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Heading:

15/2013/1505/PS  
Parc Farm Caravan Site  
Llanarmon yn Ial

3

 Application Site

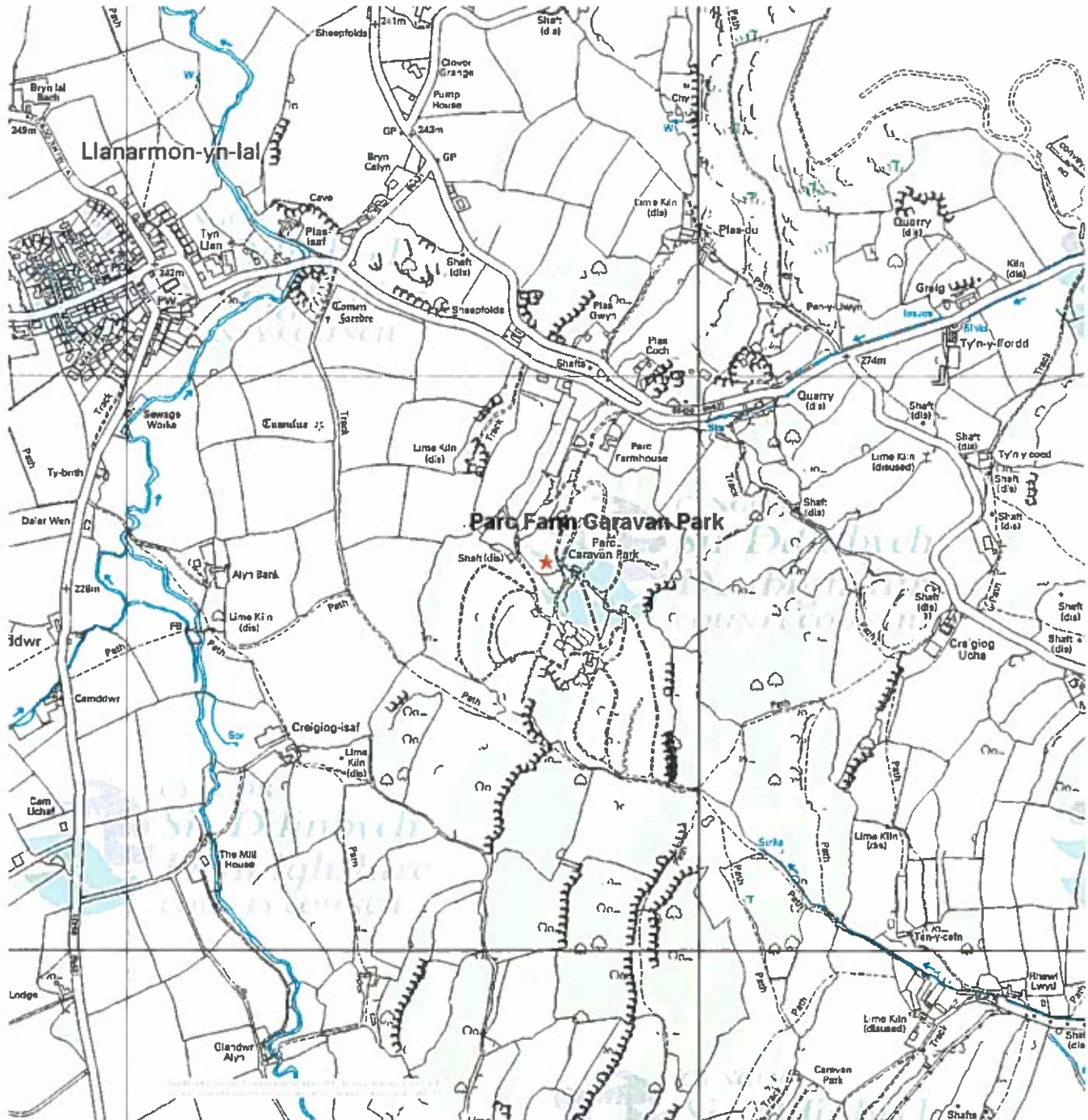


Date 3/2/2014

Scale 1/10000

Centre = 319735 E 355676 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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**ITEM NO:** 3

**WARD NO:** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Councillor Martyn Holland

**APPLICATION NO:** 15/2013/1505/ PS

**PROPOSAL:** Variation of condition no. 6 of planning permission code no. 15/2011/0651 to allow 12 months holiday use

**LOCATION:** Parc Farm Caravan Park Graianrhyd Road Llanarmon-Yn-Ial Mold

**APPLICANT:** MrThomas Scarrott

**CONSTRAINTS:** Tree Preservation Order  
PROW  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice - YesPress Notice - NoNeighbour letters - No

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL**

"Council felt very strongly about this planning application and did not support it. For the following reasons: -

- Should be considered that the park is near an AONB and would tempt many residents to live full term cheaply in the park abusing the holiday condition.
- Large park approx 375 vans - actually larger in area than the village, the recently increased size is felt not to be a modest one, more caravans than houses in the village. Without the part time holiday condition, the park would turn into a fulltime village of its own - Overwhelming for the locals.
- People do not contribute to the area only add to the traffic.
- Some people do live there all year round already, locals are aware of this and yet this is under the part-time holiday condition. Therefore, monitoring the 12 months holiday condition by D.C.C. would be very difficult if not impossible.
- They do not pay council rates as local homeowners. Should only be part of the year occupancy – or lower the village rates.
- There are parts of the site in need of tidying up, so the time closed is really required for maintenance. Therefore, the additional time in residence would not improve amenities.
- 1955 old land had its own planning not as a residential. Children from the site have already attended the local school."

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE**

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure  
- Highways Officer  
No objection

Pollution Control Officer

License amendment required. Officers raise concerns raised over resource implications of enforcement of conditions.

**RESPONSE TO PUBLICITY:** None.

**EXPIRY DATE OF APPLICATION:** 02/02/14

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The application relates to a condition restricting the season of occupancy of caravans at the Parc Farm Caravan site to the east of Llanarmon Yn Ial village.
- 1.1.2 The application seeks permission for a variation of planning condition no. 6 of planning permission reference 15/2013/1505 which reads; 'The caravans shall be only occupied between 1st March in any one year and 15th January in the following year'. The reason for the condition was 'In order to ensure consistency with the existing restrictions on the site and to ensure the caravans are not used on a permanent residential basis'.
- 1.1.3 The application seeks to vary the condition to allow 12 month occupation of the caravans.

**1.2 Description of site and surroundings**

- 1.2.1 Parc Farm is a long established large static caravan park located south east of the village of Llanarmon.
- 1.2.2 The 20 hectare site comprises a mix of caravans and associated hardstandings, club house and ancillary buildings, service roads, landscaping and woodland.
- 1.2.3 At present the permission allows for 355 static caravans and 20 touring pitches.
- 1.2.4 Access to the site is off a minor road close to the junction with the B5430. The minor road serves the application site, and some neighbouring dwellings.
- 1.2.5 The location plan at the front of this report indicates the relationship between the site and neighbouring residential properties, which are mainly located around the entrance.

**1.3 Relevant planning constraints/considerations**

- 1.3.1 The site is located in outside any development boundary of the Local Development Plan. It is also located within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 1.3.2 A public footpath runs through the site.
- 1.3.3 Part of the existing site is also a designated Ancient Woodland.

**1.4 Relevant planning history**

- 1.4.1 The static caravan site has operated at least prior to the 1960's. It is understood historically it had an unrestricted planning permission, and numbers were controlled by the site licence process.
- 1.4.2 In 1995, permission was sought for the re-siting of caravans and an amended layout. This permission limited the number of static caravans on the site to 355 and touring pitches to 20. Subsequent applications have been made on the site to vary the

season of occupancy of the static caravans and also to development of some of the ancillary services on the site.

- 1.4.3 The 2011 planning permission which attached the condition to which this application refers was for a change of use of an additional 1.80 hectares of land to form an extension to the southern boundary of the caravan park to accommodate 50 static holiday caravans, together with environmental improvements and landscaping. The overall numbers of caravans on the site were not increased by this application, as some of the existing pitches were removed by the new permission. As well as condition no. 6 to which this application related the most relevant planning conditions attached to this consent were;

Condition no. 4.

The static and touring caravans within the site edged red on the 1:2500 scale plan received by the Local Planning Authority on the 27th May 2011 shall be occupied for holiday purposes only, and not as a person's sole or main place of residence. The site operator shall maintain an up to date register of the names of the owners and occupier of each caravan on the site, their main home addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the Local Planning Authority. The reason for the condition was: To enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

Condition no. 5.

No more than 355 static caravans and 20 touring caravans shall be permitted at any one time within the site edged red on the 1:2500 scale site plan received by the Local Planning Authority on the 27th May 2011, and no static or touring caravans shall be permitted to be stationed at any time within the area hatched in black on that plan, to the west of Parc Farmhouse.

The reason for the condition was: To ensure the Local Planning Authority retains control over the number of caravans in the interest of visual and residential amenity.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 A site licence exists for the caravan park and it is understood that an application would be made to amend this if the variation now sought is granted.

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 25/14001 Proposed re-siting and layout of 355 static caravans and 20 touring pitches (touring or motorised caravans or tents). Granted 18/12/95
- 2.2 15/0046/97/PS Variation Of Condition 4 On Application 25/14001 Occupancy March to October to allow Occupancy March to January. Granted 20/03/1997
- 2.3 15/2004/1615 Variation of Condition No. 1 on planning permission Ref. No. 15/46/97/PS to provide for 10½ month occupation between 1st March in any one year and 14 January in the following year. Granted 24/03/2005
- 2.4 15/2008/364 Demolition of existing swimming pool enclosure building, removal of temporary portacabin, erection of new indoor swimming pool and associated facilities and single storey link building with rest area/viewing gallery, laundry and fitness room. Granted 04/06/2008.
- 2.5 15/2011/0651 Change of use of 1.80 hectares of land to form extension to southern boundary of caravan park to accommodate 50 static holiday caravans, together with environmental improvements and landscaping. Granted by Planning Committee 19/10/2011

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy PSE12** – Chalet, static and touring caravan and camping sites

**Policy VOE1** - Key areas of importance

**Policy VOE2** – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

### 3.1 Supplementary Planning Guidance

SPG 20 - Static Caravan and Chalet Development

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Note No. 13 Tourism

Circulars

Welsh Office Circular 35/95

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

### 4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)
- 4.1.5 Other matters

### 4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

There are no Local Development Plan Policies of specific relevance to applications which seek to extend the season of occupation of existing static caravans. There is general reference in policy PSE 12 which covers Chalet, Static and touring caravan and camping sites to occupancy restrictions and ensuring holiday uses on new or improved sites. Policy PSE 5 Rural Economy recognises the importance of the tourist industry to the local economy subject to tests of detailed impacts. Planning Policy Wales offers similar 'in principle' encouragement for suitable tourist developments, subject to appropriate environmental safeguards. TAN 13 Tourism (1997) predates Planning Policy Wales but suggests as broad principles that the planning system can respond to changes in tourism without compromising policies to safeguard the countryside, through the use of holiday occupancy conditions to reconcile these two objectives.

This is a well established caravan site. The most recent grant of planning permission was for an extension and improvements in 2011, this recognised the Council's acceptance that the site was suitable for the use having regard to principle, and following assessment of detailed impacts such as landscape, amenity, highway, ecology and drainage.

Officers consider therefore that the key issues to address here are whether there would be any 'additional' localised impacts from the potential occupation of the caravans between 15<sup>th</sup> January and 1<sup>st</sup> March, and whether there are adequate controls to ensure the 12 months use

is for holiday purposes and would not in effect allow potential to create a residential site. The latter 'problem' is one Members have recognised as significant when considering similar applications in the County.

#### 4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The Council has accepted previously that the use of land as a caravan site is acceptable, and that the siting of the static caravans all year round does not significantly harm the rural character of the site and AONB designation of the surrounding area.

It is the opinion of Officers that the proposal to extend the holiday season would not have any greater impact on the character of the area than existing.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

In this instance, there are dwellings located immediately to the east and west of the entrance to the caravan site. The relationship of these dwellings to the site was deemed acceptable when considering previous applications.

Whilst acknowledging the potential use of the caravans between 1<sup>st</sup> January and 15<sup>th</sup> March could increase activity on the site for an additional 1.5 months of the year, it is not considered that this is likely to result in such significant additional disturbance to adjacent occupiers that a refusal could be justified.

#### 4.2.4 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications.

The access arrangements to the site remain as existing. Having regard to the specific proposals, the Highways Officers raise no objections to the application.

It is not considered that the likely additional trips which may be occasioned by an additional 1.5 month period of occupancy would be so significant to either result in highway safety problems or raise new questions over the principle of the development from reliance on the motor car.

#### 4.2.5 Controls over holiday use

As mentioned in the "in principle" paragraph above there is limited specific local plan policy

content directly dealing with the requirement for controls over occupation of caravans. SPG 20 Section 17 states that conditions will be imposed on planning consents to restrict occupancy for holiday purposes only, primarily to ensure that chalets and static caravans are not used as residential accommodation. There are separate Site Licensing controls administered by the Public Protection section which can include conditions relating to the nature of occupation, but these largely mirror the wording used on the planning permissions. As referred to earlier in the report, there is general support in national policy for all year tourism subject to safeguarding the environment. The use of conditions restricting occupation to holiday use is a recognisable mechanism to deliver Welsh Government's objectives, and has to be given due consideration when assessing the merits of an application of this nature.

The Local Planning Authority is obliged to have regard to Welsh Government advice on the use of conditions on planning permissions. Welsh Office Circular 35/95 is a significant material consideration in this respect, and provides clear advice on how local authorities can ensure static caravans remain in holiday use, i.e. it sets out the possibility of allowing developments subject to controls. The Circular actually advises the use of a condition specifying use as 'holiday accommodation only'. This approach has been adopted by many Planning Inspectors in issuing decisions on appeals involving caravan site developments, and the County Council has previously used variations on the wording, including condition no. 4 on the parent permission to which this application relates. This condition states:  
The static and touring caravans within the site edged red on the 1:2500 scale plan received by the Local Planning Authority on the 27th May 2011 shall be occupied for holiday purposes only, and not as a person's sole or main place of residence. The site operator shall maintain an up to date register of the names of the owners and occupier of each caravan on the site, their main home addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the Local Planning Authority. The reason for this condition was to enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

In this context, having regard to the background policy and guidance, and the nature of the development at Parc Farm and existing controls over use, Officers consider, with respect to the comments of the Community Council, that it would be reasonable to consent to the principle of a 12 month holiday use of the static caravans. The Council has accepted the principle of 12 month holiday use in granting permission elsewhere, including in February 2010 for a new 10 unit static caravan park at The Thatched Cottage at Trefnant; and has had an appeal allowed by the Planning Inspectorate for 12 month occupancy at the static caravan park at Llwyn Afon, Llanrhaeadr. In these cases it was accepted that the model condition which was intended to ease the burden on the Council's officers in enforcing compliance by obliging caravan occupiers and site owners to keep documentary evidence (available for inspection) of length of stays and places of primary residence was sufficient as it offers a clear and easier/enforceable means of control over the occupation of holiday caravans, and could be adopted as a 'standard' by the authority and may help to address member and Community Council concerns over abuse of the system.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 The static caravan site is well established with a 10.5 month occupancy season. The proposal to allow use for holiday purposes for 12 months is not considered likely to have additional adverse effects on the immediate locality in terms of landscape, residential amenity, or highways impacts. Officers believe there is clear national policy encouragement for year round tourism use in appropriate locations, and the existence of condition no. 4 of the previous permission offers the Council the scope to control the use to ensure the development does not conflict with rural restraints policies.

**RECOMMENDATION: APPROVE**

**NOTES TO APPLICANT:**

None