

PLANNING COMMITTEE	DATE: 26/09/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 4

Application Number: C21/0993/35/LL

Date Registered: 09/11/2021

Application Type: Full

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: Use of land for permanent alternative camping / glamping (9 pods) (Re-submission of application C20/0348/LL)

Location: Land near Coed Mawr, Cricieth, LL52 0ND

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is a second submission of a full application to use land for permanent alternative camping / glamping to comprise eight holiday pods, one service pod ('utility') together with creating an access track, creating/upgrading an access road, landscaping, provision of parking area, installation of sewage treatment works and alterations to the existing access.
- 1.2 The site (an agricultural field) is located in open countryside and outside any special landscape area identified due to its special landscape in the LDP. However, it is situated within the candidate Coed Mawr Wildlife Site. The site is surrounded on 3 sides by mature trees, as well as trees and hedges along the western boundary of the site. The woodland directly east of the site is identified as an Ancient and Semi-natural Woodland. It is also noted that the site lies within flood zone B.
- 1.3 The proposed pods will be located on the western side of the new access track, which will run from the south to the north through the centre of the site. The pods will be connected to a sewage treatment system and the proposal would provide a surface water drainage network.
- 1.4 The timber pods will measure 6m long x 3.3m wide x 2.8m high. They will be clad with Western Red Cedar planks or Siberian Larch, with UPVC doors and windows. The pods will be painted in a muted, environmental colour. Internally they will provide one double bed, cooking/relaxing space and a bathroom.
- 1.5 New, native species of trees and shrubs will be planted within the site.
- 1.6 The site will be served by the existing agricultural access off the B4411 public highway and will be altered to provide larger visibility splays, removing part of the existing wall and erecting new stone walls. It is proposed to use a reinforced grass system for the surface of the access road and the footpath.
- 1.7 The following documents and information have been submitted as part of the application:
- Ecological Assessment
 - Flood Consequence Assessment
 - Drainage Strategy
 - Transport Statement
 - Design and Access Statement
 - Civil Engineering Plan
 - Tree Impact Assessment (BS: 5837/2012.)
- In addition to the above, an additional Technical Note was received from the applicant's transportation specialists in response to the initial observations of the Council's Transportation Unit. It is also noted that a revised version of the Technical Note has been submitted as an update and in response to an objection from the Transportation Unit.

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1.8 The application is submitted to the Planning Committee for determination as the site exceeds 0.5ha.

1.9 For clarity, the existing application has been amended from the previously withdrawn application by replacing the access road within the holiday units site to a footpath, disposing of two storage containers that were to be installed on the site, creating a parking bay near the holiday units access site (not the entrance near the public highway) and providing additional information in response to highway concerns. The rest of the development will remain the same in terms of the number of units and their location.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 1.22 of 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 (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 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017

PS1: The Welsh Language and Culture

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3 : Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

PS 4 : Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4 : Managing transport impacts

PS 14: The Visitor Economy

TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping

PS 19: Conserving and where appropriate enhancing the natural environment

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

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AMG 5: Local Biodiversity Protection

AMG 6: Protection Sites of Local or Regional Significance

PS20: Protecting and where appropriate enhancing heritage assets

SPG Tourist Facilities and Accommodation (2021)

SPG Maintaining and Creating Distinctive and Sustainable Communities (2019)

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales, Edition 11, February 2021

Technical Advice Note 13 – Tourism

Technical Advice Note 18 - Transport

Technical Advice Note 24 - The Historic Environment

3. **Relevant Planning History:**

- 3.1 C20/0348/35/LL - Use of land for permanent alternative camping / glamping - the application was withdrawn before it was discussed in the Planning committee.

4. **Consultations:**

Community/Town Council: Object on the grounds that the access is situated on a dangerous bend, poor visibility and tree growth is a problem there. Also, the survey was undertaken in October, and not during the busy summer months.

Transportation Unit: We object to the application on the grounds of road safety. The access is situated on a corner with a tight radius near a bridge. It is not believed that the access is safe for vehicles when they turn in and out of the site, especially if vehicles turn in from the direction of Cricieth. There are also concerns that the access would cause safety issues to other vehicles who use the highway by creating a distraction for drivers who are trying to navigate along this section of the road.

Re-consultation: Although we appreciate that the applicant has submitted additional information regarding the siting of the access near the highway for the proposed development, we continue to object to the application on the grounds of highway safety (this is discussed further in the report).

Further consultation: I confirm that a review has been undertaken of the latest report and the contents does not alleviate my concerns especially in relation to the potential for vehicles travelling north to create a dangerous situation while waiting to turn. I therefore repeat that the guidance we expect to be noted is Technical Advice Note 18

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when considering SSD.

I strongly disagree with the claim made regarding the visibility of a turning vehicle, and that a queue formed of up to 5 vehicles is considered as 'very unlikely'. The applicant has not considered the impact of the cluster that would be created as a result to the nature of the road, that may be exacerbated by road users who are not familiar with the road conditions while trying to find the entrance. Having considered this impact, there is potential for a queue of 5 (or more) vehicles to form immediately.

Natural Resources Wales:

We have significant concerns regarding the proposed development as submitted. We recommend that you should only grant planning permission if you include the following condition in the decision notice.

Condition: The finished floor level of the pods will have to be set at least 450mm higher than the ground level.

Flooding risk We have considered the flood consequence assessment (FCA) (Waterco, Land Adjacent to Coed Mawr, Cricieth, dated June 2020), submitted to support the above application. The LPA has concluded that the site faces a low risk of flooding from afon Dwyfor, and the main flooding risk associated with the site derives from the main water courses on the site's western and southern boundaries. We are satisfied that the mitigation measures outlined in the LDP are sufficient to get to grips with the risk of flooding that is linked to the site. Therefore, we have no objection to the development subject to the inclusion of the following condition in any planning permission given.

Welsh Water:

State the usual observations and advise the applicant to contact Natural Resources Wales as it is proposed to develop a private sewage treatment system. Need to re-consult if the situation changes and need to connect to the main sewer.

Tree Officer (Transport and Countryside Service)

My observations regarding the previous application still apply. The trees report has responded to the observations and have offered solutions and mitigation measures to the concerns regarding the impact of the development on the ancient woodland and the trees on the site. The work programme and the work method outlined in the trees report need to be conditioned.

For information, these are the comments for the previous application:
"The site is surrounded by trees, Coed Mawr is listed as an ancient

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woodland site. The pods are located fairly close to the trees / 'clawdd' that border the site, therefore it would be necessary to ensure that the pods do not lean into the RPZ (root protection zone) of the trees. Also, information is required about on what the pods will stand, as this may have an impact on tree roots if they are too close to the RPZ. Has a BS:5837/2012 tree report been submitted with the application".

Land Drainage Unit (Gwynedd
Consultancy)

A Flood Consequence Assessment (FCA) was submitted with the application to outline the potential flooding risk to the site, impact of the proposed development on flooding risk in other places, and the proposed measures that may be incorporated to alleviate the flooding risk noted by Waterco June 2020). We are satisfied with the findings of the assessment and that the risk of flooding associated with the development is acceptable.

Our maps show that a watercourse runs along the development site boundary, but it does not appear that the plan would disrupt the river flow in any way. Nevertheless, the developer is advised to avoid installing / constructing any structures within 3 metres to the course of the river as this could impede future maintenance. Additionally, an Ordinary Watercourse Consent will be required for any work that could affect the river flow.

Biodiversity Unit

The applicant has provided an Ecological Assessment by Cambrian Ecology. I can confirm that the surveys and the report has been done to a good quality. I agree with the mitigation measures and the measures to enhance biodiversity noted in the report provided (sections 8 and 9 of the report). These measures will need to be included as a condition.

Fire Service:

The Fire Authority has no observations to be given regarding the access for fire vehicles and a water supply.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received objecting on the following planning grounds:

- An excess of this type of holiday accommodation sites in the nearby area
- Highways / Access Matters
- Biodiversity Matters
- Not a sustainable development
- No benefit for the local economy

As well as the above objections, objections were received that were not valid material planning objections and these included:

- Work has already commenced on the site

5. Assessment of the material planning considerations:

The principle of the development

5.1 The application involves establishing a new permanent alternative camping accommodation site. Policy TWR 3 of the LDP supports proposals to develop new sites of this type if they are outside the AONB and the Special Landscape Areas and if it can conform with a number of specific criteria within the policy. The site in question is not located within the AONB and is not in a Special Landscape Area and therefore in principle the suitability of the site for permanent alternative camping accommodation can be considered as long as the proposal meets with the criteria in Policy TWR 3, namely:

- I Where it can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality; and
- II That the proposed development is 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; and
- III That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.

5.2 Sections 3 (Tourism - Overarching Planning Considerations) and 5 (Permanent Static Caravan, Chalet and Alternative Camping Sites) SPG Tourist Facilities and Accommodation (2021) give further guidance regarding the above criteria.

Criterion I. - Where it can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality

5.3 This criterion specifically refers to an intensification of new developments. In order to define 'intensification' in this context you should refer to the paragraph of explanation in 6.3.69 that

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refers to the 'Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Study (Gillespies, 2014). Within each Landscape Character Area (as described by the Gwynedd Landscape Strategy (2012) the landscape's capacity is assessed to ascertain the capacity of the local landscape for further developments of holiday chalets or caravans.

- 5.4 This specific development falls within the G10 Landscape Character Area (Mid Llŷn). The Landscape Sensitivity and Capacity Study notes the indicative capacity for the Landscape Character Area. Specifically, in relation to the LCA relevant to this application it is noted: "*Outside the AONBs and SLAs there may be very limited capacity for developments typically comprising of very infrequent to very small scale, sensitively sited, high quality developments, that should relate well to the existing built environment/urban ground cover*". The Study defines very small developments as up to 10 units and small developments between 10 - 25 units. Therefore, appropriate consideration will need to be given to the scale of the proposed development in the location in question. In accordance with the Landscape and Sensitivity and Capacity Study the number of units (8 pods) proposed for this site are defined as a very small development.
- 5.5 It is recognised that 4 static caravan sites are within 0.7 km to this site. However, there is no Permanent Alternative Camping Accommodation in the site's vicinity.
- 5.6 In the context of the above, and considering the size of the proposed site, it is not considered that the proposal would lead to an excess of such sites in the locality.
- 5.7 ***Criterion II: - That the proposed development is 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 and/or where units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape***
- 5.8 Within the Plan, an unobtrusive location is described as being one which is well screened by existing landscape features 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.
- 5.9 Policy AMG 3 states that proposals must demonstrate that they do not have a significant adverse impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological, ecological and cultural aspects. Furthermore, Policy PCYFF 4 notes that every proposal should integrate 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.
- 5.10 To this end, it is noted that the proposal site, namely the holiday units, had already been landscaped sufficiently due to the presence of a substantial number of mature trees. Although it is acknowledged that the existing agricultural access is off the public highway, work needs to be undertaken to widen this, provide visibility splays and to alter the form and setting of a section of the existing walls. It is considered that this work is essential to provide acceptable access to the site and in turn this will entail a development that would be unsuitable in the landscape bearing in mind the rural location and existing character. To this end, it is considered that this element of the proposal is contrary to this criterion.
- 5.11 ***Criterion III - That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features***

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- 5.12 The existing access to the site is unacceptable to serve the proposal and as a result it is proposed to make alterations to the access to provide acceptable visibility splays.
- 5.13 The issues concerning road safety are discussed in greater detail in paragraphs 5.20 to 5.26 below. However, in summary, pedestrians or cyclists would use the main road that is narrow and hazardous in places as there are no pulling-in places available to the side. Vehicular traffic would be forced to wait until it would be safe to pass and would cause delay.
- 5.14 The visibility of vehicles pulling out of the proposal's access would also be affected should highway vehicles have to wait due to pedestrians or cyclists on the road.
- 5.15 However, for the purposes of criterion III of policy TWR 3, due to the need to undertake alterations to the existing access, this means that a sufficient vehicular access cannot be provided without affecting the features and character of the existing landscape and therefore the proposal is contrary to the requirements of this criterion. Although it does not directly affect the nearby grade II listed bridge, the setting and form of the walls when approaching the bridge are comparatively unchanged. The alterations although necessary to satisfy one aspect, would change the existing appearance and simple features that form part of the area's views that include the nearby listed bridge, and are therefore also contrary to the requirements of policy PS20 as well.

Visual amenities

- 5.16 As noted above, the application site is not within an area with special landscape designations. In addition, the mature trees surrounding the site shelter the site from the wider landscape. It is considered that the site itself is not obtrusive in the landscape and integrates well with its surroundings.
- 5.17 Therefore, with regard to this aspect, it is not believed that this element of the proposal is contrary to the relevant requirements of policy PCYFF 2 and 3.

General and residential amenities

- 5.18 Generally, policy PCYFF 2 in the Joint LDP permits proposals for new developments as long as they have no unacceptable adverse impact on the health, safety or amenity of occupiers of local residences, land use or other property or the area's features due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution or other forms of pollution or nuisance.
- 5.19 The dwelling nearest to the site is approximately 180 metres away and there is no public footpath close to the site. Therefore, it is unlikely that the proposal would cause significant harm to the amenities of the local neighbourhood and the proposal is considered to be acceptable in terms of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.20 Policies TRA 2 and TRA 4 of the LDP involve assessing proposals in terms of parking standard and any impact on road safety. The proposal involves modifying the existing agricultural access to improve and create/upgrade the access road and provide a parking area for the holiday site. The Transportation Unit has no objection to the parking situation and therefore in terms of this aspect it is considered that the proposal conforms to the requirements of policy TRA 2.

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- 5.12 The existing access to the site is unacceptable to serve the proposal and as a result it is proposed to make alterations to the access to provide acceptable visibility splays. The Highways Unit note that the existing access is situated on a corner with a tight radius near a comparatively narrow bridge. This bridge is a listed structure and therefore no significant changes can be made at all to its form and size. It is also noted that the Transportation Unit is of the opinion that the access is likely to be safe for vehicles when they turn in and out of the site, especially if vehicles turn into the site when approaching from the direction of Cricieth. There are also concerns that the access would cause safety issues to other vehicles who use the highway by creating a distraction for drivers who are trying to negotiate this section of the road, if the vehicles were waiting to turn in or leave for example. Based on the Highway Unit's observations, it is considered that the proposal in this location has the potential to cause a hazard for road users and pedestrians.
- 5.22 The public highway is comparatively narrow and therefore anyone who chooses to walk or ride a bicycle from the site will be forced to use the highway itself as there is no pavement and the walls of the existing boundary directly abuts the road without a grass verge between them. This means that vehicles slow down and stop not far from the corner of the bridge that has narrow stone walls should pedestrians or bicycle users leave the site. Traffic would be forced to wait behind pedestrians/cyclists until there is suitable room to pass and it is quite likely that some would try and overtake on the other side of the road on the right-hand corner travelling towards traffic with visibility being affected from either side.
- 5.23 The visibility of vehicles pulling out of the proposal's access would also be affected as the bus would stop on the public highway directly to the right of the access.
- 5.24 Based on the above, it is considered that the proposal provides a vehicular access in a dangerous location.
- 5.25 Additional information was received from the applicant to the initial observations submitted by the Transportation Unit. Following full re-consultation with the unit, the following comments were received:

"The radius of the corners on both sides of Pont Rhyd y Benllig are considerably lower than the current standards that mean that vehicles have to considerably reduce speed to traverse it. The approach from the direction of Caernarfon downhill has excellent forward visibility, this means that the approach speed is likely to be high and substantial braking movement is essential to safely pass the bends near the access. There will be an additional requirement to increase braking for the vehicle when turning into the site and this is likely to be problematic.

The distance between the access and the bridge corner to the Cricieth direction is also concerning. Vehicles approaching from the Cricieth direction face the same challenges as those who come from the Caernarfon direction, namely the existing road is downhill with good visibility. Vehicles would have to brake to turn the corner safely, although to a lesser extent than traffic to the south. The applicant has provided information regarding forward visibility from this bend towards the access, however, there is no mention about the impact of queuing along the bridge and the ability of vehicles to brake safely. The approach towards the access from the direction of Cricieth along a narrow bridge with stone walls directly abuts with the highway. The approach from the direction of Caernarfon is in the form of a highway with stone walls along the sides without verges. Should vehicles be unable to stop from any direction, there is no room for them to be able to divert to avoid collision".

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5.26 It is recognised that the applicant has prepared lengthy information in response to the objections of the Transportation Unit alleging that the proposal would not be detrimentally harmful as assumed. Transportation Unit officers have assessed the latest information and continue to be of the view that the proposal is unacceptable as explained in paragraph 4 above.

5.27 Planning officers are not convinced that the proposal as a whole could provide sufficient or safe vehicular access for the proposal or for other highway users. Policy TRA 4 states that proposals which would cause unacceptable harm to the safe and efficient operation of the highway, should be refused. Therefore, when assessing the full proposal including all the information and observations received, it is considered that the proposal is contrary to the requirements of policy TRA 4 of the LDP.

Trees and Biodiversity Matters

5.28 An Ecological Assessment and Tree Survey have been submitted as part of the application. The response of the Biodiversity Unit has been received on these assessments and it confirms that there is no objection to the proposal as long as the mitigation measures noted are provided on the site. To this end, it is considered that the proposal complies with the requirements of policies PS 19, AMG 5 and AMG 6 of the LDP.

The Welsh Language

5.29 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 thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. The proposed development does not reach these thresholds.

5.30 Although no formal Statement/Report is required, consideration should be given to the Welsh language in accordance with the guidance in Appendix 5 of 'Maintaining and Creating Distinctive and Sustainable Communities SPG'. In relation to this, a Welsh Language Statement has been submitted by the applicant and notes the following points:

- Directional and internal signage will be bilingual.
- Information about attractions, facilities and local services will be provided within the site.
- It is proposed to raise awareness of the Welsh language (e.g. Information boards with key Welsh day-to-day sayings) encouraging holidaymakers to learn the language.
- Provision of local employment opportunities.

5.31 In response to the information submitted, the Language Unit states that they are happy that the applicant has shown appropriate consideration of the Welsh language for the size of the development. A language statement was submitted offering examples of how the Welsh language will be used on the site and when promoting the units. The developer has shown a pro-active attitude and a desire to ensure that the Welsh language has a prominent place in the development and that visitors are encouraged to learn some and to try and use the language during their visit. To this end, it is considered that the proposal is in accord with the guidance included in section 'CH' of Appendix 5 in the SPG.

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Sustainability

- 5.32 Policy PS 5 (Sustainable Developments) supports developments which are consistent with sustainable development principles, and where appropriate, developments should:

"Reduce the need to travel by private transport and encourage the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport, in accordance with Strategic Policy 4" (Bullet point 12, Policy PS 5)."

This is supported by bullet point 4 of Policy PS 14 (The Visitor Economy).

- 5.33 It is considered that the policies of the LDP are consistent with local and national planning policies in terms of how it deals with sustainable development principles.
- 5.34 The majority of the holiday unit users would use a private car to get to the site, however, there are public footpaths and cycle paths nearby, and although the road and footpath network does not make this a safe or attractive option as discussed above, these options do exist.
- 5.35 It is recognised that alterations have been made since the previous proposal including amending the transportation assessment to indicate how the site will promote itself as a sustainable location. The proposals are to be welcomed on such a plan. It is noted that the nearest centre to the site that offers a limited range of services is Cricieth (approximately 3km away). Therefore, in the context of all these specific considerations, despite the objection in terms of road safety that has already been discussed, it has to be considered that the measures proposed together with the location will mean that the proposal therefore conforms to the relevant requirements and the advice included in TAN18 and PPW in terms of sustainability.

6. Conclusions:

- 6.1 Based on the above, and having considered all the relevant information including local and national policies and guidance, responses received as well as all the information and amendments presented as part of the application, it is not considered that the proposal fully meets with all the requirements of the relevant policies and the proposal would cause a detrimental and significant impact on the landscape and highway safety.

7. Recommendation:

- 7.1 To refuse – reasons
1. Criterion 1 (iii) of policy TWR 3 notes that development will only be granted if adequate access can be provided without significantly harming landscape characteristics and features. Due to the need to undertake amendments to the existing access to create a safe access to the site it is deemed that this would have an unacceptable detrimental effect on the rural character and visual amenities of the area (which includes the nearby grade II listed bridge) which is contrary to the requirements of criterion 1 (iii) of policy TWR 3, together with policy PS20 of the Anglesey and Gwynedd Joint Local Development Plan 2017. In the same manner, due to the essential changes to the access together with the location of the access to serve the proposed development it is considered that this part of the proposal would cause unacceptable harm to the safe and effective operation of the highway and the proposal is contrary to the requirements of Policy TRA 4 of the LDP.

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