

PLANNING COMMITTEE	DATE: 22/11/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

Number: 2

Application Number: C21/0645/33/LL

Date Registered: 05/07/2021

Application Type: Full

Community: Buan

Ward: Efailnewydd/Buan

Proposal: Change of use of agricultural land into a proposed touring caravan park (40 pitches) including amenity block, access track and entrance

Location: Bodvel Hall, Lôn Boduan, Efailnewydd, Pwllheli, Gwynedd, LL53 6DW

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is an application to change the use of agricultural land, approximately one third of an existing pasture, to a touring caravan park. The work would include:
- 40 informal grassed pitches measuring at least 8m x 8m.
 - 3.6m wide hardcore access track forming a one-way network through the site - there will also be space for charging electric cars.
 - Safe play area in the centre of the site.
 - Amenity block providing toilets, showers and washing facilities - this would be a timber building with a flat roof, 11.4m x 6.8m in surface area and 2.6m high.
 - It is also proposed to create a new *clawdd* along the site's western boundary - this will be formed with 2m of soil and planted with indigenous hedgerow plants.
- 1.2 The site lies in open countryside approximately 1.1km to the west of the Llannor cluster as defined by the Anglesey and Gwynedd Joint Local Development Plan. It is located approximately 300m along the road, which is partly private and partly unclassified, from the A497 highway leading from Pwllheli to Nefyn.
- 1.3 The following additional information was submitted in support of the application:
- Design and Access Statement
 - Document explaining the "Consideration of the Welsh Language"
 - Document responding to the concerns of the Transportation Unit
 - Series of photographs of potential viewpoints
- 1.4 The application is submitted to Planning Committee as the site is more than 0.5 ha in size.

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.
- 2.3 **Gwynedd and Anglesey Joint Local Development Plan. (July 2017)**
- TRA 2 – Parking standards
- TRA 4 – Managing transport impacts
- PCYFF 1 – Development Boundaries

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PCYFF 2 – Development criteria

PCYFF 3 – Design and place shaping

PCYFF 4 - Design and landscaping

TWR 5 - Touring caravan, camping and temporary alternative camping accommodation

PS 19 - Conserving and where appropriate enhancing the natural environment

AT 1 - Conservation areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

Supplementary Planning Guidance – Tourist Facilities and Accommodation (March 2021)

Supplementary Planning Guidance (SPG): Maintaining and Creating Distinctive and Sustainable Communities

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (February 2021)

TAN 13 - Design: June (2016)

3. Relevant Planning History:

None

4. Consultations

Community/Town Council:	No objection to the proposal but express concern regarding the increase in using the junction with the A497.
Welsh Water	Request a condition on the permission and guidelines for the developer.
Biodiversity Unit	Suggest that the applicant provides an Initial Ecological Assessment of the site.
Licensing Officer:	Observations for the applicant
Highways Unit	Significant concerns regarding the lack of visibility on the junction between the unclassified road and the A497.

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Natural Resources Wales

No observations to submit - guidance for the developer.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has ended and correspondence was received objecting to the development on the following material planning grounds:

- The passing places as shown on the access plan are not large enough to allow two vehicles towing caravans to pass each other.
- There will be an unacceptable increase in the traffic using the access road.
- Concern that there are too many caravan sites in the area.
- Concern about the cumulative impact of caravan sites on the area.

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

- Observation from the owner of the caravan site next-door to the application site noting that the information submitted with the application is incorrect including:
 - there is a permit licence for 50 static unit pitches and 20 touring unit pitches on the existing "Bodfel Hall Caravan Park".
 - this development will be harmful to the neighbour's business
 - the owner of the adjacent site lives in Bodfel Hall Cottage which is opposite the entrance to the proposed site and is nearer than the 300m noted in the application.
- It appears that the proposal is for the development to serve the National Eisteddfod in 2023 however this will be a permanent rather than a temporary development.
- Concern that the Council does not appropriately enforce the conditions on existing sites

5. Material Planning Considerations:

- 5.1 As this is a site for touring caravans, the application has to be considered under Policy TWR 5 of the LDP that sets out a series of criteria to approve such developments.
- 5.2 Criterion 1 in policy TWR 5 states that any new touring caravan development should be of high quality in terms of design, layout and appearance, and sited in an unobtrusive location which is well screened by existing landscape features and / or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape.
- 5.3 The proposed development is located in a site that is hidden from most public vantage points. It is also proposed to strengthen the screening of the site by erecting a *clawdd* along the western boundary. This site is not within the AONB or a Special Landscape Area and it is not believed that

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the development would cause significant harm to the quality of the landscape. Also, the site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. However, due to its location and size, it is considered that the impact of the proposal would only be local and it would not have a broader impact on the historic landscape. It is therefore considered that the proposal is acceptable in terms of Policy AT 1 of the LDP. The proposal is designed to meet the requirements of the licence in terms of space and facilities and therefore it is accepted that the development is up to standard.

- 5.4 Policy PCYFF 4 of the LDP requires that every proposal should assimilate 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. It is believed that the choice of location and the additional landscaping proposed also meet with the objectives of this policy.
- 5.5 The second criteria of Policy TWR 5 asks to avoid excessive areas of hard standing. In this case, it is proposed to provide grassed pitches for the caravans and the only hard standing will be the hardcore used on the road that would in itself be a feature that could easily blend into the landscape.
- 5.6 The third criterion asks for assurance that the site would only accommodate touring units - this can be managed with a suitable planning condition.
- 5.7 The fourth criterion asks for assurance that any ancillary facilities should be located in an existing building, or should this not be possible, that any new facility is commensurate to the scale of the development. The facilities have been redesigned to satisfy the original observations of the Licensing Unit on the application, therefore it is considered that the facilities are now appropriate for the development in question.
- 5.8 Under the fifth criterion, the policy requires the site to be located close to the main roads network and that adequate access can be provided without significantly harming landscape characteristics and features - highway matters are discussed below.
- 5.9 The sixth criterion asks to ensure that occupancy is restricted to holiday use only - this can be secured with a suitable planning condition.
- 5.10 The seventh, and last criterion, asks to ensure that the site is used for touring purposes only and that units are removed from the site when not in use - this again is a matter of setting a suitable condition.
- 5.11 Overall therefore, it is believed that this proposal meets the requirements of the criteria set by Policy TWR 5, however, it is believed that the main consideration in terms of how acceptable the application is, will be the impact that the development would have on the local roads network and on the safety of highway users.

Transport and access matters

- 5.12 In response to the original observations of the Transportation Unit, further proposals were submitted to ensure that safe access could be gained to the site, however, despite the proposed improvements, the Transportation Unit's concerns remained in relation to the scheme. The development is likely to attract more traffic along the narrow road to the site, and, although the applicant's proposal to introduce an additional passing place on the unclassified road and introduce road markings on its junction with the private road is recognised, concern remains about the lack of visibility on the junction, between the unclassified road and the A497. The applicant's proposals, namely to cut the hedge on the A489 near the junction to a height of 1.1m for 100 yards to the direction of Nefyn, are

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not enough to overcome safety issues resulting from lack of visibility on the road which is much lower than the ideal standard.

- 5.13 Therefore, the application fails to meet Criterion 5 of policy TWR 5 as it would not be practical to provide sufficient access to the site and it would also be contrary to policy TRA 4 as it would cause unacceptable harm to the safe and efficient operation of the local roads network.

General and residential amenities

- 5.14 The dwelling of Bodfel Hall Cottage is located opposite the site, approximately 30m from the access. Nevertheless, given the developed nature of the land that surrounds the site, which includes the 70-unit site owned by Bodfel Hall Cottage, along with business uses taking place at Long House, Bodfel Hall, nearby, it is not considered that a touring caravan site would lead to an increase in noise and disturbance to the extent that it would cause additional significant harm to local amenities and therefore it is considered that the proposal is acceptable in terms of Policies PCYFF 2 and PCYFF 3 of the LDP as they involve protecting the amenities of nearby land users.

Biodiversity matters

- 5.15 The Biodiversity Unit noted that there were several records of birds listed under section 7 of the Environment Act (2016) on or nearby the site and it suggested that the applicant should provide a Preliminary Ecological Assessment of the site. It was also concerned regarding the impact of improving access to the site on the nearby trees and hedges. The applicant has not yet submitted any information about these matters, however, it is believed that it is likely, by imposing conditions to ensure appropriate mitigation measures, that this proposal could be acceptable in terms of its impact on biodiversity and in the long run, it could satisfy the requirements of policy PS 19. However, there is no information to hand yet that could confirm this.

The Welsh Language

- 5.16 The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development. The proposal does not reach the thresholds to submit a Welsh Language Statement or a report on a Welsh Language Impact Assessment; however, 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.
- 5.17 A document was submitted to support the application explaining how the Welsh language was considered when formulating this plan noting that the development would help to sustain the rural economy in a Welsh-speaking area. In addition, it is proposed to promote the Welsh language by;
- Ensuring that all signage, permanent or temporary, is bilingual
 - Bilingual branding and website
 - Bilingual printed material
 - Bilingual marketing on social media and tradition advertising
 - Bilingual employment adverts
 - Answer the phone in both languages
 - Employing bilingual staff.
- 5.18 In considering the above, it is believed that enough information has been submitted to satisfy the requirements of policy PS 1 and the SPG in terms of demonstrating that the Welsh language has received appropriate consideration in creating this proposal.

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6. Conclusions:

- 6.1 Despite the fact that this proposal meets the majority of requirements for developing a new touring caravan site as noted in Policy TWR 5 of the LDP, when considering the observations of the Transportation Unit, it is likely that the development would cause unacceptable damage to the safe operation of the highway as the junction between the access road and the A497 is unsuitable for increased use by vehicles towing touring caravans. Therefore, there is no option but to recommend refusing the application as it does not meet Criterion 5 of policy TWR 5 and it would also be contrary to the objectives of policy TRA 4 as it involves the protection of road safety.

7. Recommendation:

- 7.1 To refuse – reasons

1. The proposed route of the vehicular access to the site from the main roads network is not sufficient to serve the site and the development would lead to an increase in traffic, especially vehicles towing touring caravans, that would use the junction with the A489 causing unacceptable harm to the safe and efficient operation of the highway. Therefore, the application is contrary to Criterion 5 of Policy TWR 5 and Policy TRA 4 of the Anglesey and Gwynedd Joint Local Development Plan.