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## PLANNING COMMITTEE 04-10-21

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### Present:

**Chair:** Councillor Eric M. Jones  
**Vice-chair:** Councillor Gareth A. Roberts

**Councillors:** Stephen Churchman, Elwyn Edwards, Simon Glyn, Anne Lloyd Jones, Berwyn Parry Jones, Gareth T. Jones, Huw Wyn Jones, Louise Hughes, Dilwyn Lloyd, Edgar Owen, Eirwyn Williams and Owain Williams

**Officers:** Gareth Jones (Assistant Head of Planning and the Environment Department), Iwan Evans (Head of Legal Services), Keira Sweenie (Planning Manager), Glyn Llywelyn (Senior Development Control Officer), Iwan ap Trefor (Senior Engineer - Development Control) and Lowri Haf Evans (Democracy Services Officer)

### Others invited:

Local Members: Councillors Peter Read and Elwyn Jones

### 1. APOLOGIES

None to note

### 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Owain Williams in item 5.2 on the agenda (C21/0106/40/LL) as he was the owner of a caravan park that was located less than seven miles from the site.

The Member was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the application.

- b) The following member declared that he was a local member in relation to the item noted:

Councillor Dilwyn Lloyd (a member of this Planning Committee), in item 5.3 on the agenda, (C21/0647/17/DT)

### 3. URGENT ITEMS

None to note

### 4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 6 September 2021, as a true record.

### 5. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

## RESOLVED

### 5.1. APPLICATION NUMBER C19/1215/40/EIA HAFAN Y MÔR HOLIDAY PARK, PWLLHELI

Proposed master-plan comprising the demolition of 56 apartments, creation of new bases for the siting of static caravans, new team accommodation, new beach café including terrace and play area, new coastal defences, minor realignment of All Wales Coast Path as well as associated landscaping, drainage, access and infrastructure works (amended plans)

Attention was drawn to the late observations form.

- a) The Planning Manager elaborated on the application's background. The development had been divided into parcels:
- Parcel B - Siting of 27 static caravans.
  - Parcel E - Siting of three static caravans and construction of 2, two-storey buildings to provide staff accommodation.
  - Parcel F - Demolition of 4 apartment blocks (56 apartments / 272 guest spaces) and siting of 26 static caravans.
  - Parcel G - Siting of 80 static caravans.
  - Parcel H - Redevelopment of the former sewage treatment plant and erection of a single-storey café with a terrace to the front and car park
  - Parcel I - Siting of 18 static caravans.
  - Parcel J - Coastal defence works that include work on 320m of the coastline. The proposal entails landward realignment of the coastline to create sand and gravel beaches in between four fish tail shaped rock-armour breakwaters. Approximately 120m of the works will replace the existing linear rock coastal defences. The Wales Coastal Path was also to be re-aligned.

Due to the size of the site, the application was defined as a 'major development' and given the scheme comprised of several elements, they were all assessed separately.

#### **Construction of single-storey café on the site's eastern boundary that would include car parking space, landscaping and planting work.**

Given that the site was on land that formed part of the former sewage treatment plant, it was considered to be previously developed land. The use was also appropriate in the context of the site's wider use as a holiday park. Although there were larger buildings towards the centre of the holiday park, the structures seen along the coastline were mainly single-storey chalets and caravans. It was highlighted that the scheme had originally consisted of a two-storey café building. Following discussions with officers, it had been agreed that the building should be single-storey and given the reduction in scale, the type and character of the building was now considered appropriate for its coastal setting. It was considered that the design was of a high quality in terms of its design, layout and appearance and it would extend the range of facilities in the plan area. The proposal was supported by an Economic Statement which highlighted that the plan would ensure local employment opportunities.

It was reported that it was possible to access the site using public transport, cycling and walking with the site located directly adjacent to the Coast path - it was noted that the planning support statement confirmed that the Café was available to Coast Path users. It was considered that the proposal complied with the requirements of policies MAN 1, MAN 6 and TWR 1 and that the principle of constructing the café was acceptable.

**Defence works to 320m of the coastline including landward realignment of the shoreline, the installation of four 'fish-tail' shaped rock-armour breakwaters and the creation of intervening areas of sand/gravel beach.**

It was highlighted that the application had been supported by significant evidence in the Environmental Statement and the Economic Statement that would justify this work. It was noted that the coastal work would be located close to the existing built form and would secure the long-term future of the holiday park. It was considered that the principle of the coastal work in this location complied with policy AMG 4.

The Shoreline Management Plan (SMP) for this section of coastline was 'No Active Intervention' over the next 100 years. However, the policy for this section stated that this might not preclude local private management of defences. Given this, it was considered that the principle of replacing and extending existing defences was acceptable in principle, however, it was noted that the plan would have to comply with a number of policies including ARNA 1.

**Alterations to the holiday accommodation provision and extending the site**

Attention was drawn to the site's planning applications history which was relevant to this aspect of the application noting that application number C10D/0141/40/LL giving permission to a scheme which included the demolition of 450 chalets, the creation of bases for 209 static caravans, 75 cabins and creating a touring caravan site. As a result of this permission there was an overall decrease in holiday accommodation provision on the site. It was reiterated that the relevant pre-commencement conditions were discharged and the consent had been partially implemented. The scheme currently under consideration sought to alter the consent previously given by retaining 184 existing apartments that were previously given permission to be demolished. Policies TWR 2 and PS14 seek to provide a range of holiday accommodation and the retention of the apartments would not create any conflict with regards to policy and would ensure a wider range of accommodation on the site.

It was reported that Policy TWR 3 (which dealt with Static Caravan Sites and Chalets) noted that any increase in the number of static holiday caravans or holiday chalet units was minor and commensurate with the scale of any improvements to the site. It was explained that paragraph 6.3.74 of policy TWR 3 recognised that minor in terms of site area was not defined, but in terms of numbers as a general rule an approximate 10% increase in the number of units at the time of the original application, was considered minor.

Recent alterations had seen a major investment with facilities being upgraded and alterations made to the Hafan y Môr accommodation provision. The initial plans had been permitted through consent C10D/0141/40/LL (2010) and it was therefore considered reasonable in terms of policy TWR 3 that consent C10D/0141/40/LI was the original application in this instance and the policy recognised that each application should be considered according to its merits due to the considerable variety in the size, nature and location of sites.

It was explained that consent C10D/0141/40/LL permitted the siting of a total of 1,238 static caravans and the current application sought to site an additional 85 static units, which was below the 10% stated in the policy. However, the overriding policy consideration was to ensure that the increase in numbers did not unacceptably harm the appearance of the site.

It was reported that the Anglesey, Gwynedd and Snowdonia National Park Landscape Capacity and Sensitivity Study defined 'small' as 11-25 units |(typically below 2 hectares

in area). The study also acknowledged that in all cases development should avoid the undeveloped coastal edge and its immediate setting and should be clearly separated so that their effects remain local and there is no collective/cumulative defining influence on the landscape.

It was explained that parcel G (application C10D/0141/40/LL) originally included siting static caravans close to the coastal edge however the plan had been amended and the caravans were now located much further back and in accordance with the area that was permitted under C10D/0141/40/LL. By now, the area between the shoreline and the static units was being proposed as an area to be earmarked to provide an alternative biodiversity area and to be planted as wildflower grassland. The area was to be fenced off to protect it and to clearly differentiate between the coastal edge and the holiday park. With the existing landscaping surrounding the site and the proposed landscaping the visual impacts were considered to be local in nature (mainly along a brief section of the coastal path) and given that other visual impacts would be mitigated by distance, it was not considered that the plan would have a defining impact on the landscape.

**Construction of new staff accommodation by demolishing three buildings that currently provided 40 two-bedroom self-contained apartments for staff and the construction of two new buildings that would provide 76 two-bedroom units.**

It was reported that the site was located in open countryside and there was no specific policy in the development plan that dealt with accommodation of this type. It was noted that policy PCYFF 1 stated proposals would be refused unless their location in the countryside was essential. However, it was considered that the site already provided on-site staff accommodation and the area to be developed for the new accommodation was classed as previously developed land.

It was reiterated that the existing staff units formed part of the C10D/0141/40/LL planning consent and were managed in the same way as the holiday accommodation with a condition that restricted occupation to seasonal use only and the staff had a permanent residence elsewhere. By managing the units in this way, it was possible to ensure that they were not the equivalent of providing new housing in open countryside. The net increase of 24 staff bed spaces was not considered unreasonable and with the imposition on conditions to ensure that the units did not provide permanent residential accommodation, it was not considered that the application significantly departed from planning policy.

In terms of residential and general amenities, the site was a long-established holiday park located in open countryside. It was reported that there were scattered residential properties surrounding the site but it was not anticipated that the impacts upon residential dwellings to the south and west would be any greater given that the proposed works were primarily within the existing site and to the east. To the east, the development included the coastal defence works, constructing the café and developing parcel G and the nearest residential property was Tyddyn Berth. It was noted that Afon Wen terrace was also located to the north-east and Sŵn y Don (residential dwelling and caravan site) was located to the east and although nearby residents had raised concerns, they did not object to the scheme as a whole.

It was anticipated that the greatest impact would be seen during the construction of the coastal defences, which would be carried out over a relatively short period of time - it was suggested that the construction hours could be controlled by condition to ensure that the amenities of nearby property were protected during the most noise sensitive times. It was noted that the construction phase would also affect the amenity and enjoyment of coastal path users. That said, once the scheme was completed it should have a positive amenity impact on users of the coastal path as Haven have confirmed that although the café would

not be open to non-residents, it would be available to coast path users. Once the construction phase would be completed, it was not considered that the development would give rise to an unacceptable impact on residential or general amenity and the proposal was considered to be acceptable based on the relevant criteria in policies PCYFF 2 and PCYFF 3.

In relation to Biodiversity and Ecology matters, it was noted that the Environmental Statement had considered physical and coastal processes, water and sediment quality, marine ecology and nature conservation; geological ecology and nature conservation; and coastal protection and flood defence. It was explained that the initial comments received from the Council's Biodiversity Unit had objected to and raised concerns about the scope of mitigation measures for the impact of the development on otters, lowland meadow grassland, the impacts on soft maritime cliff-sides, impacts upon the coastal habitat corridor and loss of *cloddiau*.

Having consulted and held further discussions, the proposal had been amended in response to the terrestrial ecology issues raised. An addendum to the Environmental Statement had been submitted that assessed the amended scheme and also offered additional mitigation measures. NRW had confirmed that the recommendations regarding otters in the ecological addendum were acceptable and reasonable avoidance measures should be set out in a Construction Environmental Management Plan (CEMP) that could be secured by condition. The Biodiversity Unit had confirmed that the amended mitigation proposals for the lowland meadow grassland, including the coastal corridor, were acceptable and the additional provision of *cloddiau* was to be welcomed and the mitigation provided improvements in biodiversity.

The Biodiversity Unit had objected to losing the soft maritime cliffs, noting that it would not be possible to mitigate for their loss despite the ecological addendum noting that the Environmental Statement had concluded that the impact would be neutral. As a mitigating measure, the proposal would be to implement a management plan for approximately 650 linear metres of existing soft maritime cliff elsewhere in Hafan y Môr. Additionally, 'bee banks' would be created in the former car park, and, where possible, the 'bee hotels' would be constructed in other development parcels. We note the Biodiversity Unit's observations; however, the findings of the Environmental Statement were considered reasonable and they provided details on the extent of cliff management that could be achieved and acknowledged that this can be secured through a planning condition.

It was highlighted that the maritime environment ran along the site formed part of the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), and the Glanllynau and Glannau Penychain to Cricieth Site of Special Scientific Interest (SSSI). It was reiterated that the proposed coastal defence included developing within these designations. In accordance with the Habitats and Species Regulations 2017, the Council had undertaken a Habitats Regulations Assessment and Appropriate Assessment and under the provisions of the regulations, there was a statutory duty for a Local Planning Authority to consult with NRW when undertaking an appropriate assessment for a new plan or project and are required to have regard to any representations made by NRW. The response received had concluded that an adverse effect on the site integrity of the special conservation area could not be ruled out due to the direct loss of the mudflats and sandflats feature. However, NRW did not consider that the proposal would have an adverse effect on the reef feature due to the distance of the proposal to the reef feature. In addition, they did not consider that the proposal would have an adverse effect on the otter feature as long as their advice in relation to securing mitigation (via CEMP) as a condition on any planning permission.

It was reported that a marine licence would be required for the development and that the applicants had applied for a licence to NRW in December 2019. NRW created a

Statement of Case and it was referred to Welsh Government. There was further consultation with Welsh Government and it was advised that there was no need to repeat the notification process through the planning process and as such, the HRA considerations and process had already been met.

#### Conclusions:

The Environmental Statement had assessed the impact on the environment and it was concluded that with the imposition of planning conditions the development impacts could be satisfactorily mitigated and environmental features protected. The proposal had also been assessed under the Habitats and Species Regulations 2017 and considered acceptable.

The visual and landscape impacts were considered acceptable with the imposition of phasing conditions and a condition to ensure the proposed landscaping was carried out. With conditions, it was concluded that the amenities of surrounding residential properties could be satisfactorily safeguarded.

The site was considered to be sustainably located, offering alternative methods of transport that placed less reliance upon use of the motor vehicles. The highway network was considered suitable to serve the proposal and the coastal sea defences would help safeguard the coastal path and public safety.

The proposed development would extend and improve the quality of the park and would help to maintain Hafan y Môr Holiday Park as a holiday destination and improve public access to recreational activities. Economic benefits were acknowledged and no harm to the Welsh Language was identified.

The proposal had demonstrated that the development would not cause any increase in risk to life nor any significant risk to property. It was also considered that the works would contribute to reducing the potential for major flood incidents in the area in the future.

It was considered that the principle of the main aspects of the development, which included work on sea defences, siting additional static caravans, providing additional accommodation to staff and constructing a café, was acceptable given all material planning matters, including local and national planning policies and guidance.

- b) Taking advantage of the right to speak, the applicant's agent noted the following points:
- That the application noted Hafan y Môr's vision over the next ten years.
  - It would provide high quality accommodation, an attractive beach café, demolish dormant two-storey flats and create new coastal defences.
  - Welcoming the Officer's recommendation: the result of three years of significant cooperation with officers as well as NRW.
  - That Haven wished to invest to improve the range and quality of accommodation and facilities for tourists - this followed an investment of over £13 million in 2018 to upgrade the central facilities.
  - Haven wanted to ensure that the Park was able to offer high quality provision to all guests including local people who visited the park and also its employees.
  - That the application would lead to a moderate increase in accommodation. The areas for the new accommodation were a combination of brownfield and greenfield sites and a large section of the greenfield area (Parcel G) had already received permission. Parcel G was currently screened by thick woodland and further comprehensive landscaping would be provided as part of this development.
  - As a responsible owner, Haven wished to invest to upgrade coastal defences. These defences would provide long-term stability for the holiday park and the

Wales Coastal Path. The path was a popular tourist attraction but it was being eroded by the sea. A marine licence had been issued by NRW for the coastal defences, confirming that the environmental impact was acceptable.

- An attractive beach café was proposed on the site of the former sewage treatment works. This would serve guests and any coastal path users who required refreshments. Following advice, the height of the café had been reduced to a single-storey building. It would sit well within the local landscape
- Hafan y Môr was one of the largest private employers in Gwynedd and was committed to provide stable, high quality jobs to people in the local area. Currently, Hafan y Môr employed 460 people with over 50% of the team living within 5 miles to the park.
- The proposals would create 227 construction jobs and once the work was completed they would support 58 additional full-time equivalent jobs. The posts would be advertised locally through Gwaith Gwynedd, Agoriad an campaigns in the Daily Post and on S4C. Only if jobs cannot be filled will they be advertised centrally by Haven.
- Hafan y Môr was proud of the Welsh Language and recent developments in the park includes public art that promoted the language.
- This development would create further local jobs and would provide opportunities for Welsh speakers to gain employment without having to move away or travel vast distances.
- “We trust that you will agree with your Officers that this application is a sustainable development that provides social, economic and environmental benefits, satisfying relevant policies including TWR3.”
- He hoped that the Committee would support the application.

c) Taking advantage of the right to speak, the Local Member made the following points:

- He supported the application
- That Hafan y Môr offered local employment
- That the company was developing and modernising the site
- That the coastal defence work was to be welcomed
- That use of bilingual signage was visible in the Park
- Local contractors would be used to carry out the work
- That he had developed a good relationship with the site owner and had worked well with him over the years. He noted that Mr Blackstone, the owner of Hafan y Môr was to retire soon after 30 years' service - and wished him a happy retirement.

ch) It was proposed and seconded to approve the application

d) During the ensuing discussion, the following observations were made by members:

- Despite recognising the 10% formula, the additional number, if there were a thousand caravans, would be excessive - had refused applications for an increase of 3-4 caravans!
- Needed to consider the total area of the site in the context of health and safety and sufficient space between caravans - if approved, how much further would the site extend?
- Concern that the staffing facilities encouraged employing people from outside the local area.
- Why was there a need to provide 71 units? The offer for staff to stay at the park meant a reduction in their salaries - local staff would not be able to compete with this.
- That caravan site labour costs were less - no need for joiners, plumbers etc.
- Landscaping took time to create an impact - the new developments would be an eyesore until the vegetation would grow

- Need to take note of the Community Council's striking observations which objected to the application and raised questions
  - That the work of creating the shoreline was costly - would it be successful?
  - Concern about loss of habitat - the site area was very beautiful
  - Need to protect the Pen Llŷn a'r Sarnau conservation area - constructing defences would have an impact on the cliffs.
  - The proposal was an over-development and would impact visual amenities
  - The company wanted more and more! The site was enormous - enough was enough! Did Policy TWR 3 consider the size, location and nature of such a large application?
  - Although some of the buildings were ugly and would be modernised, seeing a number of caravans could also be an eyesore
  - There was a need to improve the standard of the staff building - to modernise it and make it safe, of quality and comfortable.
- That a licence had already been granted for the coastal defence works.
  - That the café was acceptable as a resource for the public footpath users and not for residents only.
  - Hafan y Môr was a good employer, providing local employment and supporting tourism - the holiday park facilities were very good and the company was investing in those resources.
  - That work for local people included maintenance and construction
  - Needed to consider the Local Member's observations
  - Encouraged a site visit to gain a better understanding of the site - the application was unique and therefore there was a need to defer a decision to arrange to visit the site to weigh up elements of the application that were complex.
  - Should covid guidelines and a risk assessment by the Public Protection Department permit a site visit, it was suggested that a visit should be arranged on a day that the Committee was not being held.

dd) In response to a question regarding ensuring that experts carried out the coastal defence works and that the silt and the sand were not moved on to the next location along the coast, the Head of Legal Services noted that appointing contractors was not a planning matter but that a licence issued by the Crown or Natural Resources Wales set out stringent guidance for the work. The Planning Manager reiterated that the assessments had been completed by an expert and that the sea-wall had been designed to reduce the impact of waves that would in the long run reduce the broader impact on the coastline.

In response to a question on the work schedule, likely appeal costs and the need for a decision the Assistant Head of Environment Department noted that the applicant would have the option to submit an appeal for a lack of decision and that the cost would be based on the reasons for refusal if it were to come to that.

e) Proposed and seconded - an amendment to hold a site visit subject to undertaking a risk assessment.

**RESOLVED: To defer the decision in order to undertake a site visit (subject to undertaking a risk assessment that would consider the appropriateness and safety measures in the context of Covid-19 guidelines)**

## 5.2 APPLICATION NUMBER C21/0106/40/LL Fferm Llwyndyrys, Llwyndyrys, Pwllheli

Change of use of land for the siting of 10 holiday pods along with changes to the current access, creation of passing places, creation of internal access road and landscaping.



- a) The Planning Manager highlighted that a request had come to hand from the applicant's agent to defer the decision to hold further discussions. It was noted that the agent had submitted additional observations in response to the reasons for refusal and that deferral would be an opportunity to assess those observations and amend the report as needed.
- b) It was proposed and seconded to defer the item.

**RESOLVED: To defer, following a request by the agent to hold further discussions**

### **5.3 APPLICATION NUMBER C21/0647/17/DT 1 Tai Trallwyn, Cilgwyn, Caernarfon**

Application to construct shed and office to the front of dwelling house

- a) The Planning Manager highlighted that the application was submitted to Committee as the applicant was employed by Gwynedd Council's Planning Department and planning permission was needed as the proposal involved constructing a building in front of the house's main elevation.

It was noted that no objections had been received and reference was made to Policy PCYFF 3 which stated that every proposal was expected to demonstrate a high quality design that gave full consideration to the context of the surrounding built environment. It was considered that the design was simple and the size was small which reflected similar structures that could be expected as ancillary use within a garden of a house. The structures in question were hidden, behind tall hedges at the bottom of a garden at the end of a row of houses and blended appropriately with the location.

Attention was drawn to Policy PCYFF 2 which encouraged refusing proposals that would have a significant detrimental impact on local property amenities. No objections were received from neighbours after placing a site notice and having considered all relevant planning matters, there would be no additional significant harm to neighbours' amenities, or those of the area in general, deriving from the development. It was considered that the proposal of erecting a shed and office in front of a dwelling was acceptable and complied with the requirements of the relevant policies.

- b) Taking advantage of the right to speak, the Local Member made the following points:
  - That he supported the proposal
  - That the site was hidden and the hedges were tall
  - No objections had been received.
- c) It was proposed and seconded to approve the application.

**RESOLVED: To approve the application**

- 1. Commence within five years.**
- 2. In accordance with plans.**
- 3. Use to be ancillary to the house.**

### **5.4 APPLICATION NUMBER C21/0085/18/LL Tros y Waen Caravan Park, Lôn Castell, Rhiwlas, Bangor**

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

- a) The Senior Development Control Officer that this was 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. It was reiterated that the proposal also included 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.

The application had been submitted to Committee as the size of the development was greater than that which could be dealt with under the delegated procedure.

It was reiterated that amendments to the application that was originally submitted included minor landscaping amendments including retaining trees and confirming the materials for the pitches.

It is reported that the site is located to the south-west of Rhiwlas village in open countryside with a screen in the form of Tros y Waen Woodland on the eastern, southern and western edges of the site. Although the northern verges were more open and visible from the north-west a stone wall along with the topography of the local landscape reduced the view. It was noted that the site shared access with nearby residential dwellings.

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

- b) Taking advantage of the right to speak, the Local Member made the following points:
- That he supported the scheme provided the applicant complied with the requirements / conditions listed
- c) It was proposed and seconded to approve the application.

**RESOLVED: To delegate powers to the Senior Planning Manager to approve the application.**

- 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.**

The meeting commenced at 11.00 and concluded at 13.00.

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**CHAIR**