



**15/2020/0988**

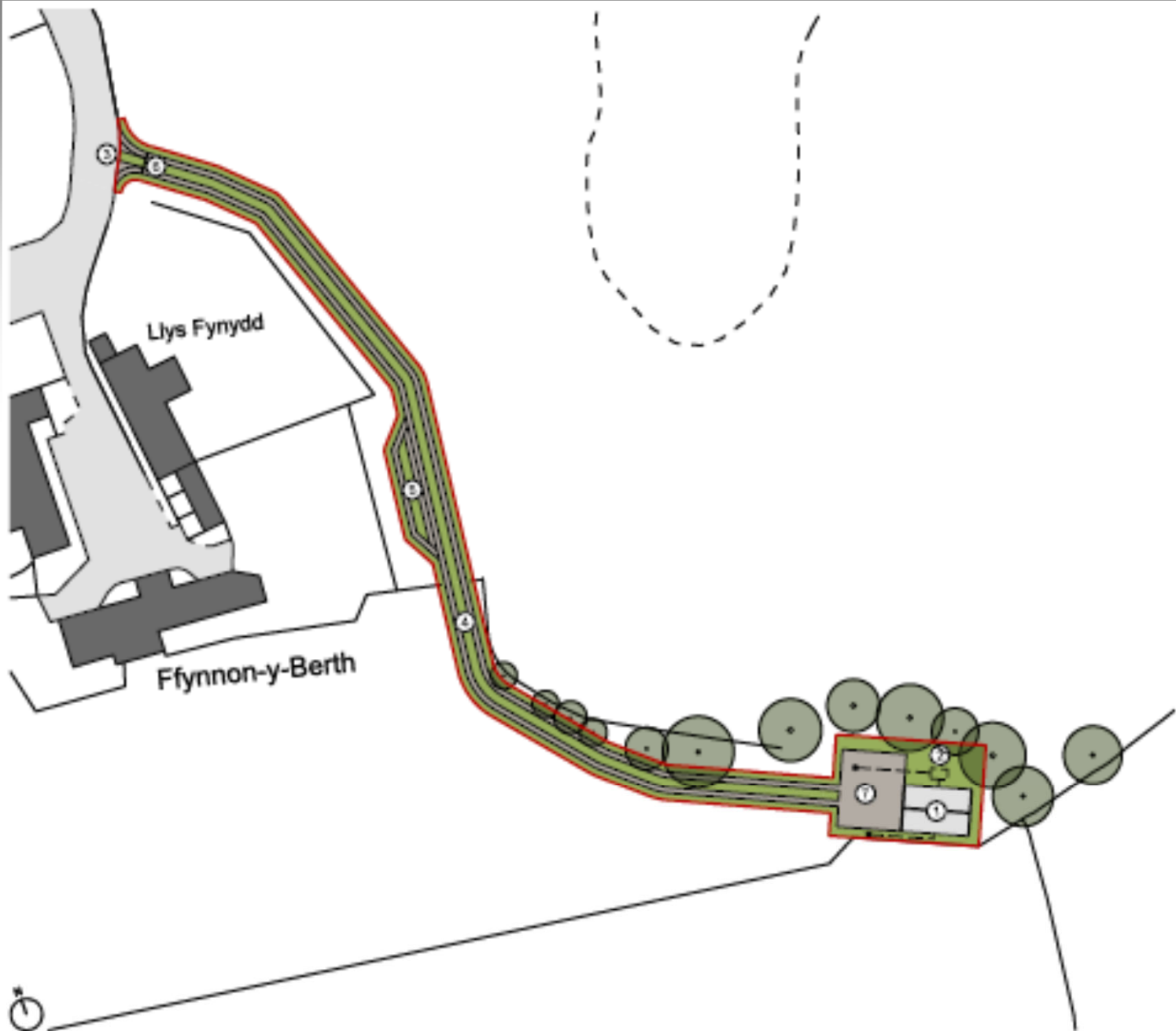
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**Dyddiad / Date:** 2022-03-31 15:22:48

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- Drawing Key**
- Site Boundary (100m<sup>2</sup>)
  - Ownership Boundary
  - Existing Buildings
  - Existing Highway
  - Existing Fence/Boundary
  - Existing Trees/Hedge
  - Existing Field
  - Proposed Trees/Planting
  - Proposed Side Crossover
  - Proposed Proposed Driveway and Access Treatment Plan
  - Proposed Subsoil
  - Proposed Gate/Fence
- Drawing Label Key**
- 01/ Proposed Side Crossover
  - 02/ Proposed Access Space
  - 03/ Existing Highway
  - 04/ Proposed Access Track
  - 05/ Proposed Existing Field
  - 06/ Proposed Closed Areas in Highway
  - 07/ Proposed Planting Area

## The Building Plot

W & A Architects  
 12, 13 & 14, The Old Mill  
 100, The Street, Llanidloes, Powys, SY23 3AA

Project: Ffynnon-y-Berth, Bertholau

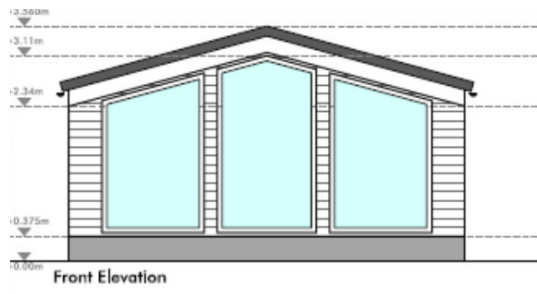
Drawing No: 20.01A.0004      Revision: P04

Scale: 1:500      Paper Size: A3      Date: 24.01.22

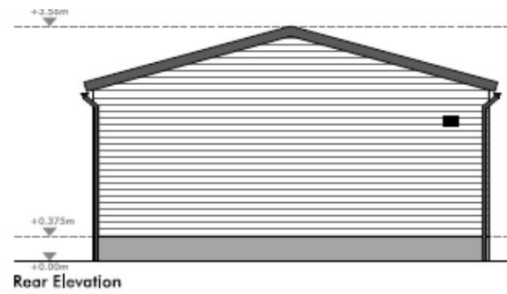
**Proposed Site Plan**

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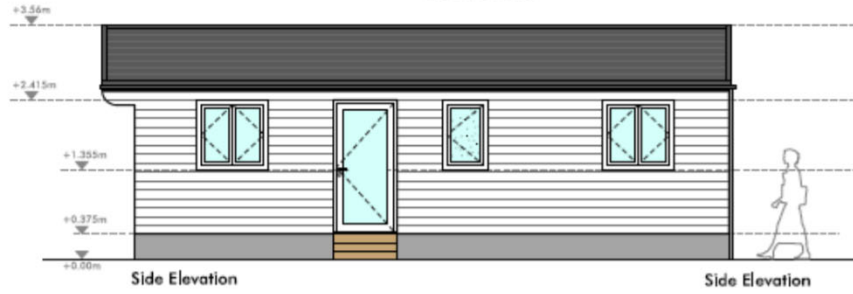




Front Elevation

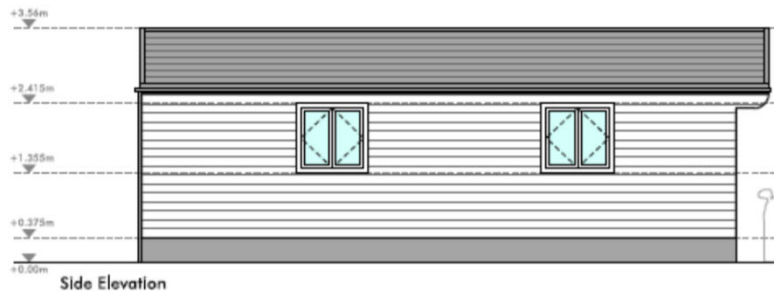


Rear Elevation

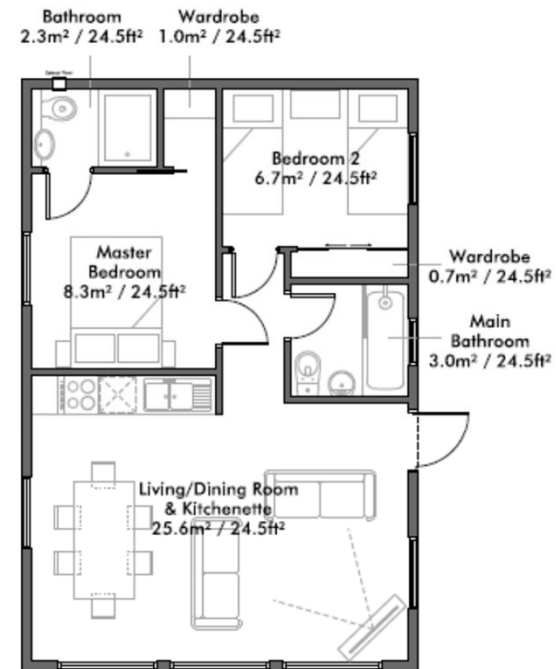


Side Elevation

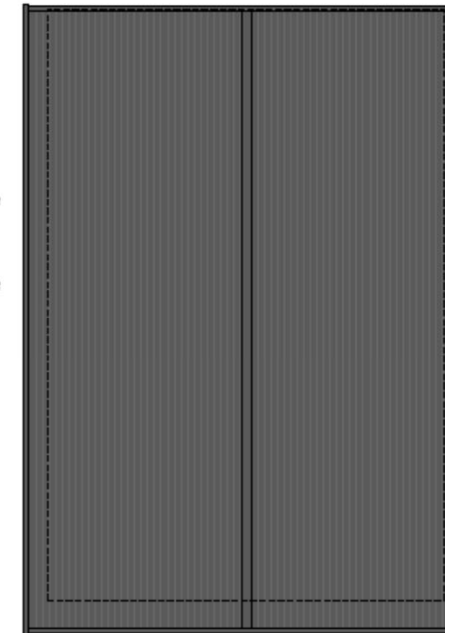
Side Elevation



Side Elevation



Floor Plan



Roof Plan











































**WARD :** Llanarmon Yn Ial / Llandegla

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

**APPLICATION NO:** 15/2020/0988/ PF

**PROPOSAL:** Siting of a replacement static caravan for holiday accommodation use, formation of access track and associated works

**LOCATION:** Ffynnon y Berth, Llanarmon Road, Llanferres, Mold

**APPLICANT:** Mr Neil Blackburn

**CONSTRAINTS:** PROW Phosphorus Sensitive SAC AONB

**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 / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

LLANARMON YN IAL COMMUNITY COUNCIL

1<sup>st</sup> Response

*'Commented that it has not been used for 20 years. No observations.'*

2<sup>nd</sup> Response

*'No objection if caravan already has planning permission.'*

Final Response.

*'Council are not wanting this new access, to enable the creation of a whole new development in a separate field.'*

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

1<sup>st</sup> Response

*"The Joint Committee regrets that a lawful development certificate was recently granted for the stationing of a static caravan on this site (Code No. 15/2020/0434), but notes that this has now established the principle of development. The committee is therefore primarily concerned with mitigating the impact of the proposals on the landscape.*

*In this context, the committee has serious concerns about the proposed new access track across an open field and would recommend that the track should be rerouted to follow the line of the existing footpath and along the south side of the existing line of trees and remnant hedge which will help assimilate the track into the landscape. The track surface should be specified as local stone and construction works should not impede users of the footpath. The colour finishes of the proposed caravan should be recessive in the landscape. The specification of slate grey for the roof is acceptable, but the colour of the aluminium wall cladding should also be carefully selected to blend into the rural scene. A detailed landscaping scheme will also be critical to help the development fit into its rural setting. The intention to retain existing trees, hedges and shrubs which help screen the site is supported but this should be supplemented by additional native planting to 'gap up' the remnant hedges and to enclose the site.*

*No details of external lighting are shown but this is a particularly dark area of countryside and any lighting should be kept to the minimum necessary for safety purposes. The committee would therefore recommend a condition be attached requiring submission of details of any external lighting to ensure it is the minimum necessary and is designed and specified to conserve the AONB's dark sky and nocturnal wildlife."*

## 2<sup>nd</sup> Response

*"The Joint Committee notes the minor realignment of the proposed access track but remains of the opinion that the track would be less intrusive in the landscape if it were rerouted to the west/south of the existing line of trees and remnant hedge which will help screen the track."*

## Final Response

*"The Joint Committee recommends further to previous comments, that a traditional hedge comprising native local species alongside the track and new fencing to help mitigate any visual impact and help to retain the rural character.*

*Any external lighting to ensure that it is designed and specified to conserve the AONB's dark sky and nocturnal wildlife in accordance with the 'Planning for Dark Night Skies' SPG".*

## DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- Highways Officer

*'No objection'.*

- Footpaths Officer

## 1<sup>st</sup> Response

*'Thank you for this consultation. Path 55 Llanarmon, a footpath, follows the drive from the public road towards Ffynnon y Berth Farm, however on reaching the farm it turns to the east side of the farm heading in a south easterly direction eventually crossing fields passing at closest by 25m to the west of the proposed siting of the caravans. The path leaves the farm drive close to the point marked 2 on the plan where a gated track is to be formed. The track does not impact on the footpath. The section of footpath runs along the access road to the farm, as it always has done. It is unlikely that any of the works to lay out the new road or the caravan siting is going to impact on the footpath. However, the applicant need be aware that the public footpath, in particular when the new track is to be set out, must be left unobstructed and the public using the path should not be exposed to any danger arising from the works or storage of materials on or along the path'.*

## Final Response

*'Having considered the revised plans and in particular the response of the AONB Planning Officer. The definitive map shows that only the section of public path 55 (fp) Llanarmon Yn Ial that would share the existing access is along that section of the drive to the farm itself as far as the point where the proposed new track exists the drive.*

*At this point the Definitive Line of path 55 runs to the almost immediate east of the existing buildings, although over years path users have been allowed by the landowner to use the field further east of the buildings avoiding the need to pass through the garden of that property. The Highway Authority has no problem with the provision of a permissive route as an alternative to the definitive line for path users.*

*The proposed new route to the Caravan location on leaving the farm drive would run along that permissive route but not on the definitive line of the footpath at that point itself. We would therefore have no reason to make any comment on the use of the permissive path to form a private vehicle access track to the location of the caravan, however we would prefer that the public retain the option in the future to use the permissive path that has been provided'.*

## Civic Society

### 1<sup>st</sup> Response

*'I am chair of the Llanarmon and District Conservation Society. The Conservation Society has serious concerns about any development including the siting of Caravans in the open Countryside especially within the AONB.*

*The plans also include a long access track across open farm land and parking provision which will have a detrimental visual impact on the surrounding Countryside.*

*The Society therefore wish to object to this Development'.*

## Final Response



*'In my capacity as chair of Llanarmon and District Conservation Society I wrote objecting to this application previously. As far as the society is concerned the reasons for our objection remain and we continue to lodge our objection'.*

**RESPONSE TO PUBLICITY:**

No representations received.

**EXPIRY DATE OF APPLICATION: 28/04/2021**

**EXTENSION OF TIME AGREED: 17/06/2022**

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

- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The proposed development is for the replacement of the existing static caravan with a new static caravan for holiday use and the formation of an access track and associated works.
- 1.1.2 The proposed access track would consist of a stone (or alike to be agreed) track where wheels fall with grass in the centre to reduce any potential visual impact.
- 1.1.3 The proposed unit details show a unit that would fall within the definition of a caravan as set out within The Caravan Sites Act 1960 and 1968 (as amended) and would consist of:
  - Length (exclusive of any drawbar) 20m (65.6FT)
  - Width: 6.8m (22.3ft)
  - Overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) 3.05m (10ft)

1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is supported by a Planning Statement that makes the following key points:
  - The site has accommodated a static caravan for a continuous period in excess of 10 years, therefore, the applicant recently submitted an application for a Certificate of Lawfulness which was approved by the LPA.
  - The site already benefits from a foul water treatment plant and electricity. A new access track is proposed with parking provision.
  - The unit would be in addition to the on-site farming business. The current and future viability of the farm is the key driver for this application.
  - The proposal will support economic development.
  - There are several pleasant walking routes and off road footpath around the farm. The locality offers the Clwydian Hills Area of Outstanding Natural Beauty along with traditional market towns such as Ruthin and Mold. All these points are expected to reinforce the business case.
  - The proposals are acceptable under planning policies PSE 5 and PSE 12.
  - The development will be high quality and will provide local benefits.

1.3 Description of site and surroundings

- 1.3.1 The site is located in an agricultural field. The site is elevated above the farm and surrounding land.

- 1.3.2 The farm and farm buildings (some of which have been converted to dwellings) are located directly to the north-west of the site. To the north is the Fisheries and caravan site.
- 1.3.3 There is a solid concrete base with evidence of utility connections at the site, and there is a static caravan placed on the concrete base which is currently in a poor state of repair.
- 1.3.4 There is a row of mature trees along the fence line.
- 1.3.5 There is a Public Right of Way that passes through the farmyard and up past the caravan to the south. There is also a permissive (informal) route that has been used over time that essentially follows the route of the proposed track. This ties into the styles etc. above.

#### 1.4 Relevant planning constraints/considerations

- 1.4.1 The application site is located within the open countryside. The site is located within the Area of Outstanding Natural Beauty. The site is within the Phosphate Sensitive Catchment (River Dee and Bala Lake).

#### 1.5 Relevant planning history

- 1.5.1 Certificate of lawfulness of an existing use 15/2020/0434 for the existing use of land for the stationing of a static caravan was certified on the 26<sup>th</sup> October 2020 for the existing use of land for the stationing of a static caravan. This did not certify the lawfulness of any particular use of the static caravan.

#### 1.6 Developments/changes since the original submission

- 1.6.1 The plans were amended to relocate the track tightly against the garden boundaries and to amend the detailing of the track to have the less formal appearance of two wheel tracks with grass in the centre.

#### 1.7 Other relevant background information

- 1.7.1 None.

## 2. **DETAILS OF PLANNING HISTORY:**

- 2.1 15/2020/0434 Lawful Development Certificate for the existing use of land for the stationing of a static caravan. Certified 26/10/2020.
- 2.2 15/2006/0436. Certificate of lawfulness for existing use of mobile home and caravan as residential dwelling. Withdrawn 28/08/2006.

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

### 3.1 Local Policy/Guidance

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

**Policy PSE5** – Rural economy

**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

**Policy VOE5** – Conservation of natural resources

**Policy ASA3** – Parking standards

### **Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Access For All

Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of O

Supplementary Planning Guidance Note: Planning for Dark Skies – SPG for lighting in the

Clwydian Range and Dee Valley Area of Outstanding Natural Beauty  
outstanding Natural Beauty  
Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity  
Supplementary Planning Guidance Note: Parking Requirements In New Developments  
Supplementary Planning Guidance Note: Caravans, Chalets & Camping  
Supplementary Planning Guidance Note: Trees & Landscaping

### **3.2 Government Policy / Guidance**

Planning Policy Wales (Edition 11) February 2021  
Development Control Manual November 2016  
Future Wales – The National Plan 2040

Technical Advice Notes

TAN 5 Nature Conservation and Planning (2009)  
TAN 6 Planning for Sustainable Rural Communities (2010)  
TAN 12 Design (2016)  
TAN 13 Tourism (1997)  
TAN 18 Transport (2007)

### **3.3 Other material considerations**

## **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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/ Area of Outstanding Natural Beauty
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of siting of the caravan on this site is already established through certificate of lawfulness application 15/2020/0434. This application stated that there is a site licence for this site, and therefore it is considered that the caravan could be replaced under site licence with a static caravan within the definition of a static caravan.

Certificate of lawful use 15/2020/0434 was specific that the application did not address any existing use. It is therefore sought to confirm this as holiday use as part of this application.

Section 5.5 of PPW11 relates to tourism and sets out a general presumption in favour of encouraging sustainable tourism, where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities.

PPW11 states that in rural areas, tourism-related development is an essential element in providing for a healthy and diverse local/national economy, but requires development to be sympathetic to the local environment and to the needs of visitors and the local community.

Policy PSE 5 states that in order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

The justification to Policy PSE 5 establishes the need to sustain rural employment throughout the County is recognised and relevant considerations relating to sustainability and minimising environmental concerns are identified. The policy requires the demonstration of a business case for the development, in order to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.

The Planning Statement submitted with the application sets out that the scheme is to support farm diversification and that the proposed use of the caravan as holiday accommodation is to maintain a viable enterprise has been the key reason for progressing this application. The intention is to let the unit out as a holiday let. This would generate other work for the applicants cleaning and running the unit and additional farm income.

Normally, the consideration under PSE 5 would be that redundant buildings would be considered primarily before new build. It is considered that in this instance, the use of the caravan for this purpose would be an acceptable alternative to an existing building as it is already lawfully sited, unlikely to be removed and will retain the farm buildings for farming practice.

The applicants claim that the site is well situated to take advantage of local attractions and the outdoor activity sector; and will provide a benefits to the wider tourism economy.

Policy PSE 12 relates to chalets, static/touring caravans and camping sites and allows for the environmental improvement of existing sites but does not allow any new static caravan sites to be created. The unit would clearly meet the definition of a caravan and Policy PSE12 would apply.

However, given that the unit is already in situ and could be replaced under a site licence, Officers consider that in this instance, an on balance consideration needs to be taken between Policy PSE 5 and PSE 12, which could provide an acceptable holiday use for the caravan, support the farming enterprise and could secure improvements to the site.

With regard to the criteria of Policy PSE12, it is considered that the small scale nature of the site, layout and general landscaping arrangements are not considered to result in an unacceptable impact to the character of the area or impact to local communities and overall the proposal is considered otherwise to be in line with the criteria of Policy PSE12.

To conclude, the principle of small scale holiday accommodation is not considered to be unacceptable in this location as the scheme demonstrates how the development proposal will expand or reinforce the tourism offer of the County. It is considered that the proposal broadly complies, on balance, with Policy PSE 5 and PSE 12 along with the guidance within PPW11 in terms of encouraging tourism in rural areas. On this basis, it is considered that the associated development of the track is justified to provide safe and convenient access to the unit.

#### 4.2.2 Visual amenity/ Area of Outstanding Natural Beauty

The Development Management Manual (DMM) advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW 11 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

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.

This reflects guidance in Planning Policy Wales (PPW 11) which requires planning authorities to give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.



Supplementary Planning Guidance (SPG) has been developed – ‘The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)’ along with a specific SPG for lighting in the AONB - ‘Planning for Dark Skies’. The SPG’s provide guidance and advice on design and lighting principles which should be followed to assist new development proposals in the area.

Representations have been made by the Civic Society and Community Council on visual amenity issues relating to the new proposed track but also the lodge and parking. As set out in the principle section, Officers are of the view that the lodge has lawful use to be sited in this location and could be replaced with any unit that falls within the definition of a caravan under the site licence.

Initially Officers raised concerns that the track was much less appropriate, veering into the field away from the existing boundaries and in front of the existing hedgerow/trees. A site meeting was conducted to consider the alternative routes for the track. However, from the site visit, it became clear that there is no possible route through the farm yard as this would then cross directly through the garden of one of the dwellings (following the path of the formal Public Right of Way 55). There would also be a conflict with the Public Right of Way Officers comments in this instance also. Officers therefore accept the justification that the route shown, tightly adjoining the boundaries with the less formal appearance of two wheel tracks and grass in the centre, crossing to be behind the trees in the second field, would be an acceptable solution and not exceedingly visible as it would be screened by the topography, grass and existing landscaping and not significantly different from the existing form of development (residential boundaries etc).

The AONB JAC then withdrew their objections as a result of the site visit and amended scheme and advised that;

*“The Joint Committee recommends further to previous comments, that a traditional hedge comprising native local species alongside the track and new fencing to help mitigate any visual impact and help to retain the rural character.*

*Any external lighting to ensure that it is designed and specified to conserve the AONB's dark sky and nocturnal wildlife in accordance with the 'Planning for Dark Night Skies' SPG”.*

The AONB JAC also commented that *‘The track surface should be specified as local stone and construction works should not impede users of the footpath. The colour finishes of the proposed caravan should be recessive in the landscape. The specification of slate grey for the roof is acceptable, but the colour of the aluminium wall cladding should also be carefully selected to blend into the rural scene’.*

It is considered that though this permission, additional controls over the appearance, above and beyond the existing caravan can be achieved. On this basis, it is considered that with conditions, that the proposed development could be considered acceptable. It is considered that a condition to require additional landscaping, details or a recessive colour for the caravan, details of the track material and details of lighting should be conditioned.

#### 4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

No representations have been made raising residential amenity concerns.

The nearest dwelling is 95m away. It is not considered that the level of activity through the coming and going of visitors would impact unacceptably on the residential amenity of occupiers. The caravan would be residential in nature as per the adjacent uses.

It is therefore not considered that the level of activity associated with the proposed accommodation would not result in a level of noise and disturbance to occupiers which would give rise to a reason for refusal.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW 11) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (Section 6.4.5). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The ecological impacts of development should therefore be regarded as a potential material consideration.

Future Wales (2021) advises that *'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment'*.

It is considered that through a native landscaping scheme that biodiversity net benefit can be achieved as a result of this development. A Note To Applicant could also be included on any consent to request the erection of bat/ bird boxes.

#### 4.2.5 Drainage

The site is located within the Phosphate Sensitive SAC Catchment Area. The proposed development is to replace an existing static caravan served by a septic tank, with a new replacement static caravan with a betterment of a private treatment plant. It is not considered that the replacement of the static caravan with a static caravan could be considered to lead to a significant increase in phosphate and that the improved system would comply with the guidance in terms of development that can be screened out. It is therefore considered that the proposed development would

not lead to a likely significant effect and can be screened out. A condition is proposed to control this in perpetuity.

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

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (PPW) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

The Highway Officer raises no objection to the proposed scheme.

The Footpaths Officer also commented on the scheme and advised that there is a permissive footpath that essentially follows the proposed route of the drive. This is an informal footpath that has been created over time, and is taken instead of the formal Public Right of Way that crosses the farm yard, through a garden and up to the south. The Footpaths Officer objected to the AONB JAC's previous suggestions about re-routing the track to follow the formal Public Right Of Way. They also commented that they would be keen for the permissive route to still be available. A Note to Applicant could be included on any consent to highlight that they may need to temporarily close the footpath or agree materials for any part of the formal footpath but that they should discuss any permissions required with the Footpath Officer/ Local Highway Authority. The permissive footpath has always been preferred by the residents, therefore it is considered that this use would continue along the track.

#### 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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 application is considered to be acceptable on the basis of the information submitted regarding the existing static caravan, impact to visual amenity and tourism benefits, and is recommended to be granted subject to the imposition of conditions

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 20th April 2027
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
  - (i) Proposed caravan elevations (Drawing No. TBP\_20.016\_A006 P01) received 7 December 2020
  - (ii) Proposed caravan plans (Drawing No. TBP\_20.016\_A005 P01) received 7 December 2020
  - (iii) Existing site plan (Drawing No. TBP\_20.016\_A003 P04) received 24 January 2022
  - (iv) Existing site location plan (Drawing No. TBP\_20.016\_A001 P04) received 24 January 2022
  - (v) Proposed site plan (Drawing No. TBP\_20.016\_A004 P06) received 24 January 2022
  - (vi) Proposed site location plan (Drawing No. TBP\_20.016\_A002 P05) received 24 January 2022
3. The holiday unit hereby approved shall be occupied for short term holiday accommodation purposes only and not as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
4. **PRE-COMMENCEMENT**

Prior to the commencement of the development or any site clearance, a native landscaping scheme designed to deliver a net benefit for biodiversity, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a species list for the new planting, and only feature species of known benefit to wildlife. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting list. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of the development.
5. All planting and works comprised in the approved landscaping scheme shall be carried out no later than the first planting and seeding season following the commencement of development and shall be implemented prior to the use of the unit commencing. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.
6. **PRE-COMMENCEMENT**

Prior to the commencement of the development, full details of the wall, roof and track/hardstanding materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and maintained in as agreed unless otherwise agreed in writing within the Local Planning Authority.
7. No external lighting shall be permitted to be installed or operated, including emergency/ security lighting, until the written approval of the Local Planning Authority has been obtained to details thereof, including a light mitigation strategy, with measures to reduce light spillage, specified to conserve the Area of Outstanding Natural Beauty's dark sky and nocturnal wildlife. The scheme shall be carried out strictly in accordance with the approved details.
8. **PRIOR TO USE**

Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the details hereby approved and shall be completed prior to the development being brought into use.

9. PRIOR TO USE

The site shall not be brought into use until the Private Treatment Plant foul drainage scheme for the site has been completed in accordance with the submitted details. The foul drainage scheme shall be managed and maintained thereafter to discharge to ground into a drainage field constructed and maintained to the relevant British Standards; and shall never exceed a maximum daily discharge rate of more than 2 cubic metres (m<sup>3</sup>) unless otherwise agreed in writing by the local planning authority.

10. PRIOR TO USE

Prior to the commencement of the use of the site, details of the bin storage shall be submitted to and approved in writing by the Local Planning Authority and the details approved shall be implemented and retained at all times unless otherwise agreed in writing by the Local Planning Authority.

11. There shall be no more than one caravan sited within the application site at any time.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure that the units are utilised for tourism purposes only in line with national and local planning policies.
4. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty and nature conservation.
5. In the interests of visual amenity and nature conservation.
6. In the interest of visual amenity and to conserve the character and appearance of the Area of Outstanding Natural Beauty.
7. To ensure the favourable conservation status of protected species and the Area of Outstanding Natural Beauty's Dark Skies.
8. In the interest of highway safety and containing the parking area.
9. In the interest of preserving ecological interests within the Special Area of Conservation.
10. In the interest of visual amenity.
11. In the interest of the visual amenity of the Area of Outstanding Natural Beauty and open countryside.