

PLANNING COMMITTEE	DATE: 13/02/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Number: 7

Application Number: C13/1394/35/AM

Date Registered: 27/10/2016

Application Type: Full - Planning

Community: Cricieth

Ward: Cricieth

Proposal: Outline application for the construction of three holiday cabins

Location: Mynydd Ednyfed Fawr, Cricieth, Gwynedd, LL52 0PH

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is an outline application to construct three luxury holiday cabins on land which forms part of an existing golf course on the outskirts of the town of Cricieth.
- 1.2 The site of the proposed development is located on the fringes of the extensive Cricieth Golf Club site. An access road leads to the site of the Club itself, which is located approximately one mile to the north of the town. A track leads off the access road up to the site of the application. At present, this land has been raised and levelled and is used as a 'hole' associated with the golf course. There are a number of established trees and shrubs to the south of the application site, whilst the adjacent land to the north and east is elevated.
- 1.3 The application has been submitted as an outline application and all details have been reserved. Thus, the plans submitted are indicative only and highlight aspects which are likely to be constructed on site, namely, self contained cabins to include a living room/kitchen, two bedrooms, bathroom and external balcony. Although an outline planning application, measurements must, nevertheless, be included to show the proposed building's maximum and minimum details, namely:
- Maximum length 11m - minimum length 10m
 - Maximum width 8.4m - minimum width 7.4m
 - Maximum height to the eaves 3.4m - minimum height to the eaves 2.4m
 - Maximum height to the ridge 5.2m - minimum height to the ridge 4.2m

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 Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. 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 making the recommendation the Council has sought to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 Gwynedd Unitary Development Plan 2009:

POLICY B22 – BUILDING DESIGN - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

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POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B27 – LANDSCAPING PLANS - Ensuring that permitted proposals incorporate soft/hard landscaping of high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY C1 – LOCATING NEW DEVELOPMENT - Land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they conform to specific criteria relating to the vehicular access, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

POLICY D15 – SELF-SERVICED HOLIDAY ACCOMMODATION - Proposals for developing new, permanent self-catering holiday accommodation and adaptation of existing buildings or existing establishments will be approved if the design, setting and appearance of the development is of high standard and if it conforms with criteria relevant to the location and scale of the development, impact on the permanent housing stock and on residential areas and availability of this type of holiday accommodation.

POLICY D16 – PROVISION OF NEW STATIC HOLIDAY CARAVAN AND HOLIDAY CHALET SITES - Proposals for the development of new sites for static holiday caravan (single or twin caravan) units or holiday chalets will be refused.

In addition to the above, full consideration will be given to the adopted Supplementary Planning Guidance (SPG), and the following are believed to be relevant:

- Holiday Accommodation

The Gwynedd and Anglesey Joint Local Development Plan, which is currently being prepared, is subject to an ongoing Public Inquiry. At present, it is not a relevant planning consideration for making decisions on planning applications.

2.4 National Policies:

Planning Policy Wales, Edition 9, 2016.

Technical Advice Notes (TAN):-

- TAN 12 Design
- TAN 13 Tourism

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3. Relevant Planning History:

3.1 Over the years, a number of various applications have been submitted for this extensive site. It is noted here that two applications for pre-application advice had been submitted for various developments associated with the golf club, including the development of luxury holiday accommodation. On both occasions, it was confirmed that support for the proposal of constructing/erecting holiday cabins on the site would not be forthcoming as it would be contrary to adopted policies.

4. Consultations:

- Community/Town Council: Refuse as it is government policy to refuse new developments
- Transportation Unit: No objection
- Natural Resources Wales: No objection but general advice given regarding issues of drainage, sewage treatment and transporting waste.
- Welsh Water: General and standard observations
- Biodiversity Unit: As the application site falls within the golf club's land which has already been cultivated, it does not have a high Biodiversity value. Nevertheless, a small stream runs nearby and, as such, it is suggested that the stream be protected should the application be approved.
- Rights of Way Unit: The application site abuts a public footpath. The path must be protected in order to ensure access during and after the development.
- Caravans Officer: If these three units were 'structures', impossible to move on wheels and not defined as caravans under the Caravans and Development Control Act 1960, then this development would not need a site licence.
- Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended, no correspondence was received objecting to the proposal.
- Correspondence was received supporting / providing observations on the application on the grounds of:
- Importance of diversifying/promoting a rural economy/safeguarding the environment and the Welsh Language.
 - Design of quality/in keeping with its location
 - Extend the tourist season which benefits the business and the local economy
 - No detrimental impact
 - Boost for the golf club/safeguard existing employment
 - Similar accommodation available on other golfing sites

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5. Assessment of the material planning considerations:

The principle of the development

- 5.1 This site is located outside the Cricieth development boundary and, as such, it is considered to be a site located in open countryside.
- 5.2 Policy C1 notes that land "within town and village boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in open countryside will be refused with the exception of a development which is permitted under another policy within the Plan."
- 5.3 In this instance, proposals to install luxury holiday cabins as appear here are not supported by any other policy. Policy D16 clearly states – "Proposals for the development of new sites for static holiday caravans (single or double caravans) or holiday chalets will be refused".
- 5.4 In the explanation for this policy it states that "the high number of existing sites means that plenty of such sites exist in the Plan's area...consequently, there is no justification for providing sites...for new holiday chalets in the Plan's area".
- 5.5 According to the current register of licensed caravan and camp sites in the Cricieth area, approximately eight sites exist providing more than 200 permanent holiday units. Although this application is only for three units, the policy clearly states that no more will be allowed within the Plan's area whatever the number. This information has been clearly conveyed as a response to two previously submitted pre-application enquiries.
- 5.6 Consequently, the proposal is not considered to be acceptable in principle and, as such, is contrary to the requirements of policy D16 of the relevant UDP and the SPG.
- 5.7 D16 is considered to be the most relevant policy when considering this proposal; but, as the proposal appears to involve building the cabins on the site, Policy D15 'Self Catering Accommodation' can also be relevant. One of the relevant criteria of this policy requires the development to be located within a development boundary (this site is not within any development boundary) or that a suitable, previously developed site is used. To this end, the UDP has a definition for 'previously developed land', and land that forms part of a golf course does not fall within this definition. Thus, the proposal is not considered able to meet the requirements of Policy D15 either.
- 5.8 Consequently, the proposal is considered to be contrary to the requirements of policy D16 and D15 as no other adopted policy exists within the UDP which allows for permanent holiday units. The proposal to construct three holiday cabins is not, therefore, considered to be acceptable in principle.

Visual, general and residential amenities

- 5.9 This application is submitted as an outline application and full plans have not, therefore, been submitted. The indicative plans show the structures likely to be constructed on the site and, according to a document submitted with the application outlining the owners' vision for the site, it appears that these structures would be constructed from timber. The agent has confirmed that they would likely be

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constructed on site. Thus, it is believed that, once completed, they would be permanent structures.

- 5.10 The proposed development site is in a fairly concealed location due to the nature and elevation of the surrounding land and presence of established trees and shrubs nearby. There are no residential houses in the vicinity. As such, it is considered that it would be unlikely to have a negative impact on residential amenities should the recommendation be made to approve the application.
- 5.11 As is usual, it would be possible to include conditions to agree upon a design, finish and materials, but these matters do not form part of this application. The design and its impacts would be given full and detailed consideration during a reserved matters application should the recommendation be made to allow this application.
- 5.12 It is therefore considered that the application, in relation to these matters only, satisfies the requirements of policies B22, B23 and B25 as it would be unlikely to have a detrimental effect on the area's visual or residential amenities.
- 5.13 Likewise, it would be possible to include a standard condition in order to agree on further landscaping details which would be required to ensure appropriate appearance. In so doing the requirements of policy B27 would be satisfied.
- 5.14 It must be noted, however, that this does not overcome the fundamental objection to the proposal in principle.

Transport and access matters

- 5.15 There are no objections to the application with regard to transportation and access matters. The proposal is not, therefore, considered unacceptable in this regard as it would, consequently, meet the requirements of policies CH33 and CH36.

The economy

- 5.16 A document was submitted as part of the application prepared by the applicant to provide background information about the business and wishes for the future. Whilst clearly glad to see a native business such as this one flourishing and seeking to expand on-site resources, it is not possible to support this application as the policy clearly states that this type of development is not to be supported. This council has conveyed this to the owner on two occasions prior to submitting a formal application.

Response to the public consultation

- 5.17 A number of letters have been received in support of the application and the owners' attempts to safeguard the Golf Club business and to expand it by proposing additional facilities. This is acknowledged. Nevertheless, it is not believed that these letters outweigh the fundamental concerns about the proposal and its non-compliance with one of the UDP's policies.

6. Conclusions:

- 6.1 That which was submitted as information, based on the owner's vision for the site for the long term development of the Golf Club, is not believed to be justification for veering away from the Council's established and adopted policies which have been

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consistently implemented over the lifespan of the UDP. Some aspects of the proposal are deemed acceptable but these aspects do not outweigh the fundamental objection to the principle of the proposal.

- 6.2 The reasons for refusing this application are based on relevant planning policies and guidances. An assessment of this proposal with respect to it conforming with relevant policies is a relevant consideration. Full consideration was afforded to this element in determining this application.
- 6.3 Having considered the above and all the relevant matters including the local and national policies and guidance, as well as all the observations received, this proposal is not believed to be acceptable and does not satisfy the requirements of the relevant policies related to the principle of developing holiday cabins and self-service holiday accommodation.

7. Recommendation:

- 7.1 To refuse – reasons –
1. The proposal is unacceptable in principle as proposals for permanent new holiday cabins are not supported by policy D16 of the UDP or the SPG.
 2. The proposal is contrary to Policy D15 of the UDP and the SPG as the site of the proposal is not located on land that lies within the development boundary or on land that is in keeping with the definition of previously developed land.