



© Crown copyright and database rights 2017 Ordnance Survey 100023408.

15/2017/0809

Scale: 1:2500

Printed on: 27/11/2017 at 16:32 PM



© Denbighshire County Council

WARD : Llanarmon Yn Ial / Llandegla

WARD MEMBER: Councillor Martyn Holland

APPLICATION NO: 15/2017/0809/ PS

PROPOSAL: Variation of condition no. 3 of planning permission code no. 15/2011/0651 to allow alternative static caravan units to be sited within the approved extended caravan park

LOCATION: Land south of and including Parc Farm Caravan Park
Graianrhyd Road Llanarmon-Yn-Ial Mold

APPLICANT: Mr Thomas Scarrot, Vale Holiday Parks Ltd.

CONSTRAINTS: Tree Preservation Order
PROW Ancient
Semi Natural Woodland
AONB

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - No
Neighbour letters - No

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

- Community Council objection

CONSULTATION RESPONSES:

LLANARMON YN IAL COMMUNITY COUNCIL:

“Council requested the full planning committee to review this; and note that all caravans should be out of view and all painted in a neutral country friendly colour to try to blend-in with the environment as much as possible. Not supported.”

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 12/11/2017

EXTENSION OF TIME AGREED? 15/12/17

REASONS FOR DELAY IN DECISION (where applicable):

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks a variation to a condition attached to a 2011 permission which permitted an extension to the Parc Farm caravan site to accommodate 50 static holiday caravans, together with environmental improvements and landscaping.
- 1.1.2 Condition 3 is worded as below:
No static caravans shall be sited within the area hereby approved for the extension of the site until full details of the units have been submitted to and approved in writing by

the Local Planning Authority, and none of the units shall be replaced other than with the formal written approval of the Local Planning Authority.

The reason for condition 3 was ' In the interest of visual amenity and the character of the AOB.'

- 1.1.3 The original condition was discharged with details submitted in May 2014, under code number 15/2014/0651. The type of caravans approved were ones conforming to the then relevant British Standard BS3632:2005.
- 1.1.4 The current application is made on the basis that BS:3632:2005 has been superseded by a new British Standard, BS 3632:2015 and will no longer be available by the end of 2017. Therefore, the application seeks to vary condition 3 to read "All caravans on the site shall conform to European Standard EN 1647"
- 1.1.4 The applicants have indicated that the caravans would be of the highest quality whilst being achievable and affordable to the business. 3 types of caravans that comply with the updated standard have been suggested - the Willerby Sierra, the Willerby Avonmore and the Carnaby Oakdale, and the Swift Bordeaux. Indicative sizes would range from 10.5m x 4m up to 12m x 4m

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 yn ial.
- 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 existing caravans on the site are a range of colours, however the predominant colours are pale beiges and whites.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located outside any development boundary in the Local Development Plan.
- 1.3.2 It is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 1.3.3 A public footpath runs through the site.
- 1.3.4 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.

- 1.4.4 Condition 3 was previously discharged on the basis of the caravans complying with BS3632, which relates to 'build quality' only.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

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
- 2.6 15/2014/0651/AC Discharge of condition 3 of 15/2011/0651. Granted 28/8/2014

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th 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 Static Caravan and Chalet Development

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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.

Welsh Government Circular 016/2014 is also a relevant consideration on applications of this nature as it highlights specific tests Local Planning Authorities are obliged to apply in relation to the imposition of planning conditions. The basis is that conditions should only be imposed where they satisfy tests to determine that they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. These remain relevant criteria to be addressed on applications for variation or deletion of conditions.

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)

4.2 In relation to the main planning considerations:

4.2.1 Principle

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

It is proposed to vary condition 3 of permission 15/2011/0651 to allow a different type of caravan to be sited on the 'extended' part of the site.

The proposal to change the type of caravans is considered acceptable in principle. The key issues are considered to be the amenity impacts arising from the variation of the detailing of the caravans.

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 of the LDP 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 Community Council have commented that 'all caravans should be out of view and all painted in a neutral country friendly colour to try to blend-in with the environment as much as possible'. There are no individual representations on the application.

As noted in the report, previous approvals have consented to the type of caravan on this portion of the site to being compliant with BS:3632:2005. This British Standard no longer exists, and therefore the applicants are seeking permission to site caravans complying with the alternative, current European Standard. The applicants have stated their preference for the caravans to be in the same colours as those on the main part of the park, i.e light beiges and whites.

Whilst acknowledging the comments of the Community Council, it is not considered that the proposed variation to the type of caravans within an already consented caravan park would result in an unacceptable impact upon the character of the AONB. The previous permissions did not require the caravans to be 'environmental green'. The proposal is considered acceptable in visual amenity terms.

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.

No representations have been received in relation to the residential amenity impacts of the application. There are dwellings located to the east and west of the entrance to the caravan site, but the relationship of these dwellings to the site has been deemed acceptable when considering previous applications.

The proposed variation of the type of caravans permitted on the site is unlikely to result in a different impact upon the amenity of neighbouring residents.

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, and there is no proposed increase in numbers of caravans.

It is considered that the variation of condition would not have an impact upon the highway infrastructure of the area.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council 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. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there

would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The proposed variation to the planning condition would not have a significantly different impact upon the appearance of the site as compared to the original controls imposed.
- 5.2 Whilst noting the comments of the Community Council, it is relevant that the original details as submitted and approved under condition 3 only controlled the type of caravan allowed on the site, not the colour.
- 5.3 Having regard to the planning history of the site, and the controls in place, the proposed variation to permit caravans complying with modern British / European standards within an already consented caravan site is considered minor in nature and impact.
- 5.4 The proposal is therefore considered to be acceptable and it is recommended that the variation of the condition is granted.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. Condition 3 of 15/2011/0651 shall read:
All caravans on the site shall comply with European Standard EN 1647

The reason for the condition is :-

1. In the interest of visual amenity.