.

General and residential amenities

- 5.9 It is noted that residential amenities are located to the east of the site with a private drive that serves the caravan park and also these dwellings with the nearest dwelling situated approximately 120m to the east (Y Graneri, Fferm Tros y Waen). However, considering that there is legal use for 45 touring units and a static unit on the existing caravan site, it is not believed that the increase in the touring units or the static units would have a significant detrimental impact on residential and general amenities of the occupants of this property on the grounds of noise disturbance bearing in mind the location and setting of the park in relation to the setting of the dwellings and considering the proposal and compared to the existing scale. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PCYFF2 of the LDP.

Transport and access matters

- 5.10 The site is served by an existing private drive (that will be widened as required) from an unclassified class III county highway with a junction with a class I that is fairly close (A4244). In response to the statutory consultation, it was confirmed by the Transportation Unit that they had no objection to the proposal on grounds of road safety and they stated although creating an additional 5 pitches for touring caravans would lead to an increase in traffic it was deemed that the short length (160m) from the back road (Lôn Carfan) to the A4244 means that the increase would be unlikely to have a detrimental effect on the local roads network. Having therefore considered the above, it is believed that the proposal complies with the requirements of Policy TRA4 and TWR5 of the LDP.

Biodiversity matters

- 5.11 The woodland that takes an extensive section of the caravan park's ground area has been designated locally as Ynys Iago Wildlife Site and to this end, a Preliminary Ecology Assessment was submitted in accordance with the requirements of the Biodiversity Unit. Following the receipt of the assessment, the unit has no objection to the proposal subject to the inclusion of appropriate conditions that deal with compliance with the mitigation measures within the document itself. Although no response has been received from the Trees Unit, the Assessment confirms that caravan pitches will not detrimentally impact the roots of nearby trees. To this end, therefore, it is believed that the proposal complies with the requirements of Policy AMG5 of the LDP.

Sustainability matters

- 5.12 Although the site is located in open countryside, a substantial network of public footpaths and roads are located in the application site's catchment area. The applicant states in the Planning Statement that it is anticipated that the majority of the visitors to the park will use a vehicle (as currently) however, there is a bus stop nearby and within a 5 minute walk from the park itself. Once within the site, there is then an opportunity to use alternative modes of travel such as on foot and bicycle. Considering the above, it is believed that the proposal is acceptable on the basis of the requirements of Policy PS4, PS5 and PS14 of the LDP.

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Linguistic matters

5.13 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in Planning Policy Wales (Edition 11, 2021), along with Technical Advice Note 20. Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development. It is noted that there are some specific types of developments where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it will be expected to submit a Statement/Report has been highlighted in Policy PS1 of the LDP, along with Diagram 5 of the SPG. 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 necessary to give consideration to the Welsh language in Appendix 5 (The Screening Procedure) of the SPG (sections Ch to Dd). The guidance included within Appendix 5 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.

5.14 Having considered the above assessment and although there is no need to submit a Language Statement with this particular application as it does not reach the thresholds, the applicant has submitted a statement on how the proposal has considered the Welsh language. The following points were noted within the statement:-

- As this latest proposal means that only seasonal and temporary use will be made of the caravan park as existing, it is not considered that approving the application would have a permanent detrimental impact on the Welsh language within the local area.
- The proposal would not mean changing the caravan park's historic Welsh name.
- The majority of the park's employees are bilingual including the applicant's daughter and therefore visitors have the option to communicate in both languages.
- The caravan park already promotes the local community including local business and visitor attractions bilingually e.g. pamphlets and display signs/instructions within the park itself.
- The caravan park uses a large number of local contractors to undertake work within the park itself.

5.15 Having considered the above assessment, it is believed that the proposal complies with the requirements of Policy PS1 of the LDP as well as the relevant SPG.

6. Conclusions:

6.1 Having considered the above assessment and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that the proposal is acceptable based on the matters noted in the report and that it would not have a substantial detrimental impact on the landscape, amenities of the neighbourhood or road safety.

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7. Recommendation:

7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to

To approve – conditions:

1. Five years.
2. In accordance with the plans/documents.
3. Holiday season regarding the additional 5 touring caravans - 1 March until 31 October.
4. Landscaping plan.
5. Mitigation measures within the Preliminary Ecology Assessment.
6. Condition to restrict occupancy of the static and touring units to holiday use only.
7. Limit the number of static units to 8 (except for the manager/staff accommodation) and the touring units to 50.
8. No storing of touring caravans unless the Local Planning Authority's permission has been received.
9. No tree felling.