

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C23/0543/43/LL

Date Registered: 10/07/2023

Application Type: Full

Community: Pistyll

Ward: Yr Eifl

Proposal: Full application to upgrade an existing Caravan Park by siting five new cabins, retention of the temporary access road and creation of a playing field.

Location: Gwynus Caravan Park, Llithfaen, Pwllheli, Gwynedd, LL53 6LY

Summary of the Recommendation: TO REFUSE

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

1. Description:

1.1 The application involves upgrading and extending an existing caravan site. The application includes a proposal to relocate five holiday cabins within the site noted as field 470 (Golf Course) along with the retention of an access road that was originally approved for a temporary period, and the creation of a playing field. There was a golf course here in the past, but it appears that this use has now ceased. Permission was granted in 2015 to relocate 5 static units or cabins to a location on a section of where the golf course would be (Field 470), whilst another five were to be relocated to another section of the site, namely field 471.

1.2 For clarity, this proposal would involve locating all of the cabins together on field 470 instead of the permission granted to locate five on field 470 and another five on field 471. It is assumed that the proposed holiday cabins would measure the same as what is already permitted and the two that have already been sited on another section of field 470, which are approximately 12.2m by 6.1m with the exterior finish conveying a timber finish. The proposal also seeks to retain a temporary service road that was permitted as a part of the previous application and extend it to serve the additional units. In addition, it is proposed to construct a new soil *clawdd* measuring 1.2m high along the northern and western boundary of field 470.

1.3 The second most prominent element of the application involves the conversion of the lower part of field 472 on the site where the existing static caravans are located, to a playing field and other recreational activities for the users of the holiday park. This field is located centrally within the site between other areas that form a part of the caravan park and is comparatively close to the Gwynus house.

1.4 The site is located in a secluded and comparatively mountainous area in open countryside within the Llŷn Area of Outstanding Natural Beauty and the Llŷn and Enlli Landscape of Outstanding Historic Interest. The residential building, namely Gwynus, located on a part of the site is a grade II listed building. Access is gained to the site off the nearest public road along an unclassified road that veers to the north before reaching the site itself and then along a private access road. The unclassified road is also designated as a public footpath. It can be seen that the site operates and is long established as a static and touring caravan park, and it appears that extensive landscaping and planting has been carried out within the broader site.

1.5 The application is submitted to the Committee as a close relative of the applicant is an elected member of the Council.

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.

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

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

PS1 – The Welsh Language and Culture

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

PS 14 – The visitor economy

TWR 3 – Static caravan and chalet sites and permanent alternative camping accommodation

PS 19 – Conserving and where appropriate enhancing the natural environment

AMG 1 – Areas of Outstanding Natural Beauty Management Plans

PS 20 – Conserving and enhancing cultural assets

AT 1 – Conservation areas, world heritage sites and registered historic landscapes, parks and gardens

Also relevant in this case are the following:

Supplementary Planning Guidance (SPG): Tourist Facilities and Accommodation

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 – February 2021)

Technical Advice Note (TAN) 12:

TAN 5: Planning and nature conservation

TAN 13: Tourism

TAN 24: The historic environment

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

3. Relevant Planning History:

- 3.1 95/00260/COU – Extend static caravan site and increase the number from 6 to 10 – Approved - 10/01/96.
- 3.2 C00D/0446/43/LL – Establish a nine-hole golf course including engineering works, parking provision and landscaping, site a static caravan for use as reception, establish a touring caravan park including associated access road, changes to access junction, and installation of new septic tank for the existing static caravan site – Approved - 12/03/01.
- 3.3 C02D/0079/43/LL – Construct a toilet block for a touring caravan site and provision of children’s play area – Approved 20/05/02.
- 3.4 C03D/0391/43/LL – Amend condition 10 of planning permission no. C00D/0446/43/LL to exchange four touring caravans for four additional static caravans – Refused 26/09/03.
- 3.5 C03D/0578/43/LL – Use part of a touring caravan site to store eight touring caravans between 31 October and 1 March – Approved – 11/03/04.
- 3.6 C04D/0624/43/LL – Retain and continue to use a field to site 10 touring caravans, construct a new toilet block for the disabled and change of use of agricultural field to playing field – Approved 22/02/05.
- 3.7 C06D/0017/43/LL – Siting of eight pine log cabins – Refused 14/03/06.
- 3.8 C06D/0285/43/LL – Siting of six pine log cabins – Refused 18/04/07.
- 3.9 C06D/0441/43/LL – Increase the number of touring caravans from 18 to 25 by siting seven additional touring caravans on field number 471 and increasing the number of touring caravans to be stored over the winter on field number 471 from eight to 18 – Approved 20/03/07.
- 3.10 C07D/0496/43/LL – Change of use of land to create a site for 12 touring caravans – Approved 03/01/08.
- 3.11 C08D/0371/43/LL – Create a site for nine additional touring caravans on field no. 475 and four passing places on the access road – Withdrawn.
- 3.12 C10D/0303/43/LL – Increase the number of touring caravans on the site from 37 to 55 by locating 16 additional caravans on field 475 and two additional caravans on field 471 and increase the number of touring caravans to be stored over winter on field 472 from 18 to 40 and change of use of a part of field 4942 to create a football and games area for the site – Approved 29/09/10.
- 3.13 C12/1467/43/LL – Demolish existing pigsties and site a new timber building for use as a reception – Withdrawn.
- 3.14 C12/1508/43/CR – Demolish existing pigsties and site a new timber building for use as a reception – Withdrawn.
- 3.15 C13/0302/43/LL – Exchange four touring caravans on field 471 for two holiday cabins – Withdrawn.
- 3.16 C13/0532/43/LL – Upgrade existing static caravans for holiday lodges and relocate them to field 471, move the touring units from that field to static caravan field 472, together with the demolition of pigsties and construct a new reception in its place with a counter to sell small goods – Approved - 22/11/13.
- 3.17 C13/0533/43/CR – Demolish existing pigsties and erect a new building for use as a reception – Approved 16/01/14.

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 3.18 C14/0653/43/LL – Upgrade existing static caravan park and relocate it from part of field 472 to a part of field 470 – Refused - 14/01/15.
- 3.19 C15/0495/43/LL – Upgrade 10 existing static caravans and relocate 5 to field 471 and the other 5 to field 470. Extend the caravan site to part of field 470, reduce the number of touring caravans from 55 to 52, relocate touring caravans from field 471 to field 472, increase the surface area for storing 40 touring caravans on field 472 over the winter months, erect a new reception on the site of the pigsties in accordance with the extant permission – Approved 30/07/15.
- 3.20 C18/0614/43/LL - Extend the surface area of the site to site five additional holiday caravans on field 470, retain the temporary service access and extend it for the additional units, erect a 1.2m earthen *clawdd* along the northern and western boundaries of field 410, change the layout of five caravans approved under application number C15/0495/43/LL, and relocate a septic tank - Refused 16/10/18
- 3.21 Amend condition 6 of planning permission number C16/0495/43/LL for the occupation of static caravans for 12 months - Approved 06/03/19
- 3.22 C19/0593/43/DA – Non-material amendment to move the location of plots on field 470 - Approved - 02/09/19

4. Consultations:

Community/Town Council: Not received

Transportation Unit: I refer to the above application and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development will not have a detrimental impact on any road, or proposed road.

Natural Resources Wales: We do not oppose the proposed development as submitted and we provide the following standard advice in relation to matters involving Foul Drainage, Protected Species, Designated Landscapes and other matters.

Welsh Water: As the proposal proposes to use another form of drainage instead of using the main drain, the applicant is advised to discuss with Natural Resources Wales and/or Building Control since they are the bodies responsible for regulating these types of drainage systems.

Public Protection Unit: Not received

Licensing Unit: The development will be subject to the following Legislation in relation to Health and Safety, Fire Safety and Public Health provisions.

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Land Drainage Unit: Since 7 January 2019, sustainable drainage systems (SuDS) will be required to control surface water for every new development of more than one dwelling or where the building surface area with drainage implications is 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Gwynedd Council in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, an application may need to be submitted to the SuDS Approval Body to be approved before construction work commences. No drainage plan has been submitted and until an application is made to the SAB there is no assurance that the site plan would enable compliance with the full suite of the national SuDS standards. Early consultation with the SAB is recommended.

AONB Unit: Gwynus farm is located in a rural area between Pistyll and Llithfaen. The house, the buildings and the caravan park are in an Area of Outstanding Natural Beauty (AONB). The site is also in an area that is included on the Register of Landscapes of Outstanding Historic Interest in Wales, and the house is listed. A series of developments have been carried out at the site over the past 25 years and a number of caravans / chalets / cabins are now on the site. The developments can be seen from a byway that runs near the public road between Pistyll and Pentreuchaf. The intention with the existing application is to locate five static units / lodges on field 470, retain an access road and create a playing field. Gwynus farm is in quite a prominent location on the rural landscape of the AONB. Retaining the access road would not have a significant visual impact but it appears that extending the surface area of the site further to field 470 would have an impact on the environment. (See Policy TP9 of the Llŷn AONB Management Plan).

Archaeological Service: Despite the small scale of the proposal, the plan is located within a landscape of high archaeological value with evidence of prehistoric activity nearby. Unidentified archaeological remains are likely to have survived under the surface in the local area and such sites are discovered through excavation work.

If this proposal is approved, a programme of mitigation work must be carried out to ensure that archaeological remains are not lost or destroyed without appropriate measures to protect them. Therefore, it is suggested that standard conditions are included to agree on a programme of appropriate and suitable work for this specific site.

Public Consultation: A notice was posted on the site. The advertising period has expired and no letter / correspondence of objection has been received.

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Several policies within the LDP are relevant when determining this type of application. The main policy to consider when assessing the principle of the development is policy TWR 3 and the relevant part within this policy in relation to this application that is located within an AONB, is part 3. This specific part accepts that small extensions may be approved to the surface area of established sites and / or that units may be relocated from prominent locations to less prominent locations, subject to compliance with a series of criteria.
- 5.2 Considering the planning history of the site, it can be seen with application C15/0495/43/LL that an extension was approved to the existing site, namely field 470, in order to relocate 5 static units from field 472 with the other five static units to be relocated to field 471. The existing application asks to extend field 470 further in order to relocate 5 other static units instead of locating them as permitted with application C15/0495/43/LL. The existing application therefore wishes to extend the area used for holiday purposes within field 470 so that it would add a new formal area measuring 2,490.24m² in the existing field. This new area is not considered a small extension to the area of the existing caravan site and no sufficient reason is seen as to why there is a need to relocate the additional five static units to field 470 when a previous plan has been approved showing that it would be possible to locate them on field 471 which is within the existing site and already developed.
- 5.3 The main logic provided with the application to extend field 470 is the need to expand the provision on the site in order to compete effectively with other sites. The Local Planning Authority does not intend to hinder or prevent individuals' aspirations to improve sites such as this, however, it cannot either justify the scale and location of the proposal without firstly considering its impact in full. Considering criterion 3vi of Policy TWR 3, which requires that the proposal offers substantial and permanent improvements to the design, layout and appearance of the site and its place in the surrounding landscape, it is not considered that the proposal, as submitted, complies with this criterion. It is not considered that the proposal would improve the site's setting in the landscape and it is not required to relocate all the static units to outside the existing caravan site. Application C15/0495/43/LL was approved to extend the existing site quite considerably in order to relocate some of the units whilst making changes to the layout and design of the caravan site as a whole in order to relocate the static units to a site within the boundary of the existing caravan site. It is, therefore, emphasised that the application would be entirely contrary to the principle of section 3i of Policy TWR 3, which supports small extensions to the existing land area, and requires a development to offer substantial and permanent improvements to the design, layout and appearance of the site and its setting in the surrounding landscape. It must be acknowledged that extensive landscaping work has been done on the site over recent years by planting native trees within field 470 and on nearby lands. But it cannot be disputed that the site as it currently stands is more prominent compared with field 472 which is surrounded by the park's other established sites and therefore is basically invisible from prominent elevations beyond the site.
- 5.4 The proposal therefore creates quite a substantial extension to the existing caravan site which would involve creating an extended site and leaving a part of the existing established site empty to all intents and purposes (although proposed as a playing field, it is referred to as a field of grass only, with no reference to any formal play equipment). It is not considered that this proposal would be better than what was previously refused with application C18/0614/43/LL and since the same policies are still implemented, there is a need to be consistent with decisions and on the grounds that nothing in reality has been proposed to improve the design, layout or appearance of the site and its place in the landscape, it must therefore be considered that the proposal is contrary to part 3i and vi of Policy TWR 3 of the LDP.

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Visual amenities

- 5.5 The proposal is to locate units that would be similar in appearance to log cabins on the site. It is considered that light brown coloured units would blend better with the landscape than white caravans. As part of the proposal, it is intended to build a 1.2 metre *clawdd* along the northern and western boundary of the extended site and it is intended to plant along the top / near the *clawdd* with a combination of gorse, hawthorn and hazel. It is considered that erecting the *cloddiau* and additional planting near the *clawdd* would assist with landscaping the site. Concern had been expressed by the AONB Unit in terms of extending the site surface area and siting five additional caravans on it. As previously noted, we recognise that the proposed location would be more visual than the existing static caravan site, but in relation to permission C15/0495/43/LL, it is not considered that relocating the other 5 units to this site would cause substantial harm to the character of the AONB. It is considered that the proposal is therefore acceptable in relation to Policy PCYFF 3, PCYFF 4 and AMG 1.
- 5.6 The site is located within the Llŷn and Enlli Landscape of Outstanding Historic Interest. The proposal relates to making alterations to a caravan site and in terms of its location and size, it is considered that the impact of the proposal would be local only and that it would not have a broader impact on the historic landscape. Therefore, it is considered that the proposal is acceptable from the perspective of Policy 1 of the LDP.

General and residential amenities

- 5.7 No residential property appears close to the site and therefore it is quite unlikely that the proposal would have any impact on residential amenities. The site has been established and operational for a long time and therefore in terms of the general amenities of the area, the use exists and is established. It is not believed that the proposal would therefore be unacceptable in terms of its impact on the area's residential or general amenities and therefore it is believed that the proposal is acceptable on the grounds of the relevant requirements of policy PCYFF 2.

Transport and access matters

- 5.8 It is intended to use the existing access road leading to the site and it can be seen from the observations of the Transportation Unit to the proposal, that there is no objection to the proposal. It can also be seen that an element of the application seeks permission to retain the road temporarily approved previously under reference C15/0495/43/LL. The wording of the condition relating to this consent was "*The temporary track to be created to obtain access to field 470 must be removed and the land restored to its previous condition before commencing the fourth phase of the development*". It is believed that this condition was relevant to implementing the previous permission only and there is no justification to retain it since the principle of moving five additional units is unacceptable. Nevertheless, it is not considered that the application itself is unacceptable in terms of the general road safety requirements and policy TRA 4 of the LDP as a parking space would be provided near the units for the vehicles of the users, should permission have been granted, this again would comply with the general requirements of policy TRA 2.

Archaeological Matters

- 5.9 It can be seen from the response of Gwynedd Archaeological Service to the public consultation, that the scheme is located within a landscape of high archaeological value with evidence of prehistoric activity nearby. Should permission be granted for this proposal, there would be a need to undertake a programme of mitigation work to ensure that archaeological remains are not lost or destroyed without appropriate measures to protect them, and this can be done by imposing standard conditions to agree on a programme of appropriate and suitable work for this specific site. This would therefore be acceptable based on the relevant requirements of policy PS 20.

Language Matters

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 5.10 In accordance with the Planning (Wales) Act 2015, it is a duty when determining a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive 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.
- 5.11 It is noted that there are some specific types of development where the proposal will be required to submit a Welsh Language Statement or Report on the Welsh Language Impact Assessment. 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. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds to submit a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing development, 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.
- 5.12 The proposal submitted is for the relocation of holiday cabins and therefore there is no increase in numbers deriving from the proposal. Nevertheless, it is noted that the applicant and his family are locals and are first language Welsh speakers. The use of the language is prominent within the operations of the site. Therefore, from this perspective and since there is no actual change in the situation in terms of numbers, it is considered that the proposal complies with the requirements of policy PS1.

6. Conclusions:

- 6.1 It cannot be considered that the added extension to the site is a small extension in the context of Policy TWR 3 and the proposal does not offer substantial and permanent improvements to the design, layout and appearance of the site and its setting in the surrounding landscape. The improvements have been restricted to erecting the *cloddiau* and vegetation along the boundary of the site, whilst an area of existing caravan use is changed into a playing field. Although it is acknowledged that trees have been planted over recent years, there is no justification for the relocation of all the units to a site outside the existing site. It is considered possible to relocate the units in a manner that does not involve moving all the static units outside the existing caravan site, especially considering that field 472 would still be vacant (albeit as a playing field) if the proposal in question is approved. It is also questioned whether a site extension is really what is in question here, or creating a new static caravan site, as all the existing static units will be located outside the existing caravan park site with a new track serving it and, therefore, makes it entirely independent of the existing site. The proposal is, therefore, considered contrary to the requirements of Policy TWR 3 of the LDP.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to refuse:
1. The proposal would not be considered to be a small extension to the surface area of the site and it would involve the relocation of all the static units from the existing site to the extended site, thus leaving the existing static caravan site empty. It is not considered therefore that this would improve the design, layout and appearance of the site and its place in the landscape and therefore it is considered that the proposal is contrary to part 3i and vi of Policy TWR 3 of the LDP.