

01/2021/0850

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Existing and proposed site plans

Design: Proposed Layout



The design for the proposed extension area shows 14 additional plots for touring caravans (shown in orange). Alongside these plots, a number of environmental enhancements have been introduced to ensure the successful integration of the site with the wider landscape setting and to help increase the biodiversity gain of the overall park. This includes:

- Reinforced boundaries of native hedgerow to provide structure to the area and improve visual screening. This is further enhanced with small groups of tree planting along the northern boundary.
- The enhancement of a new pond feature with marginal wetland planting to create a habitat for wildlife and serve as stormwater drainage features.
- Improvements to the woodland character of the site through the introduction groundcover planting and stumperry to offer ecological value, increase bio-diversity and add colour and structure to the site.

Proposed layout and area identified as requiring boundary strengthening

Viewpoint 01: View from bridleway, looking south



Viewpoint 01 is taken from the bridleway, approximately 1.5km north of the site. It is representative of walkers and horse riders using the path.

Views consist of rolling countryside with farmland in the foreground, bounded by native hedgerow and fencing. In the distance, hillsides can be viewed which are partially screened by a mature belt of woodland planting.

Due to the intervening woodland, the site is completely screened from view.

Overall visual impact of Viewpoint 01: Negligible

Looking south towards the site – (taken from LVIA)

Viewpoint 02: View from public footpath, looking south west



Viewpoint 02 is taken from a public footpath, approximately 1.6km to the north east of the site. It is representative of walkers using the path.

Views consist of open arable farmland bounded by woodland and native hedgerow.

Due to the intervening woodland, the site is completely screened from view.

Overall visual impact of Viewpoint 02: Negligible

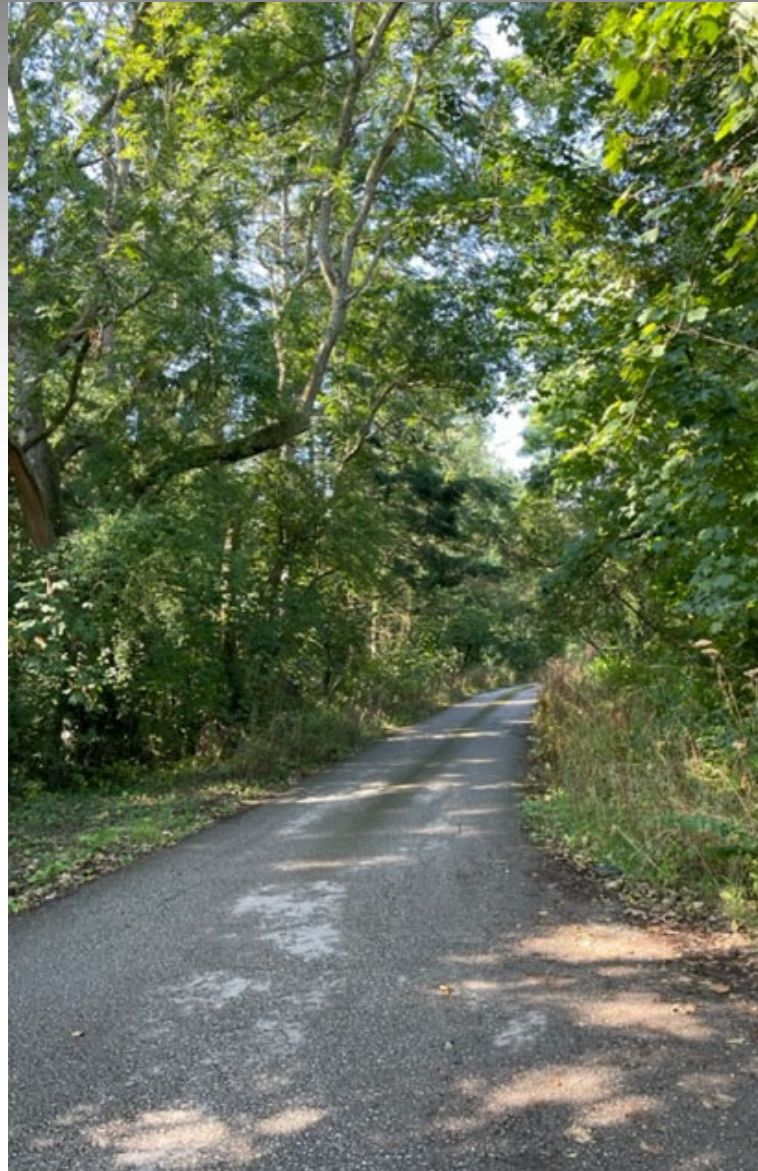
Looking south west towards the site (taken from LVIA)



Within the site



Within the site looking in from the access



View down access lane



View towards Lleweni Hall complex



View from access across pond to existing touring
vans

WARD : Denbigh Lower

WARD MEMBER(S): Cllr Mark Young
Cllr Rhys Thomas

APPLICATION NO: 01/2021/0850/ PF

PROPOSAL: Amendment to approved layout to form an additional 14 touring caravan pitches, internal access tracks and pathways, connection to existing septic tank, planting, landscaping and associated works

LOCATION: Lleweni Caravan Tourer Park Lleweni Parc Mold Road Denbigh LL16 4BW

APPLICANT: Mr Rodney Witter Lleweni Parc Ltd

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

"There is a need for a valid business case with details of residents staying at the location for at least 2 years. (no updated business case received)

There is no benefit to the local economy.

Enforcement of broken rules and regulations are not monitored or maintained.

BSE12 re development – location is of poor quality."

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE (to original consultation)**

"The Joint Committee notes that permission was refused in 2020 (Code No. 01/2020/0300) to increase the number of caravans on the site from 20 to 25. The refusal was based on policy grounds and did not directly reference landscape impact. In this context, the committee has no observations to make on the principle of development and will focus comments on the impact on the AONB.

Although outside the AONB, the site is potentially visible from the higher ground of the protected landscape to the north and east and is therefore considered to be within the setting of the AONB. It is disappointing that the landscape assessment does not include any key viewpoints within the AONB, but the potential visual impact on views from the AONB will diminish with distance and are mitigated by the existing woodland cover and the proposed native hedge and tree planting proposed along the northern site boundary.

Maintaining and enhancing the wooded character and sense of enclosure of the site in the wider landscape is particularly important in the context of views from the AONB, and the Joint Committee would recommend that if permission is granted a long-term woodland/landscape management plan should be prepared to ensure continuity of the existing woodland and proposed landscaping. In addition, any permission should be subject to a holiday use only condition. No details of existing or proposed external lighting have been provided but the committee would also recommend that a condition requiring submission of further details be attached to any permission to ensure that any external lighting is designed and specified to conserve the AONB's dark sky and nocturnal wildlife."

No response to re-consultation.

NATURAL RESOURCES WALES

Concerns raised to original application based in level of information submitted and drainage issues.

No objection subject to conditions relating to Great Crested Newts, Bats and Foul Drainage

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer
No Objection

Public Protection

- Environment Health-
No comment to make on proposal.
- Caravan Site License Officer –
Concerns raised to original plans from Caravan Site Licensing Officer.
No response to re-consultation.

County Ecologist

Concerns raised to original plans.

No response to re-consultation

Strategic Housing & Policy Officer

No objection in principle, assessment should be based on detailed impacts.

No further comments on re-consultation.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Ann Jones, 4, The Haybarn, Lleweni, Denbigh
Helen Jones, 1, The West Wing, Lleweni, Denbigh
John D. Winstanley, 1, The East Wing, Lleweni, Mold Road, Denbigh
Dr Christine Simons, The West Stable, Lleweni, Mold Road, Denbigh
Nerys Edwards, 3 The Hay Barn, Lleweni
Vicky Poole, East Stable, Lleweni, Denbigh
Paul Smith, 2, The East Wing, Lleweni, Mold Road, Denbigh
Kath & Phill Coppin, 2, The Corn Barn, Lleweni, Denbigh
Derek Lee, 202, Two Butt Lane, Rainhill, Prescot
Christine Smith, 2, The East Wing, Lleweni. Mold Road, Denbigh
Glenys Winstanely, 1 The East Wing, Lleweni

Summary of planning based representations in objection:

Principle / lack of need – no need for additional provision. Questions over business case and justification. Not small scale.

Due to proximity to neighbouring properties, would result in adverse impact on residential amenity of neighbouring properties from noise, disturbance, loss of amenity etc.

Adverse impact on visual amenity and landscape character / AONB from development and light intrusion / not sympathetic or respectful to local environment

Adverse impact on setting of adjacent listed barn/ Lleweni Hall

Increase of traffic / detrimental impact on highway safety / danger to pedestrians & users of private access road and public footpaths

Concerns raised regarding the quality of the PAC and submission

Existence of compliance issues at the site, site is for touring caravans only, reported breaches of condition.

Compliance with Caravan Sites & Control of Development Act 1960, Section 5 & there is no report from health & safety inspectors confirming otherwise

In support

Representations received from:

Sue Bond, 2 Elmwood Court, Manchester

Michael Lloyd, Brands Farm Way, Telford

John Ferrington, 64 Allport Road, Brombrough

Julie Blackwell, 12, Kingston Road, Rhyl

Summary of planning based representations in support:

Need, site is essential for visiting gliding club visitors.

Site is enjoyed by seasoned touring travellers who appreciate the environment and setting.

EXPIRY DATE OF APPLICATION: 08/11/2021

EXTENSION OF TIME AGREED: 05/10/2022

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application proposes an amendment to approved layout to form an additional 14 touring caravan pitches, internal access tracks and pathways, connection to existing septic tank, planting, landscaping and associated works at Lleweni Park Touring Caravan Site, Denbigh. The application is partly retrospective as some works have been undertaken since the submission of the application.

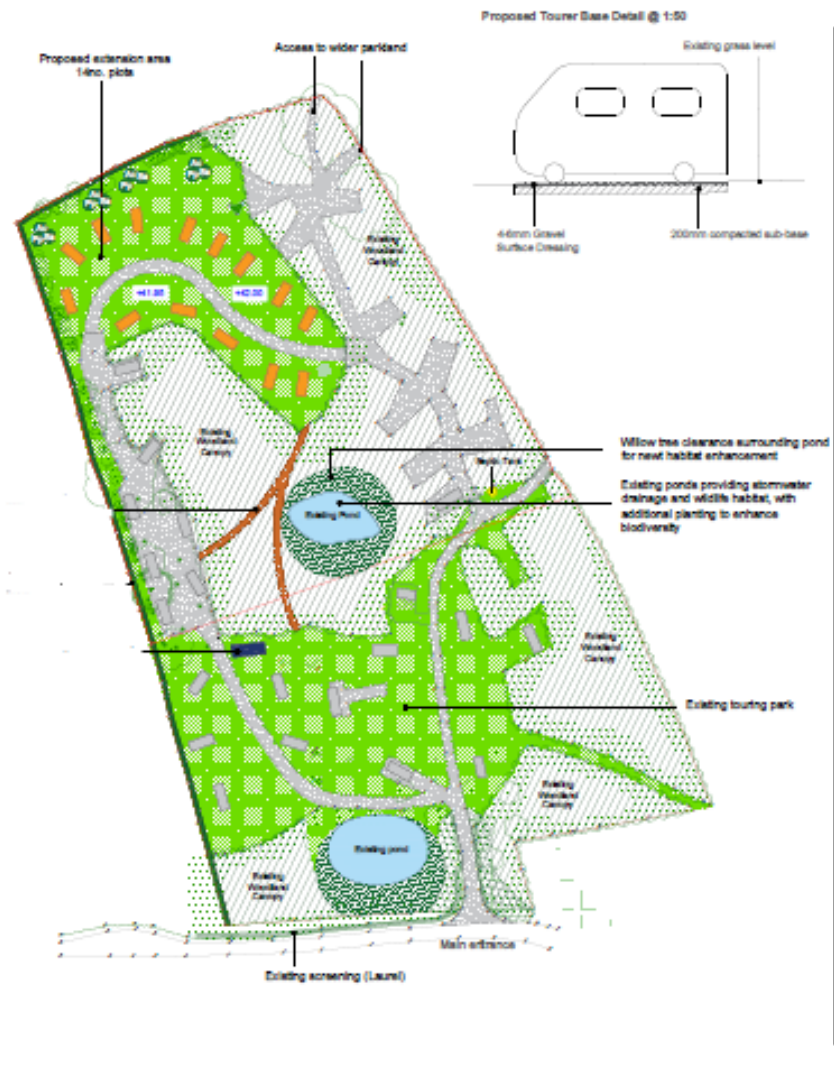
1.1.2 The touring park has planning consent for a total of 20 touring caravans within an area of approximately 1.8 hectares (4.5 acres). The plan shows 14 additional pitches for touring caravans located on the northern end of the site.

1.1.3 Alongside these proposed additional pitches, environmental enhancements are detailed to assist integration of the site with the wider landscape setting, and to help increase the biodiversity gain of the overall Site.

These include:

- Reinforced boundaries of native hedgerow to provide structure to the area and improve visual screening. This is further enhanced with small groups of tree planting along the northern boundary.
- The enhancement of a new pond feature with marginal wetland planting to create a habitat for wildlife and serve as stormwater drainage features.
- Improvements to the woodland character of the site through the introduction of groundcover planting and stump removal to offer ecological value, increase bio-diversity and add colour and structure to the site.

See plan extract:



1.2 Other relevant information/supporting documents in the application

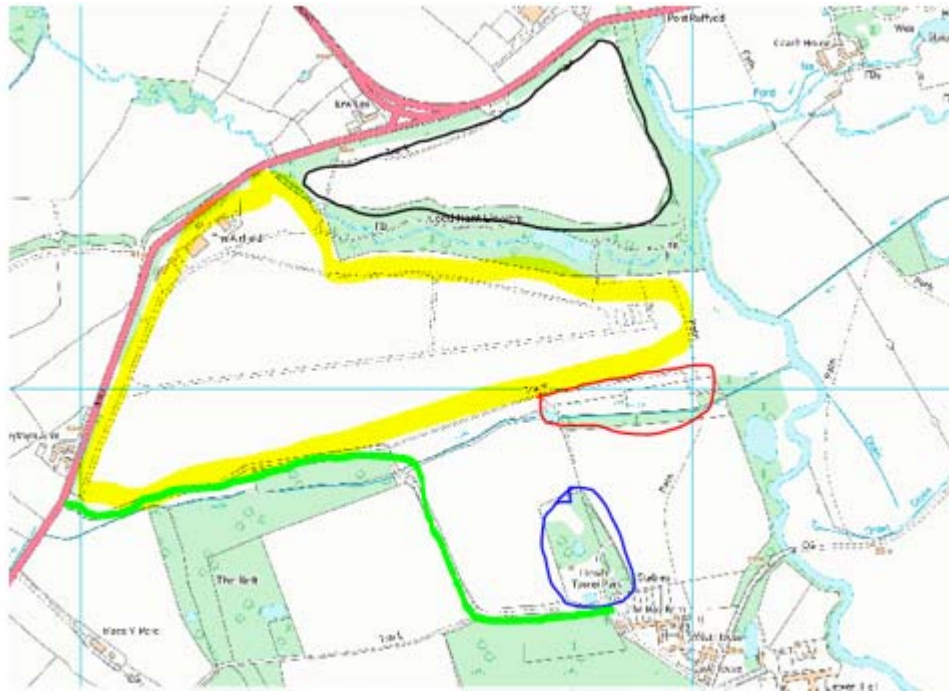
1.2.1 In support of the application the following information has been submitted;

- Pre-application Consultation PAC
- Landscape and Visual Assessment (and Update Document)
- Ecological Appraisal
- Design and Access Statement

1.3 Description of site and surroundings

1.3.1 Lleweni Parc is located to the east of the A543 Denbigh Road, approximately 3.5km to the north east of Denbigh town centre, it is former parkland originally associated with Lleweni Hall to the south of the site.

1.3.2 Lleweni Touring Caravan Site is located in a woodland area abutting the southern boundary of the Lleweni Parc. Within Lleweni Parc there is also a gliding club and caravan club site, all within the applicant's ownership. See plan snip below for context*



Yellow = Lleweni Parc Airfield / Gliding field
 Red = The Glyn, Lleweni Parc
 Blue = Lleweni Caravan Touring Park, Lleweni Parc
 Black = Blue Hand Field
 Lime Green = Access Road

- 1.3.3 The park is accessed via a private road which leads to the residential development to the south east of the application site. The entrance to Lleweni Touring Park is approximately 1km from the A543.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site lies outside of any development boundary defined by the Local Development Plan, and is within the Vale of Clwyd Historic Landscape.

1.5 Relevant planning history

- 1.5.1 There is a significant amount of planning history on the wider Lleweni Parc site relating to other uses on the site. However Officers note that that the Touring Caravan Site is an independent parcel of land within the wider Lleweni Parc site, and the planning history establishes the touring caravan site as a separate planning unit within Lleweni Parc.
- 1.5.2 The touring caravan site was originally granted planning permission in October 1990. There were conditions imposed on that planning permission relating to the length of stay and number of caravans permitted on the site.
- 1.5.3 There have been applications for variations of conditions on the site in subsequent years. In 2015 Condition 5 of the October 1990 permission was removed, this related to the restriction on the length of stay for an individual caravan. Another variation was approved in 2017 to increase the number of caravans on the site to 20.
- 1.5.4 In 2020 an application was made to vary planning condition no.1 of planning permission ref: 01/2016/0911/PS to allow more pitches from 20 to 25. This application was refused by the Council and appeal lodged. However on considering the appeal the Planning Inspectorate decided it could not proceed as it would be in conflict with recent Case Law, i.e. the *Finney v Welsh Ministers* [2019] case.

1.6 Developments/changes since the original submission

- 1.6.1 Additional information was sought from the Agent to address landscape assessment, drainage and ecological issues since the original submission.

1.7 Other relevant background information

- 1.7.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 1/11,632 Proposed siting of 10 self-contained touring caravans and construction of means of access for use in connection with pony trekking, gliding, and fishing. Granted 5th October 1990.

- 2.2 01/2015/0036 Application for variation of condition 5 of planning permission 1/11632 (Glyndwr DC) to allow "The length of a continuous stay in a touring caravan at the site on any one visit shall not exceed 28 days.

Approved 07/04/2015 with the following condition:

1. The site shall only be used for holiday purposes for caravans on tour only, and none of the caravans shall be occupied as a sole or main residence at any time, nor the site used for B8 caravan storage. A record shall be kept of all caravans visiting the site and shall be made available for inspection at the reasonable request of the Local Planning Authority.

Reason: To enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

- 2.3 01/2016/0911/ PS Variation of condition number 3 of Glyndwr District Council Planning Permission ref 1/11632 to increase the maximum number of caravans from 10 to 20.

Approved 16/10/2017 with the following condition:

1. No more than 20 touring caravans shall be stationed on the application site and no static caravans for whatsoever purpose shall be positioned on the site.

Reason: To retain the site as small scale and inconspicuous in the landscape and to avoid the stationing of caravans on the site permanently.

- 2.4 01/2020/0300/PS dated 23.09.2020 Variation of condition number 1 of planning permission code no. 01/2016/0911/PS to increase the maximum number of touring caravans from 20 to 25 – Refused. APPEAL COULD NOT PROCEED

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE5 – Rural economy

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

Policy VOE5 – Conservation of natural resources

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Caravans, Chalets & Camping

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

TAN 5 Nature Conservation and Planning

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
- 4.1.3 Residential amenity
- 4.1.4 Landscape
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
National policy is broadly supportive of tourism development and the rural economy subject to the acceptability of local impacts. Future Wales 2040 identifies tourism as a foundation economic sector and a key industry for Wales moving forward.

Planning Policy Wales (11) also supports tourism and the local economy subject to impacts.

Para. 5.5.3 Tourism states in rural areas states tourism related development is an essential element in providing for a healthy and diverse economy. Development should be sympathetic in nature and scale to the local environment. At para. 5.6.6, The Rural Economy, it states whilst the protection of the open countryside should be maintained wherever possible, the expansion of existing businesses located in open countryside should be supported provided there are no unacceptable impacts.

Local Development Plan Policy PSE 12 - Chalet, static and touring caravan and camping sites is focussed primarily on static and chalet type developments but also relates to new applications for touring sites. There is no wording within the policy regarding intensification of use within existing touring sites but it would be reasonable to apply similar considerations to any proposal to those for static sites. The policy supports proposals for environmental remodelling/improvements of existing static holiday caravan and chalet sites through the provision of new facilities, and landscaping. The justification to the policy states that any extensions to existing static caravan sites should be minor in nature.

Of some relevance is Policy PSE 5 – Rural Economy supports appropriate development in rural areas including new build subject to criteria including scale; support of an appropriate business case and landscape considerations. The scale of the development must be considered in relation to potential impacts on the local highway network; the economic benefits to the area; biodiversity enhancements and landscape impact.

SPG Caravans Chalets and Camping (2018) provides further guidance relating to new sites which again is also relevant to intensification of sites in terms of the considerations that should be taken into account in determining whether the proposal is acceptable or not.

The Policy Officer advises that as the principle of a touring caravan site on the application site is established it is the acceptability of the details such as scale, landscaping, biodiversity and visual impact that are the main considerations in policy terms.

Concerns have been raised locally and by the Town Council over the justification for the proposal and the economic case put forward by the Agent.

The proposal is supported by a detailed plan and information regarding landscaping and biodiversity enhancement. The DAS puts forwards a detailed case to support the application with various references to tourism industry data and according to the Agent these are obtained from industry papers which state: "Visitors to Welsh holiday parks/campsite spend more money than the national average: During each of these stays, visitors spend a considerable amount of money per day in the local economy, including £95 on-site and off-site by renters and tourers, and £83 on-site and off-site by owners. This is higher than the average daily spend by visitors to Wales at £52. The Agent has also stated that the figures do not take into consideration the recent boom in domestic tourism following COVID-19. They also advise that the existing 20 pitches on the site are mostly occupied and there is a waiting list for a touring caravan on the park.

In assessing principle Members should consider the policy position in the first instance. There is support for tourism based development nationally, but there is no specific or detailed policy to cover the intensification of existing touring caravan sites in Denbighshire. The principle of the use of land at Lleweni Park as a touring caravan site was established with the original grant of planning permission in 1990. Subsequent approvals have resulted in what is effectively a long term touring site. A case has been put forward to justify the application in terms of the economic benefits and need, and Officers consider in the absence of explicit evidence to counter this, or indeed a strong policy requirement to interrogate this data or establish a proven need for the additional 14 touring caravan pitches, it would be difficult to resist the application for this reason alone. The key considerations relate to the acceptability of the details of the proposal rather than the principle in this location. These matters are considered below:

4.2.2 Visual 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 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.'

Concerns were raised in initial representations from AONB and the Policy Officer over the detailing of the scheme. Hence updated plans and supporting information was provided. Representations from neighbours also raised concerns over the visual impact of the proposed development.

The plans show the additional pitches proposed to be sited on the northern side of the site. The application is supported by a Landscape and Visual Assessment. Following the initial consultation period additional information was fed into this document including the need to consider the visual impact of the site from additional vantage points in the AONB. The Assessment identified the footpath network, designations and listed buildings that lie within 2 km of the site and some viewpoints within the AONB agreed with Officers. The Assessment concluded that the wider visual impact would not be significant owing to the woodland setting and potential for increased screening on the site boundaries. The report also set out environmental enhancements; including plating of hedgerows, trees, woodland and wetland planting on the site which are reflected in the latest site plan.

In respecting the comments in representations, given the well contained nature of the new pitches within the existing site, and the potential for landscape enhancement and improvements shown on plan, Officers do not consider the landscape and visual impact of the scheme unacceptable.

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.

Concerns have been raised by neighbouring occupiers over the potential for noise and disturbance from the site.

The site is located in the open countryside, however there are 19 dwellings situated to the south east of the touring site in the former Lleweni Hall outbuildings and Lleweni Hall. The relationship of these dwellings to the caravan site which benefits from a year round permission was deemed acceptable when the application for the conversion of the outbuildings to dwellings was granted in the 2000's.

In terms of the amenity of the proposed occupiers i.e. caravan site users, the Caravan Site Licensing regime would control most of the operational elements of the use. A plan has been provided to show the licencing requirements (see Site Licence Plan).

The proposal would result in a more intensive use of the site with the addition of 14 pitches. However the additional touring caravan pitches would be sited on the furthest point on the site from the dwellings within the Lleweni Hall complex. Given the scale

and location of the additional caravan pitches it is not considered that the proposal would result in such a significant amount of additional noise and disturbance to Lleweni residents as to warrant refusal of the application.

The amenity impacts on the proposed occupiers would be considered in the caravan site license. This sets out basis criteria to ensure sites are operated in the interests of amenity as well as other considerations. The Licensing Officer initially raised concerns relating to aspects of water, waste disposal, fire points and spacing. The updated plans appear to address these issues.

It is considered there would be no significant detrimental impacts on residential amenity resulting from the proposal in conflict with policy.

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.

The site at has been found to support protected species protected by law. The application proposes the siting of additional caravan pitches and landscape and habitat improvements. The Ecology Report acknowledges that the scheme poses a risk of harm and disturbance unless undertaken with due consideration and care. The report sets recommendations for certain measures to be implemented, including timing of works to take place under seasonal restrictions. The key recommendations are for no further vegetation clearance to take place, no breaking of ground outside of areas of negligible ecology value (amenity grassland and bare ground), and for all enhancement works to be undertaken under direct supervision of a GCN licensed ecologist. It concluded that provided these measures can be implemented in full, it is anticipated that there will be no harm or disturbance posed to protected species as a result of the scheme.

The Councils Ecologist raised concerns with the initial level of detail in the application. Additional information was requested and submitted to the Councils Ecologist and NRW. NRW have been consulted. They advised that Great Crested Newts and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). A condition is proposed to control the development in the interests of ensuring the development is not detrimental to the maintenance of the favourable conservation status of the local population of GCN present at this site.

On the basis of the advice of the specialist consultee regarding ecological matters i.e. NRW Officers consider the ecological impacts of the proposal acceptable.

4.2.5 Drainage

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 drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 11) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

The Site has a septic tank/disposal point which is shown on the site. The volume is 4000 litres and is maintained every 12 months. The Agent has advised that there is capacity within the existing septic tank to accommodate the proposed additional touring units.

The drainage arrangements for the site were subject to scrutiny and subsequent meetings with NRW. NRW have advised that they are satisfied with the arrangements subject to the use of organic fluid in occupiers' waste disposal.

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.

Concerns have been raised by neighbours over the use of the access track.

The access arrangements to the site remain as existing. Highways Officers have raised no objection to the scheme.

It is not considered that the proposal would result in highway safety problems or given the established use raise new questions over the principle of the development in terms of sustainability or reliance on the motor car.

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 existing 20 pitch touring caravan site is well established with a 12 month season of use. Planning policies encourage tourism uses, and small scale employment development in appropriate locations. The application is supported by a detailed justification and scheme of site improvements. Whilst acknowledging that the planning history of the site and seemingly retrospective nature of the application will concerns Members. This proposal must be dealt with on its own merits. In the absent of a strong case to resist the application for any of the detailed reasons set out above it is difficult to resist the scheme. As such it is the opinion of Officers that the proposal is considered acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 5th October 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) Location Plan - Received 14 September 2021
 - (ii) Existing Site Plan (Drawing No. 001) - Received 14 September 2021
 - (iii) General Arrangement Plan (Drawing No. 001B) - Received 11 July 2022
 - (iv) Details of Stumperry - Received 14 September 2021
 - (v) Design and Access Statement (Dated Sept 2021) - Received 14 September 2021
 - (vi) Landcape Appraisal & Design Strategy (Dated Dec 2021) - Received 6 January 2022
 - (vii) Appendix 1 - Pre-Application Consultation Statement (Dated Aug 2021) - Received 14 September 2021
 - (viii) Appendix 2 - Bus Timetable - Received 14 September 2021
 - (ix) Appendix 3 - NRW Water Discharge Exemption (Drawing No. NRW-WQE065786) - Received 14 September 2021
 - (x) Preliminary Ecological Appraisal (Etive Ecology Ltd Dated 05/01/22) - Received 6 January 2022
 - (xi) Ecological Addendum (Etive Ecology Ltd) - Received 11 July 2022
 - (xii) Site License Plan (Drawing No. 003) - Received 22 July 2022
3. No more than 34 touring caravans shall be stationed on the application site.
4. The site shall only be used for holiday purposes for caravans on tour only, and none of the caravans shall be occupied as a sole or main residence at any time, nor the site used for B8 caravan storage. A record shall be kept of all caravans visiting the site and shall be made available for inspection at the reasonable request of the Local Planning Authority.
5. No further development shall commence until a Protected Species Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include, but not necessarily be limited to:

- o the submission of details and plans concerning GCN reasonable avoidance and mitigation measures;
 - o details of a Site Management Scheme;
 - o an Ecological Compliance Audit scheme;
 - o a post Construction Monitoring Plan;
- the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.
- o Details of external lighting/internal light spillage assessment and plans that are compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting

The Conservation plan shall be carried out fully in accordance with the approved details.

6. Any trees, hedgerows of plants which within a period of 5 years from being planted 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 the Local Planning Authority gives written approval to any variation.

The reasons for the condition 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 retain the site as small scale and inconspicuous in the landscape, and in the interests of residential amenity.
4. In the interests of clarity and to avoid the stationing of any static caravans on the site or establishing a caravan storage site permanently.
5. To ensure that an approved Protected Species Conservation Plan is implemented, which protects GCN affected by the development.
6. In the interests of visual amenity and biodiversity enhancement.