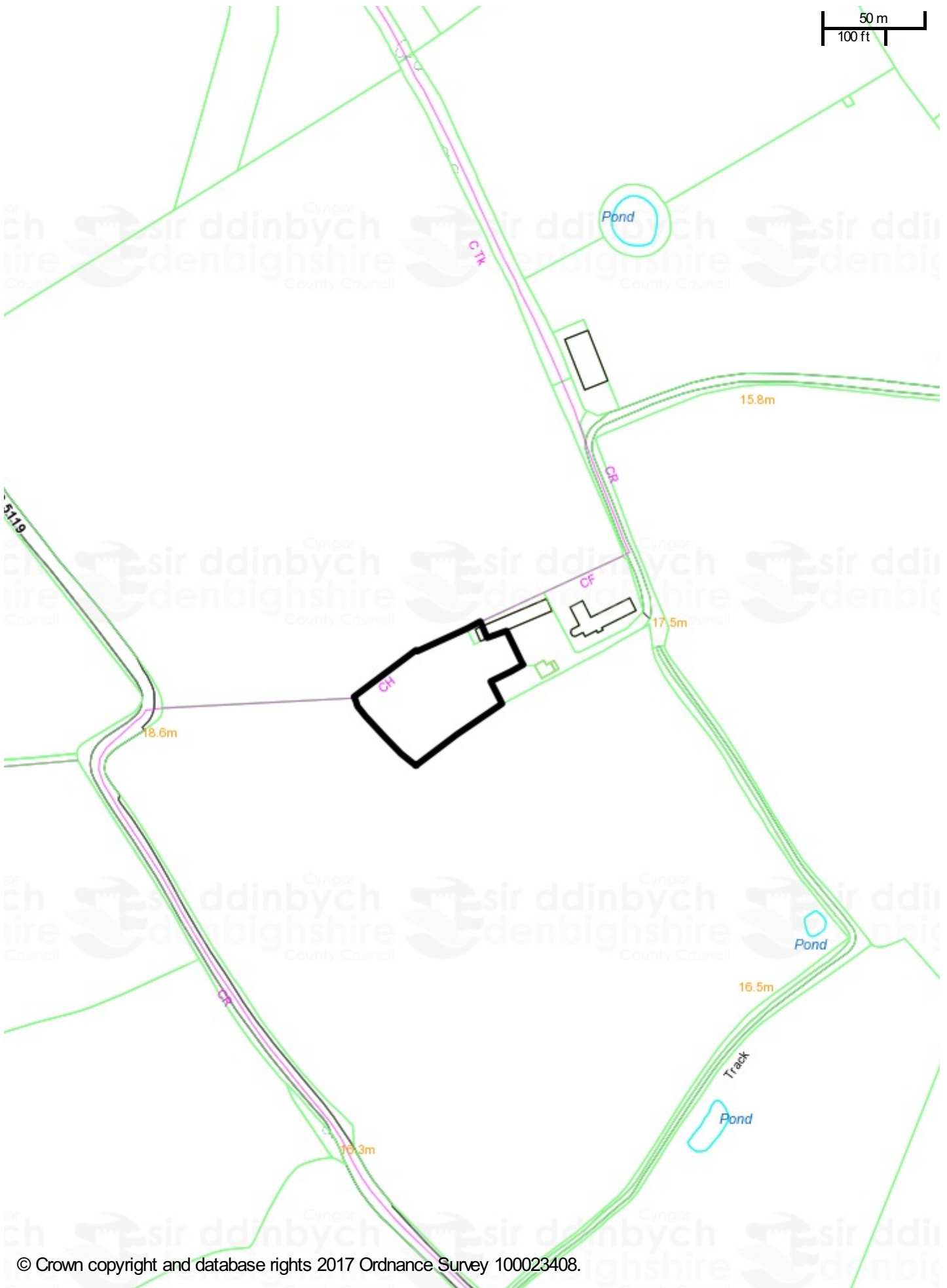


50 m
100 ft



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43/2018/0522

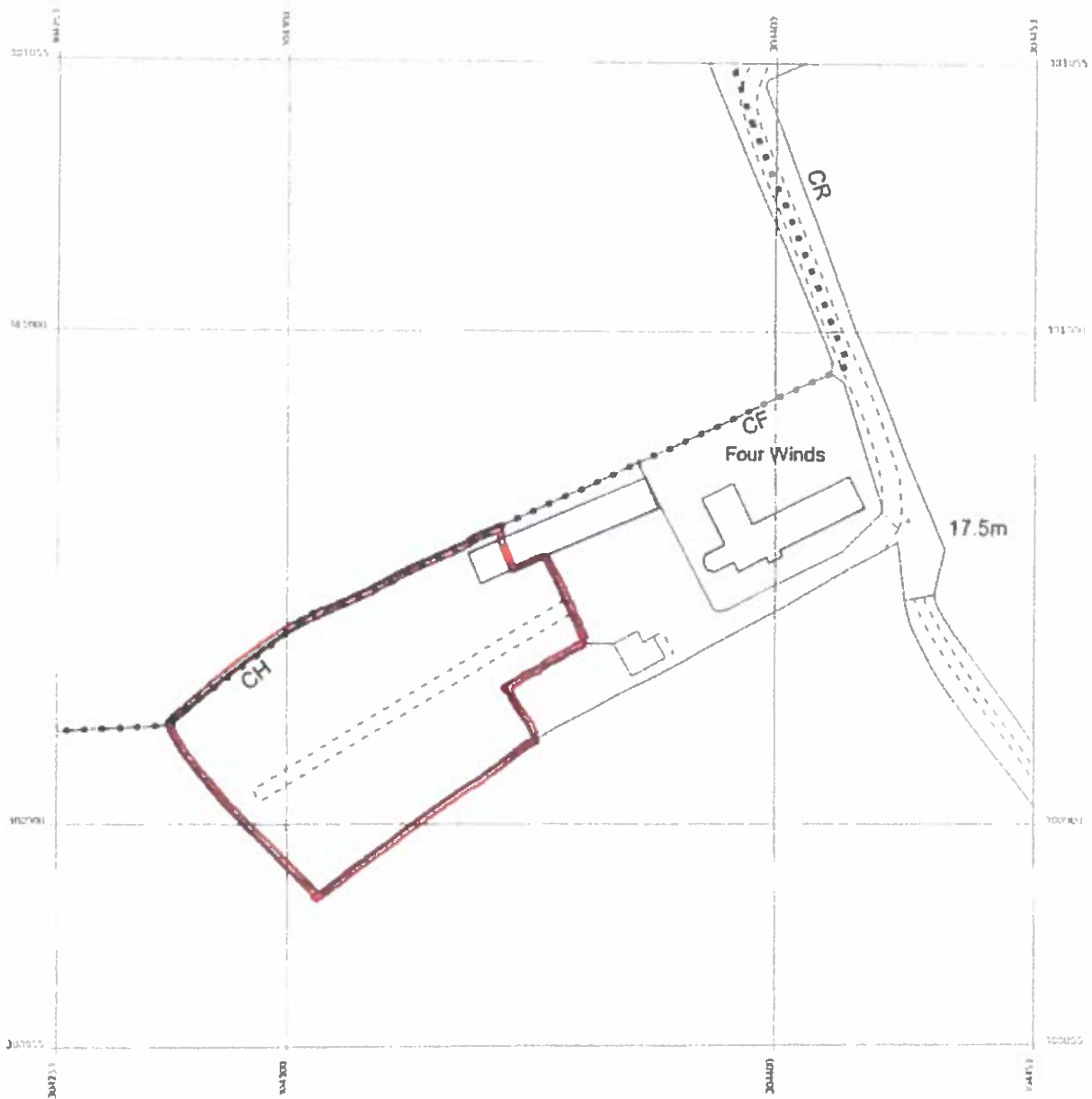
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Printed on: 21/8/2018 at 10:11 AM



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EXTENT OF SITE



Produced 15 Dec 2017 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



Four Winds Farm, Ffordj Ffynnon,
Prestatyn
LL19 8BE

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database rights 2017 OS 100038864
Reference: Q1187869
Centre coordinates: 304353 380955



FOUR WINDS FARM

06.2.1.250

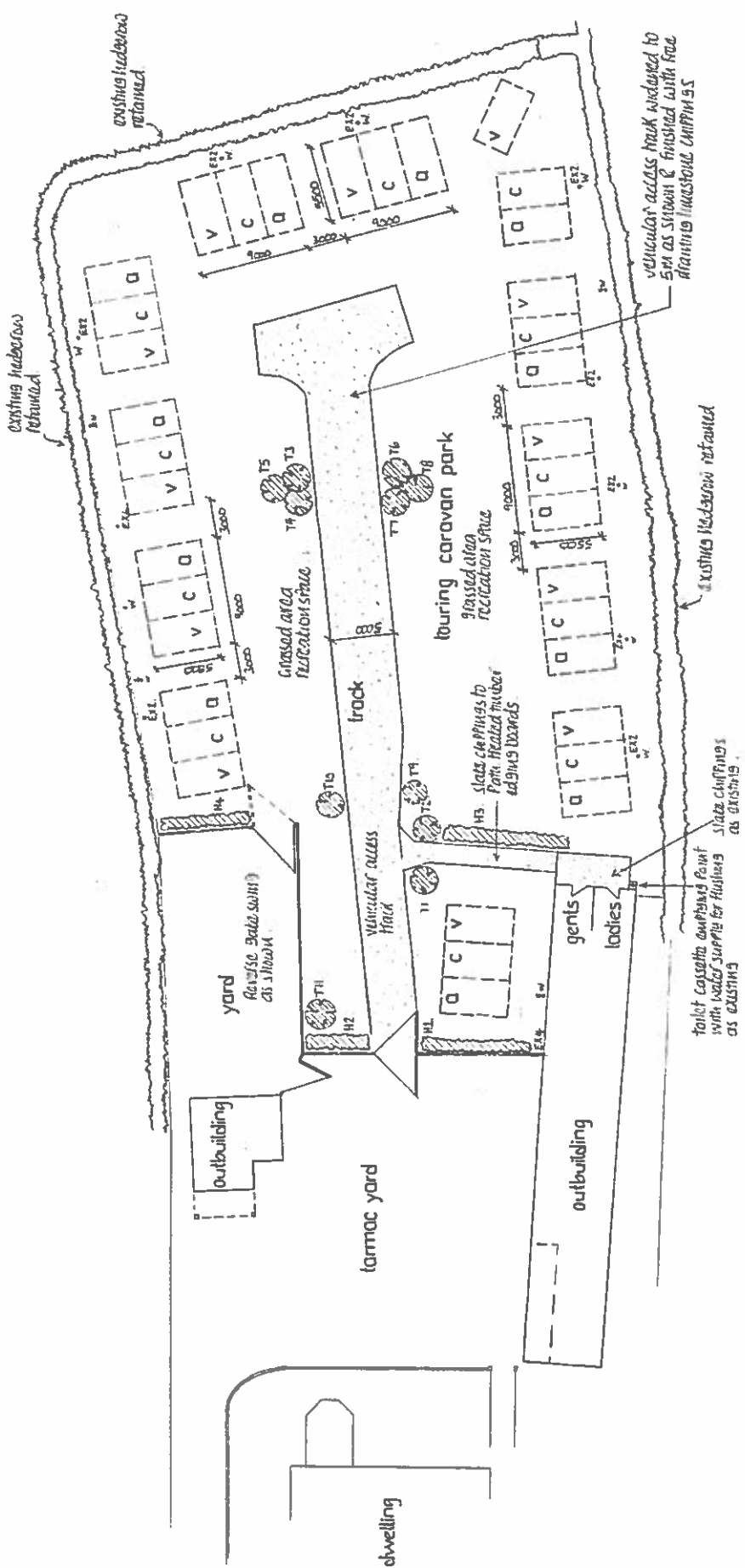
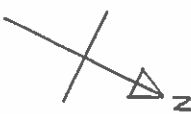
PROPOSED

SITE LAYOUT
43/2018/0030

Proposed landscaping

- H1, H2, H3 & H4 - New hedgerow planting of 600mm tall saplings planted at 600mm centres in 2 staggered rows 300mm apart. Plant in mixed holly / laurel / hawthorn / dog rose / privet / holly / laurel / hawthorn / dog rose / privet / holly.
- T1, T2, T3 & T4 - Silver birch min 1500mm high planted height plant in mixed holly / laurel / hawthorn / dog rose / privet / holly / laurel / hawthorn / dog rose / privet / holly.
- T5, T6, T7 & T8 - as above but species to be holly.
- T9 & T10 - as above but species to be ash.
- All plants to be supported with stakes and filled with rabbit guards.
- All plants to be watered in daily to promote healthy growth.
- All planting to be undertaken in the first planting season following completion of use for additional pitches.
- All planting to be subject of a 5yr maintenance programme with any sick or dying plants discarded in that period to be replaced on a like for like basis of species and size in the first planting season following discovery.

- Legend
- w Drinking water supply stand pipe - 1m high
 - EX1 Electrical meter points - 4N - 1.5m high
 - EX2 Electrical meter points - 2N - 1.5m high
 - V vehicle parking bay adjacent to caravan pitch - 3m x 5.5m
 - C touring caravan pitch - 3m x 5.5m
 - Q annex pitch - 3m x 5.5m
- to be allocated pitches 9m x 5.5m with min 3m separation distances as shown



WARD : Prestatyn South West

WARD MEMBER(S): Cllr Gareth Davies
Cllr Bob Murray (c)

APPLICATION NO: 43/2018/0522/ PS

PROPOSAL: Removal of condition no. 3 of planning permission code no. 43/2018/0030 ('The site shall only be used for caravans on tour and no caravan shall stay on the site for any period longer than 21 days')

LOCATION: Four Winds Farm Caravan Site Ffordd Ffynnon Prestatyn LL19 8BE

APPLICANT: Mr Alan Clews

CONSTRAINTS: None

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant – Community Council objection.

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL–

“Objection. Removal of this condition will set a precedent resulting in other caravan parks with this condition imposed to apply for removal”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Public Protection Environmental Health Officer –
Awaiting response.

RESPONSE TO PUBLICITY: None received.

EXPIRY DATE OF APPLICATION: 25/07/2018

EXTENSION OF TIME AGREED? 14/09/2018

REASONS FOR DELAY IN DECISION (where applicable):

- Delayed owing to consideration at Committee.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application seeks to remove a condition which was attached to planning consent reference 43/2018/0030, granted on 18th April 2018 for “Alterations to existing touring caravan park area for the siting of 12 touring caravan pitches in lieu of existing provision for 5 pitches”. The site is at Four Winds Farm in Prestatyn.

1.1.2 Condition 3 of the permission relates to the touring caravan element of the development and reads as follows:

“The site shall only be used for caravans on tour and no caravan shall stay on the site for any period longer than 21 days.

The reason for the Condition was –

“To ensure that no unauthorised permanent residential occupation of holiday units takes place on site.”

- 1.1.3 The application is accompanied by a Statement which puts forward the case for the removal of the condition. It is contended that as the site is a seasonal caravan site with a condition restricting use during the winter period, 31st March until 1st April, that the holiday units could not become permanent residential units. It is argued that the removal of the condition would result in less traffic on the adjacent road, as caravans would be towed onto the site and left for longer periods than the specified 21 days.

1.2 Description of site and surroundings

- 1.2.1 Four Winds Farm is located off Ffordd Ffynnon to the west of Prestatyn. The site is accessed off a lane which also serves Pydew Farm and the Abandoned Animals Association Rescue Centre.
- 1.2.2 The building complex at Four Winds comprises of a bungalow which has recently been granted permission to be extended, and a small range of single storey outbuildings.
- 1.2.3 The character of the area is open flat agricultural land along the coastal plain between Prestatyn and Rhyl to the west.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of any development boundary in an area without any specific designation in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 The site has been in use in the past for the stationing of caravans under Caravan Club exemptions.
- 1.4.2 The permission of relevance to the application was granted at Committee in April 2018, for a touring caravan site as detailed in section 2 of the report. A total of twelve pitches were proposed in the application utilising the existing sanitary facilities and access. The permission contained a number of other conditions including ones requiring the keeping of a register of caravans visiting the site with names and addresses of occupiers, the dates of arrival and departure; and a requirement that no caravans shall remain on the site between 31st October in any one year and 1st April in the following year.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 43/2018/0030/ PF Alterations to existing touring caravan park area for the siting of 12 touring caravan pitches in lieu of existing provision for 5 pitches. Granted by Planning Committee 18/04/2018.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy PSE5 – Rural economy
Policy PSE12 – Chalet, static and touring caravan and camping sites

3.1 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016
Development Control Manual November 2016
Technical Advice Notes

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.

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

- 3.2.1 Principle
- 3.2.2 Visual amenity
- 3.2.3 Highways (including access and parking)
- 3.2.4 Controls over year round caravan use
- 3.2.5 Other matters

3.3 In relation to the main planning considerations:

3.3.1 Principle

There are no Local Development Plan Policies of specific relevance to applications which seek to alter the extent of occupation of existing touring 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.

This site was formerly a small scale caravan club site. The planning permission granted in April 2018 recognised the Council's acceptance that the site was suitable for the touring caravan use having regard to planning policy, 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 use of the site by touring caravans for periods longer than 21 days, and whether there are adequate controls to ensure the use is for holiday purposes and would not in effect allow potential to create a residential site. The latter is an issue Members have recognised as significant when considering similar applications in the County, and is referred to in the following sections of the report.

3.3.2 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 development, 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.

The April 2018 permission permits the siting of caravans on Four Winds from April to the end of October each year. The application seeks to remove the condition restricting individual caravans staying more than 21 days at a time within this season.

The effect of the removal of this condition is unlikely to impact on visual amenity, as there is permission to site 12 touring caravans on the site for the whole season (April to October). Whether caravans move on or off the site is immaterial, as long as the total number is not exceeded and the caravans are moved off out of the permitted season. It is considered that the proposal meets the visual impact tests of PSE 12.

3.3.3 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 highway implications of a proposal.

The access arrangements to the site are to remain as existing. The Agent contends the application may result in less vehicle movement which would address concerns of Members raised at Planning Committee when the decision was made in April. Highways Officers have raised no objection to the removal of the condition.

Given the access arrangements and the scale of the proposal it is considered that the removal of condition 3 would not give rise to any significant issues in respect of access to the highway or on-site parking, having regard to the previous approval for these arrangements.

3.3.4 Controls over holiday use

The application does not propose any variation to Condition 4 and 5 of the 2018 permission which governs the occupation and seasonal use of the touring caravans on the site irrespective of the determination on the application to allow unrestricted period of sitting of the touring caravans. These conditions are worded as follows:

4. An up to date register shall be kept of all caravans visiting the site, containing the registration number of each caravan, the names of all the occupiers, their main home addresses, and the date of their arrival and departure from the site . The register shall be made available for inspection on request by the Local Planning Authority.

5. No caravans shall remain on site between the 31st October in any one year and the 1st April in the following year.

Officers suggest the comfort offered by Condition 4 and 5 are adequate to address the concerns of the Town Council over the use of caravans, including a mechanism for investigating any suspected breaches, where complaints may be made or there may be concerns over uses. In reality the 21 day restriction would be more difficult to enforce from an officer perspective than the other conditions imposed which seek to prevent permanent residential use. Challenging condition no. 4, which requires the site operator to keep records, will, in officer's view, offer a more practical means to control the use of the site. Such investigations of the remaining conditions would be undertaken by the Development Management and / or Public Protection Sections as appropriate.

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.

4. SUMMARY AND CONCLUSION:

- 4.1 In respecting the comments of the Town Council, Officers consider it would be reasonable to consent to the removal of the 21 day restriction condition.
- 4.2 The main planning permission is for a touring caravan site and has a condition restricting use to a 6 month occupancy season. The proposal to allow touring caravans to use the site for periods longer than 21 days is unlikely to have additional adverse effects on the immediate locality in terms of landscape, residential amenity, or highways impacts.
- 4.3 There is general policy encouragement for tourism use in appropriate locations, and the existence of condition no. 4 and 5 of the 2018 April permission provides the Council with relevant control to ensure there are no conflicts with rural restraints policies.

RECOMMENDATION: GRANT- deletion of Condition 3 of planning permission 43/2018/0330