

<b>PLANNING COMMITTEE</b>	<b>DATE: 28/02/2022</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

**Number: 1**

**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, track and access**

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

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

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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 road 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
  - A series of photographs of potential viewpoints
- 1.4 The application is submitted to the Planning Committee as the site is more than 0.5 ha in size.
- 1.5 This application was reported to the Committee on 22 November, 2021, when a decision was made to defer the application so that officers are able to consider additional information received and to discuss the development further. By now, the following information has been added to the application :
- An amended plan for the junction with the A497, which would involve widening the grass verge near the road, felling two trees and managing the height of the *clawdd* in order to create a visibility splay of up to 160m to the west.
  - Initial Ecological Assessment
  - Ecological improvement plan

## 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 emphasises that planning decisions should be determined in accordance with the Development Plan, unless material planning considerations note 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 undertake reasonable steps when discharging its functions to achieve the 7 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. (July 2017)**

TRA 2 – Parking standards

TRA 4 – Managing transport impacts

PCYFF 1 – Development Boundaries

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 on the increase in using the junction with the A497

Welsh Water Request a condition on the permission and guidelines for the developer

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Biodiversity Unit

Initial Response:

Suggest that the applicant provides an Initial Ecological Assessment of the site.

Second response:

I agree with the mitigation measures and the measures to enhance biodiversity noted in the report and these measures will need to be included as a condition

Licensing Officer:

Observations for the applicant

Highways Unit

Initial Response:

Significant concerns regarding the lack of visibility on the junction between the unclassified road and the A497

Second Response:

After receiving the amended plan, accept that the proposal will address the concerns raised regarding visibility to the proposed site.

Natural Resources Wales

No observations to submit - guidance for the developer

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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 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 development and not temporary.
- 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 which 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 a high quality in terms of design, layout and appearance, and is 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 creating a *clawdd* along the western boundary. This site is not within the AONB or a Special Landscape Area and it is not believed that 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

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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 additional landscaping proposed does meet with the objectives of this policy also.
- 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 requires 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 requires assurance that occupancy is restricted to holiday use only - this can be ensured with a suitable planning condition.
- 5.10 The seventh, and the last of the criteria, requires assurance that the site is used for touring purposes only and that the units are removed from the site during periods when not in use - again, this is a matter of imposing a suitable planning 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 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 had been submitted to ensure safe access to the site and the latest proposals, which include widening the grass verge near the road, felling two trees and managing the height of the *clawdd* in order to create visibility of up to 160m to the west, is acceptable by the Transportation Unit.
- 5.13 By imposing appropriate conditions to secure the above arrangement in the long term, it is believed that the application would meet the requirements of Criterion 5 of policy TWR 5 and policy TRA 4 as they relate to protecting the safe and efficient operation of the local roads network.

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### **General and residential amenities**

- 5.14 The Bodfel Hall Cottage dwelling 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 they suggested that the applicant should provide a Preliminary Ecological Assessment of the site. An Initial Ecological Assessment was received and the Biodiversity Unit found this to be acceptable. The report noted many conclusions:
- Due to the scale and restricted nature of the development, it is not considered that the proposals would have any negative impact on designated / protected sites.
  - The Coed Bodfel Wildlife Site lies outside the boundary of the planning application and it will not be affected by the proposals.
  - There is potential for the Wildlife Site's sensitive woodland ground flora to be negatively affected and that precautionary measures should be implemented to ensure that no harm is caused.
- 5.16 Therefore, it is believed that if appropriate conditions are imposed to ensure appropriate mitigation measures, then the development would be acceptable under policy PS 19 of the LDP as it relates to protecting the area's biodiversity as well as policies PCYFF 2 and PS 5 specifically to pollution control.

### **The Welsh Language**

- 5.17 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.
- 5.18 A document was submitted to support the application explaining how the Welsh language had been 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
- 5.19 In considering the above, it is believed that sufficient 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 This proposal meets the requirements for developing a new seasonal camping site as noted in Policy TWR 5 of the LDP and by imposing appropriate conditions in order to ensure the required changes to the highway access and mitigation steps to protect biodiversity, it is believed that the development would meet the requirements of the relevant policies in the LDP.

**7. Recommendation:**

To approve the application subject to the following conditions:

1. Commence within five years.
2. In accordance with submitted plans.
3. The number of units on the site at any one time to be restricted to 40.
4. Restrict the season to between 1 March and 31 October.
5. Holiday use only.
6. Maintain a register of users
7. No caravans to be stored on the site outside the season
8. All internal and external signs to be in Welsh only or bilingual with a priority given to the Welsh language.
9. The recommendations of the Ecological Assessment Report must be observed
10. The visibility with the A497 must be maintained to the standards shown on the plans on an ongoing basis.
11. Welsh Water Condition
12. Landscaping conditions

Note - Welsh Water, Natural Resources Wales, Licensing Unit