

CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

REFERENCE NO. 17/2012/0681/PF
Rhos Isaf, Llandegla
Wrexham

11



Application Site

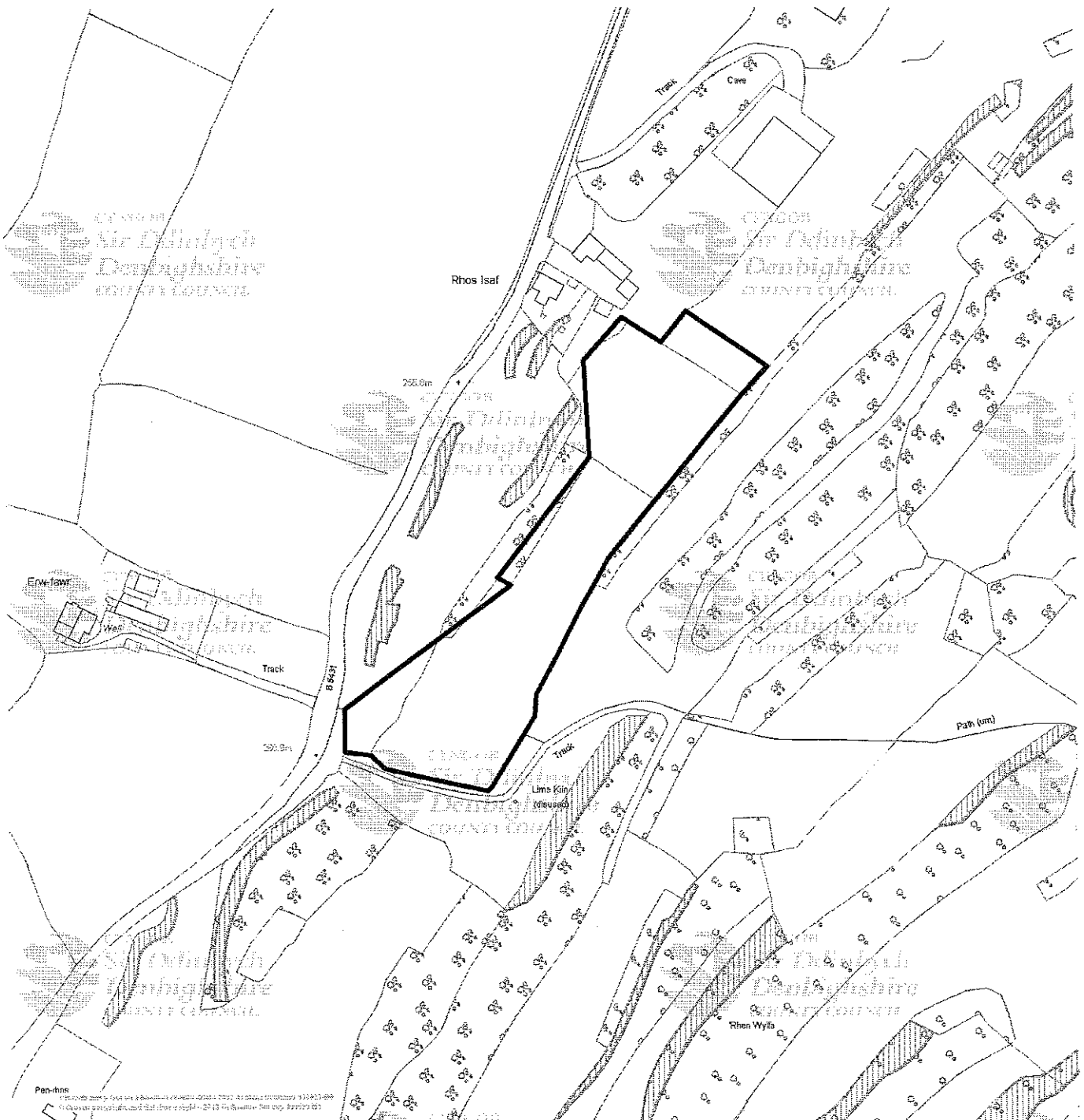


Date 22/8/2012

Scale 1/2500

Centre = 318584 E 353058 N

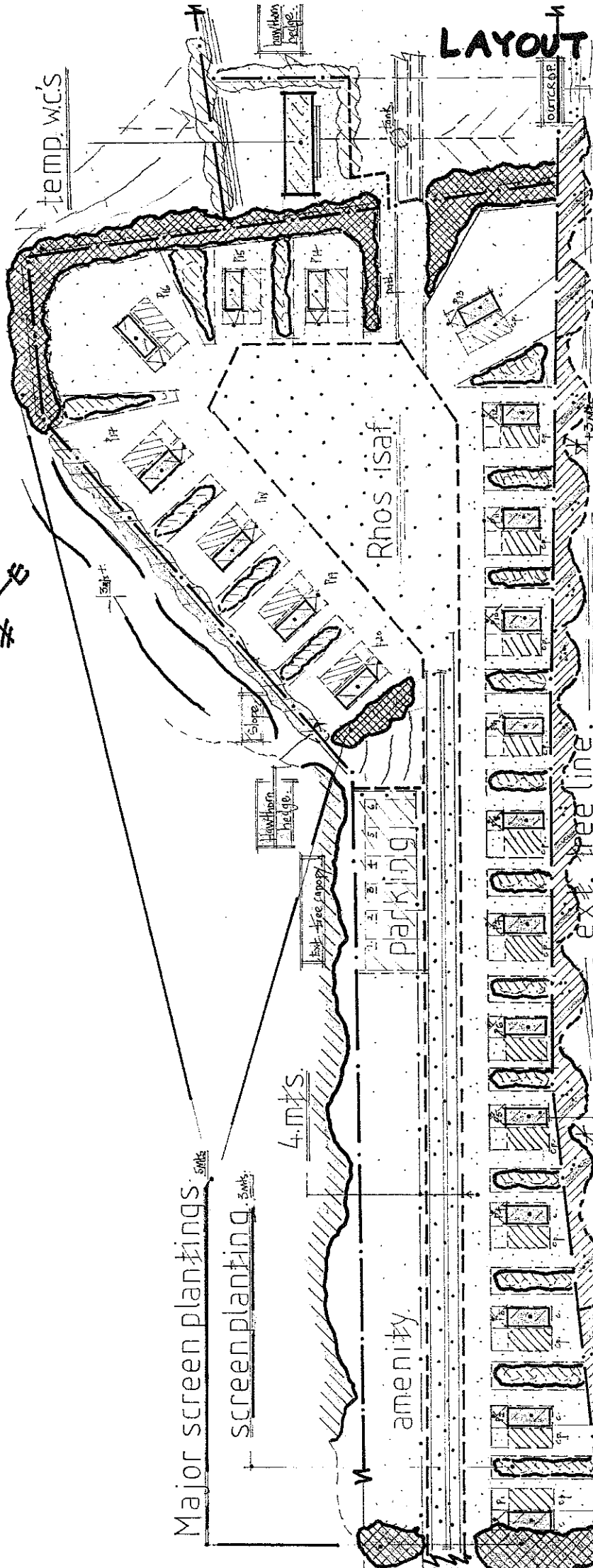
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



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RECEIVED
20 MAY 2002
CALLEDERYN



Major screen plantings

screen planting

4m's

amenity

parking

Rhos isaf

10m's

pitch

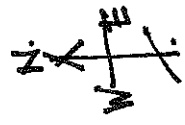
Tourer Site Layout

1:500

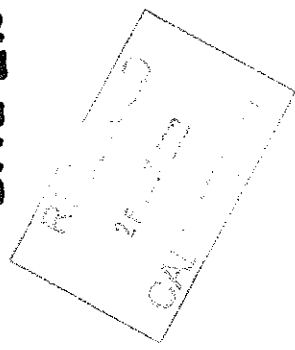
02/2012/CL

1 car park
space

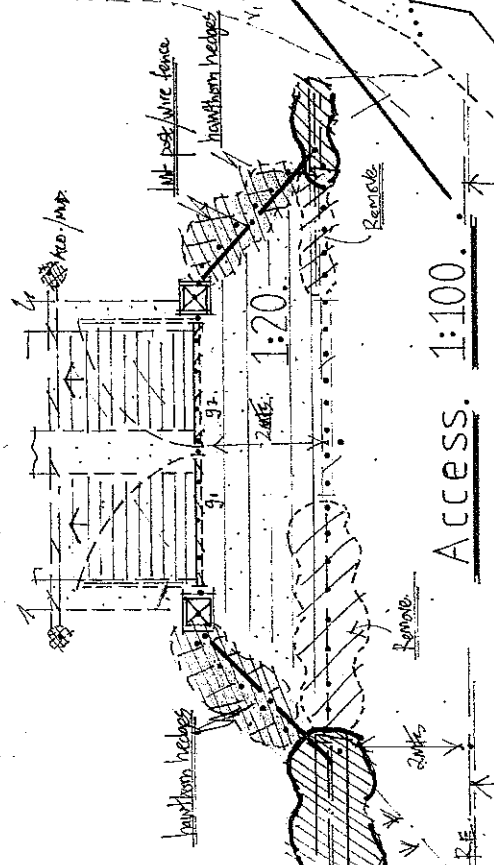
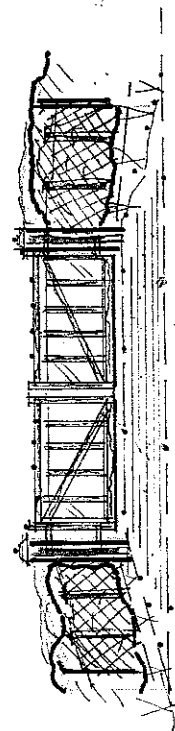
LAYOUT



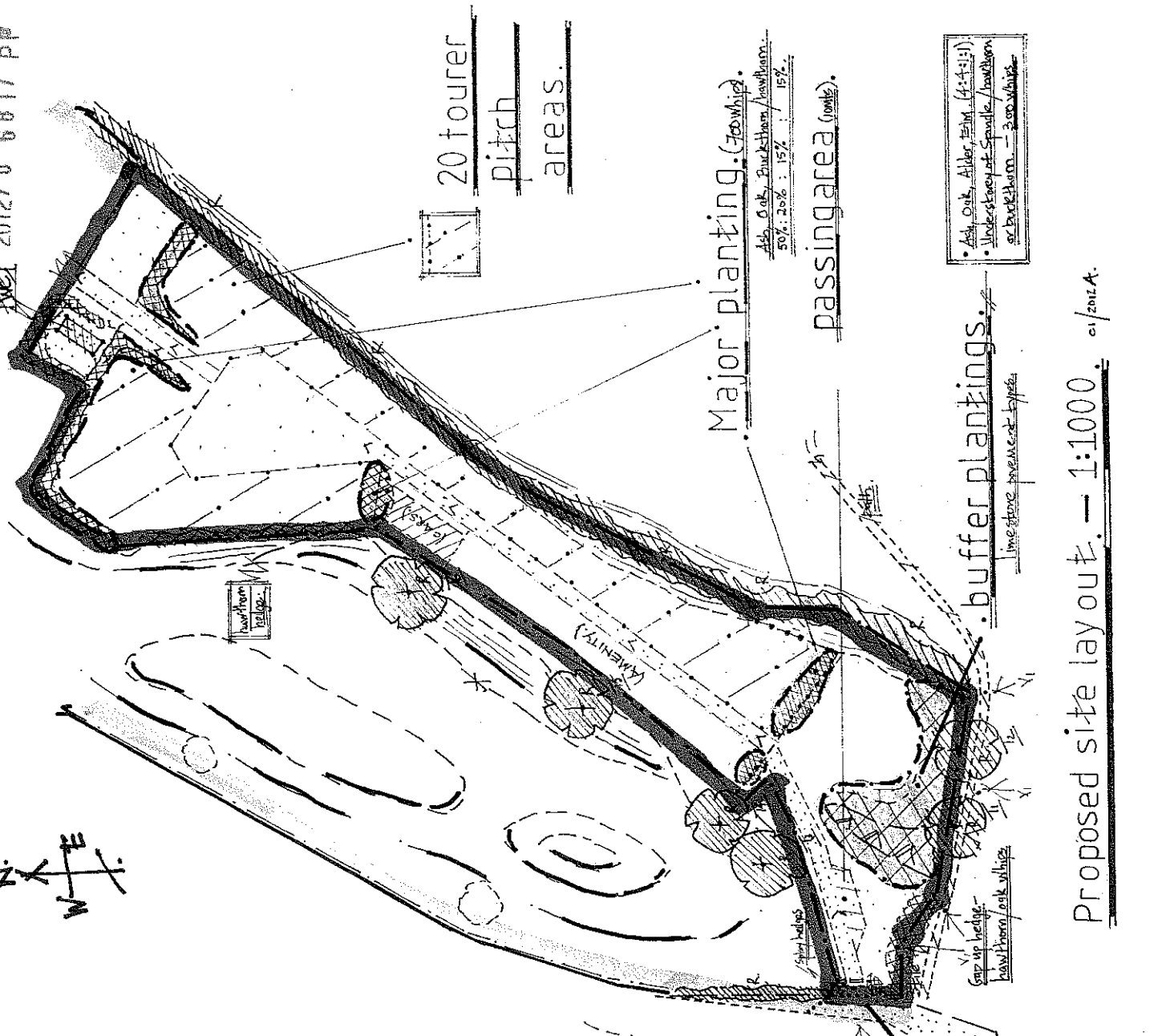
SITE ENTRANCE



5m/s



Access. 1:100



20 tourer
pitch
areas.

Major planting. (700m high)

passing area (mole)

buffer plantings.

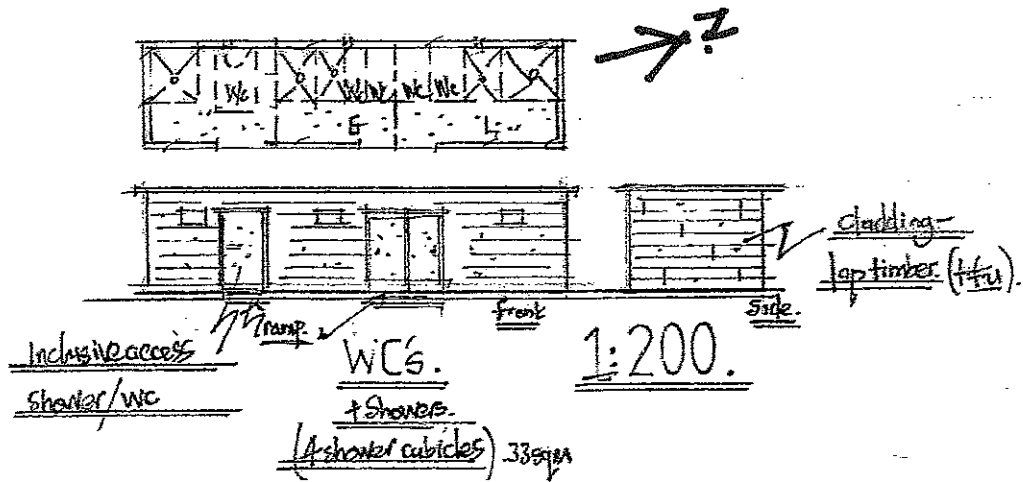
Ash Oak, Hawthorn / Hawthorn.
50% 20% 15% 15%

Ash Oak - Alder Elm (4:4:1:1)
Underneath Spindle Hawthorn
or Buckthorn - 2000 plants

Proposed site layout. — 1:100. c1/2012A.

DETAIL OF TOILET + SHOWER BLOCK

RECEIVED
28 MAY 2012
CALEDONIA



ITEM NO: 11
WARD NO: Llanarmon Yn Ial / Llandegla
APPLICATION NO: 17/2012/0681/ PF
PROPOSAL: Change of use of land to a 20 pitch touring caravan site, installation of a cesspool, erection of a toilet/shower block, alterations to existing vehicular access and associated works
LOCATION: Rhos Isaf Llandegla Wrexham
APPLICANT: Mr C M Owen
CONSTRAINTS: Wildlife Site
PROW
AONB
PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

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

- Applicant is related to a Member of the Council (Councillor H Evans)

CONSULTATION RESPONSES:

LLANDEGLA COMMUNITY COUNCIL

"It has been resolved to offer no objection to the proposals in principle but to draw your attention to the narrow road giving access to the site and as a touring site for twenty caravans, the increase in the volume of traffic. Within the documentation it noted that the site would be 'on a road which is already lightly used for a considerable part of the daytime'. We would question 'lightly used'. The Community Council is requesting that, if possible, a counter be placed on the road to count volume.

It must also be drawn to your attention that the new proposed vehicular access and associated works is directly opposite Erw Fawr, which also has a certificated sit for five caravans".

CLWYDIAN RANGE & DEE VALLEY AONB

"Apart from views from the adjoining public footpath to the south and the Offa's Dyke Path to the north, the site is generally well screened by existing woodland and the local topography. Providing the Highway Authority is satisfied that the highway network is capable of accommodating the likely additional traffic the JAC has no objection in principle to a seasonal (March – October) touring caravan site, including a temporary mobile toilet block which is also removed out of season.

The proposed landscaping to help screen the site, particularly from the public footpath to the south, is welcomed but the JAC considers that the landscaping proposed to the north of the site is inadequate to screen the caravans and toilet block from Offa's Dyke Path and would recommend that a more substantial block of trees comprising native local species should be planted in this area to help screen and assimilate the site into the rural surroundings.

The JAC would also suggest that further details of the toilet block should be

conditioned and that the colour of the proposed timber cladding should be carefully selected to minimise visual intrusion. Additionally, it is noted that no external lighting details for the site or building have been submitted with the application and the JAC would suggest this should be clarified with the applicant. Given that this is a particularly 'dark' area of countryside, the JAC would recommend that if any lighting is proposed this should be minimal and carefully designed and controlled to avoid any light pollution.

The JAC notes that the woodland surrounding the site is classed as Ancient Woodland, there is evidence of prehistoric settlement in the vicinity of the site, and the area is recognised for its geological conservation interest, particularly for its unusual limestone outcrops which were visited by Darwin in 1831, and is a proposed Regionally Important Geodiversity Site (RIGS). These conservation and heritage interests are recognised special features of the AONB and the planning authority should be satisfied that the development will have no adverse impacts on these features prior to granting any permission".

ENVIRONMENT AGENCY WALES

Notes the proposals for sewerage collection are to use a sealed tank with no outlet, to be emptied by a tanker as required. The Agency consider a cesspool the least favourable and sustainable means of foul drainage disposal, but accept that this may be acceptable as a short term solution whilst the business establishes. Consequently, the Agency suggest imposition of a 'Grampian' type condition on any permission ensuring that the system is replaced with an alternative, more sustainable, non mains drainage system within 3 years of the permission.

NORTH EAST WALES REGIONALLY IMPORTANT GEODIVERSITY SITES (NEWRIGS)

Draw attention to the location of the site within what is in the final process of designation as a Regionally Important Geodiversity Site (RIGS). This relates to the series of 'dip and scarp' tilted beds of carboniferous limestone in this area. Steps should be taken to ensure the toilet unit does not obscure or damage any of the tilted blocks, and that the development would not have any adverse impacts on these conservation and heritage interests. Opportunity should be taken to improve awareness of the Geodiversity features through interpretation material.

COUNTRYSIDE COUNCIL FOR WALES (CCW)

Does not object. Proposals are unlikely to adversely affect the AONB. Defers to the Council's Biodiversity Officer for comment on protected species and habitat.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Head of Transport and Infrastructure
(Footpaths Officer)

Draws attention to Public Footpath 26 which abuts the site, and requires suitable safeguarding in the event that permission is granted.

(Highways Officer)

No objection subject to inclusion of conditions requiring provision of parking and turning facilities, and details of the alterations to the access onto the highway.

Biodiversity Officer

No objections, but draws attention to the proximity to ancient broadleaved woodland, scrub, neutral grassland and calcareous grassland, which is a Wildlife Site. The application site is close to the broadleaved woodland and the access track appears to run through it, so detailing needs clarification, in particular to determine whether trees are to be felled/trimmed. Surveys may be necessary to ascertain the presence of badger setts within the site. Hedgerow planting should be with native species.

Archaeologist

Advises the site is close to scheduled and unscheduled caves known to contain Neolithic remains, but considers the application will not impact on the archaeology.

RESPONSE TO PUBLICITY:

Representations received from:

Mr. S. Wilson, Erw Fawr, Llandegla
Mr. & Mrs. W. J. Lloyd, Efail Penrhos, Llandegla
Dr. G. Read, Tyddyn Tlodion, Llandegla

Summary of planning based representations:

In objection

Highways

B Road is busy and is used regularly by farm and other traffic as a link between the A525 and A494/road is narrow in places with poor visibility and blind bends/motorists travel too fast along road/limited passing places/road not suitable for additional cars and caravans/caravans under tow difficult to reverse.

Numbers of caravans

Reservations over number of touring vans/existing registered Caravan Club site nearby.

Amenity considerations

Potential for additional noise and disturbance in a tranquil area/increasing activity in an area already well used by visitors (mountain bike centre, caravan parks, gun club, gliders), devaluing the quality of the area.

EXPIRY DATE OF APPLICATION: 22/07/2012

REASONS FOR DELAY IN DECISION (where applicable):

- Awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application seeks planning permission for the following:-

- the use of 1.13 hectares of land as a 20 pitch touring caravan site, between March and October each year;
- the stationing of a temporary toilet/shower block in the north east corner of the site;
- the installation of a cesspool arrangement for disposal of foul water;
- associated access improvements based on an existing access onto the B5431 opposite the entrance to the property Erw Fawr to the west;
- screen planting and other landscaping works.

1.1.2 The application documents explain that the proposal to use the parcel of land is part of a farm diversification scheme related to the livestock rearing farm

business based at nearby Rhos Isaf.

- 1.1.3 Rhos Isaf is located on the east side of the B5431 road which runs south from Llanarmon yn Ial village to join the A525 close to the Nant y Garth Pass.
- 1.1.4 The application is accompanied by a Design and Access Statement, material relating to the drainage arrangements, plans showing the site layout, planting and access improvements, and the proposed temporary toilet/shower block. The site plan and details of the toilet/shower block are included at the front of the report.
- 1.1.5 The Design and Access Statement sets the context for the development and suggests the proposals merit support based on:-
 - compatibility with planning policy (farm diversification, tourism; securing the future of the farm;
 - assimilation into the local landscape (small scale proposals are acceptable in the AONB, open countryside; additional planting proposed to improve screening)
 - accessibility to other rural recreation;
 - minimal impact on ecology, agricultural land (reversible development), or other designations;
 - access to the B Road is to be improved and would achieve good visibility, and additional traffic movement would not be significant.

1.2 Description of site and surroundings

- 1.2.1 The site is in open countryside some 3km south of Llanarmon yn Ial village, and 1km north west of Llandegla village.
- 1.2.2 The area has a distinctive landscape character with exposed outcrops of limestone interspersed with grazing land and areas of woodland, running in a roughly south-west to north-east direction.
- 1.2.3 Rhos Isaf is a working farm, located on the east side of the A5431 road. The main farm buildings are sited close to the north-west corner of the site.
- 1.2.4 The site proposed for the touring caravans is relatively flat grassland between sections of existing woodland, and is relatively well screened from the B road and more distant viewpoints.
- 1.2.5 The existing vehicular access to the site is on the outside of a shallow bend in the B5431. The B road is the main route from the south from the A525 to Llanarmon yn Ial, and is a highway of limited width in parts where two vehicles can not pass.
- 1.2.6 Public Footpath 26 runs from the B5421 close to the entrance alongside but outside the site boundary and loops in an easterly direction before turning south to Llandegla village.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the recently extended Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 1.3.2 The land is shown on the A.D.A.S. 1966 provisional land Classification Maps as Grade 4 quality, hence is not Best Most Versatile land or a material consideration in planning policy terms.

1.4 Relevant planning history

1.4.1 None relevant to the application.

1.5 Developments/changes since the original submission

1.5.1 The foul drainage proposals have been revised since the original submission, following dialogue between the agent and the Environment agency. A septic tank arrangement was proposed initially but this has been changed to a cesspool collection system (a sealed tank with no outlet, to be emptied by tanker; and the toilet facilities would be removed during the 'closed' season).

1.5.2 The applicant's agent has confirmed that there are no badger setts within the application site nor any evidence of foraging or runs. He has also clarified matters of detail relating to the site layout and the retention of a well feature close to the proposed temporary toilet/shower block.

1.6 Other relevant background information

1.6.1 The application is reported to Committee as the applicant is related to a member of the Council.

2. **DETAILS OF PLANNING HISTORY:**

2.1 None.

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy STRAT 1	-	General
Policy STRAT 6	-	Location
Policy STRAT 7	-	Environment
Policy STRAT 8	-	Employment
Policy STRAT 9	-	Tourism
Policy STRAT 13	-	New development
Policy GEN 3	-	Development outside development boundaries
Policy GEN 6	-	Development Control Requirements
Policy ENV 1	-	Protection of the Natural Environment
Policy ENV 2	-	Development affecting the AONB/AOB
Policy ENV 7	-	Landscape/Townscape features
Policy ENP 4	-	Foul and Surface Water Drainage
Policy TSM 1	-	Tourism Development
Policy TSM 6	-	Farm diversification
Policy TSM 12	-	Touring Caravan Sites
Policy TRA 6	-	Impact of new Development Traffic Flows
Policy TRA 9	-	Parking and Servicing Provision

3.2 Supplementary Planning Guidance

SPG 2	-	Landscaping in New Developments
SPG 6	-	Trees and Development
SPG 18	-	Nature Conservation and Species Protection
SPG 21	-	Parking

3.3 GOVERNMENT POLICY GUIDANCE

Planning Policy Wales 2011

Technical Advice Notes

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle
- 4.1.2 Scale of development
- 4.1.3 Landscape and visual impact
- 4.1.4 Highway/access impact
- 4.1.5 Residential amenity
- 4.1.6 Drainage
- 4.1.7 Ecology
- 4.1.8 Sustainability
- 4.1.9 Agricultural land quality
- 4.1.10 Economic benefits/diversification
- 4.1.11 Inclusive access

4.2 In relation to the main planning considerations:

4.2.1 Principle

At a national level, the Welsh Government's objectives encourage sustainable tourism, maximising its economic and employment benefits, promoting tourism in all seasons whilst safeguarding the environment and interests of local communities. In rural areas, tourist development is considered to be an essential element in providing for a healthy, diverse local and national economy. TAN 13 (draft 2006) suggests particular consideration be given to the suitability of holiday caravans in designated areas, including sites of national and international importance, noting that tourism development should not have an unacceptable adverse impact on the environment, landscape, biodiversity, coastal or historic environment or the interests of local communities.

Denbighshire's Unitary Development Plan policies are in accordance with the thrust of these national objectives. Within the UDP, there are a number of strategic policies seeking to ensure that development should be sustainable, including maximum re-use of buildings and land in preference to green field sites, maintaining and enhancing community benefit; and protecting biodiversity and historic areas. Policy STRAT 9 deals with tourism development. In the countryside or rural settlements, it highlights that development will be permitted in the form of small scale built or natural environment based tourism projects in the countryside and rural settlements where they provide appropriate infrastructure, accommodation and attractions, where they consolidate the tourism industry without unacceptably affecting social, highway, amenity, heritage or environmental interests.

Policy GEN 3 contains a general restraint on new development outside development boundaries, with a number of exceptions including essential workers dwellings, agricultural development and tourism/leisure schemes, again subject to compliance with basic criteria and other policies in the plan.

Policy TSM 6 relates to farm diversification and permits farm tourism development diversifying farm viability by way of attractions and accommodation, subject to a range of tests. The key tests require that the tourism use is secondary or supplementary to the main use of the farm enterprise, it does not unacceptably harm the permanent long term workings and efficiency of the unit and does not result in the loss of high quality agricultural land.

Policy TSM 12 is the main 'detailed' policy relating to touring caravan sites, and sets specific tests for any application, requiring an unobtrusive and well

screened site and/or one which can be readily assimilated into the landscape, and in no way appears conspicuous or alien; the site is close to and can be easily accessed to the main highway network without significant or inappropriate highway alterations; the overall quality of the development is of a high standard by virtue of its design, layout and appearance as seen from inside and outside the site; there is no unacceptable impact on the surrounding area by virtue of noise, disturbance, fumes/smell or other nuisance and landscape, agricultural and nature conservation considerations; and finally that the site is used for touring purposes only and touring vans are removed from the site for periods when not in use.

Overall, the policies of the UDP, and guidance in Planning Policy Wales and TAN 13 accept the general principle of suitable tourism related developments outside established settlements, as they provide potential economic benefits for the area, but qualify this support with the requirement that proposals meet a range of detailed tests. The principle of the proposed touring caravan site development would not therefore be contrary to the UDP's general policies, but invariably the acceptability rests on assessment of the detailed local impacts. These are reviewed in the following sections of the report.

4.2.2 Scale of development

Policy STRAT 9 of the Unitary Plan permits "small scale built or natural environment based tourism projects in the countryside and rural settlements where they provide appropriate infrastructure, accommodation and attractions, where they consolidate the tourism industry without unacceptably affecting social, highway, amenity or environmental interests". STRAT 7 sets a specific requirement to safeguard the countryside and environment.

There is no definition or guidance in the Unitary Plan or Supplementary Guidance on what may constitute a "small scale" tourism project with regard to a touring caravan use. In simple number terms, comparison with sites which have recently been the subject of applications determined at Committee, the 20 vans proposed here are clearly less than the 60 pitch site permitted at Cae Rhys, near Caerwys (February 2011), the additional 40 pitches at The White House, Rhualt (November 2011), which have been accepted within policy in their particular locations. There are concerns from objectors over the number of touring caravans and the existence of other caravan sites in the area. The area of land involved in the application is some 1.1 hectares in total.

Whilst the term 'scale' is not defined in any detail in current planning policy or guidance, appeal Inspectors have dealt with this in terms of the general 'capacity' of a locality in terms of landscape, highway network and visual and social impact, to absorb the particular extent of caravan development. At the Blue Hand Field Bodfari appeal in 2009, the Inspector accepted a 59 lodge static caravan development extending over 9 hectares, under 2km from the AONB, would not conflict with the capacity considerations in the Unitary Development Plan. Given this 'guide', the relatively limited land area involved at Rhos Isaf, and the likely landscape, visual and social impacts, Officers' opinion is that there is no strong argument to oppose the application on the basis of inappropriate scale.

4.2.3 Landscape and visual impact

The site is located in open countryside and within the Clwydian Range and Dee Valley AONB. Policy ENV 1 of the Unitary Plan seeks to protect the landscape and requires development to maintain or enhance the landscape character of the County. ENV 2 relates to development affecting the AONB and states that development affecting it will be assessed against the primary

planning objective to conserve and enhance the natural beauty of the area; and that small scale development will only be permitted where it would not detract from the character and appearance of the AONB. The text to the policy states that it does not just apply to development within the AONB, but to development outside it which could have a detrimental impact on the AONB, including views into and out of the area. As outlined earlier, TSM 12 permits touring caravan sites where they are unobtrusive, well screened by natural landscape features, and readily assimilated into the landscape; and in no way appear conspicuous or alien, especially in the AONB.

The Clwydian Range and Dee Valley AONB Joint Advisory Committee's response notes that the site is generally well screened by existing woodland and local topography, and suggests additional planting be introduced to screen the toilet block (along with control over the detailing of that block). CCW have no objection on the basis of impact on the AONB. There are only limited comments from private individuals over the landscape and visual impacts of the proposals.

In Officers' opinion the presence of touring caravans on the site on a seasonal basis would have very limited landscape and visual impact, having regard to the level of natural screening afforded by existing trees and landform. There is a need for additional screening to mitigate impact when viewed from the public footpath, and to screen the toilet/shower block, and this could be addressed by suitable conditions if permission is granted.

4.2.4 Highway/access impact

The main Unitary plan policies relevant to assessment of highway impact are TRA 6 and TRA 9. TRA 6 permits new development provided there is no unacceptable impact on the safe and free flow of traffic and the capacity of and traffic conditions on the surrounding road network area satisfactory. TRA 9 requires adequate provision within a site for parking and servicing. GEN 6 contains a number of tests including in (vii) a requirement that development does not have an unacceptable effect on the local highway network. TSM 12 test ii) requires close and safe access to the main highway network.

Access is proposed from an improved existing agricultural access onto the B5431. The B road runs from Llanarmon village south to join the A525, and is the main access to the village from the south. There are objections/concerns from private individuals and the Llandegla Community Council over the potential impact of additional traffic and touring caravans on the B road, with attention being drawn to blind bends, the narrowness and limited passing places along the highway, and dangers from existing traffic travelling too fast. The Highways Officers, however, have no objections to the application, drawing attention only to the detailing of the improved access onto the B road and the need to safeguard the public footpath close to the access.

In recognising the points of concern, including those of the Community Council, in the absence of any objections from the highways officers, it would be difficult to justify a recommendation for refusal here. This is not to deny that the additional traffic from a caravan site would add to the potential for vehicle conflicts along the B5431, but the use is only proposed on a seasonal basis and the proportional increase in traffic on the main route into Llanarmon village from the south would not seem likely to be significant.

4.2.5 Residential amenity

Policy GEN 6 sets the requirements to assess the impact of development on the amenities of occupiers of nearby property.

The nearest residential properties other than the dwelling at Rhos Isaf are Erw Fawr (approximately 100m to the west of the vehicular access), and Pen Rhos (200m to the south of the access). Concerns are expressed by private individuals over the potential for additional noise and disturbance from a caravan site.

In Officers' opinion, the combination of distances from dwellings and natural screening by trees and landform would limit the likely residential amenity impacts of a touring caravan site on the Rhos Isaf land. It is not considered the proposals would result in unacceptable effects on occupiers of dwellings in the locality.

4.2.6 Drainage

Drainage considerations are contained in policies ENP 4 and GEN 6 of the Unitary Plan. The requirement is to ensure new development has no unacceptable impacts on the locality from foul or surface water drainage.

The proposals have been revised since submission from a septic tank/treatment system, to a sealed cesspool as a 'temporary' arrangement to allow for the site to be established. The intention is to develop a long term system by agreement with the Council and Environment Agency. The Agency have confirmed they do not regard a cesspool as a satisfactory long term solution but accept this may be an appropriate system to allow the site to be established, provided a suitable condition is imposed to secure an alternative means of foul water disposal within 3 years.

Officers' view would be that the Environment Agency's suggestions are reasonable in the circumstances and would consider it acceptable to permit a cesspool for a maximum 3 year period, should permission be granted.

4.2.7 Ecology

Unitary Plan policies, Welsh Government guidance and current legislation oblige due consideration of impact on ecological interests, and in particular species (ENV 1, ENV 6 and GEN 6). This approach is supported by SPG 18 – Nature Conservation and Species Protection.

There are no objections to the proposals from the Countryside Council for Wales or the County's Biodiversity Officer on grounds of impact on ecological interests. The agents have confirmed the access track does not affect any trees within the site, and in relation to badger setts, that there are none within the site.

Given the Biodiversity Officer's comments, it is suggested the information provided and potential impacts of the development are acceptable. Appropriate advisory notes would need to be attached to any permission to alert the applicant to responsibilities in the event that protected species are discovered in the course of setting out the site for the proposed use.

4.2.8 Sustainability

The Unitary Development Plan General Development Strategy sets the strategic aims of the County Council, and includes as a key objective to ensure development and uses of land are undertaken in a sustainable manner. On the theme of sustainability effects arising from development, TSM 12 (ii) includes a specific requirement that a site is close to and can be easily and safely accessed to the main highway network, without significant or inappropriate highway alterations. These policy tests are in support of the accessibility and sustainability objectives in Planning Policy : Wales, TAN 16, Strategic Policies 1 and 9 and STAT 13 of the Unitary Plan, which include the

reduction in the need to travel by private car by locating development to locations where there is good access by public transport, walking, and cycling; and reducing the length of journeys.

In relation to the specific tests in TSM 10 and 12 the site is accessed off a B road which is some 2km from the A525 and 12km from the A494. The Highways Officer has made no comments on issues of accessibility in this instance.

In weighing the sustainability issue, it has to be recognised that on the negative side, the location of the site in open countryside, with an infrequent bus service suggests a basic reliance on the motor car for trips which runs contrary to general sustainability principles. However, Officers' view here is that there are inevitably sustainability questions over any caravan development in open countryside, and these have to be taken into account and balanced against the support offered in planning policy for caravan development as a key element of a tourism strategy in the County. In this case, it is not considered the sustainability issue is of such weight that could justify a refusal recommendation.

4.2.9 Agricultural land quality

Strategic and detailed policies of the Unitary Plan (STRAT 1, 7; ENV 11) and Planning Policy Wales seek to protect high quality agricultural land from 'permanent' forms of development unless there is an overriding need. ENV 11 looks to resist unacceptable permanent loss of agricultural land of grades 1, 2 and 2a, except where overriding need exists, and land of lower quality is not available, or lower grade land has other specific statutory protection.

In this instance, the site lies within land shown as Grade 4 quality in the ADAS Agricultural Land Classification map of England and Wales, prepared on the basis of a 1966 soil survey. This is land of relatively poor agricultural value.

In the circumstances, as the land is not of high quality, there is no requirement to establish overriding need for the proposed use. The caravan use would also be seasonal in nature and give rise to limited disturbance to the land, hence it could easily revert back to agricultural use.

4.2.10 Economic benefits/diversification

In relation to farm diversification, Policy TSM 6 requires tourism related development is secondary or supplementary to the main use of the farm enterprise and does not unacceptably harm the permanent long term workings of the farm unit.

The site takes up 1.1ha of a large holding which is run as a sheep rearing unit.

The seasonal caravan use on the scale proposed would be clearly secondary/supplementary to the farm enterprise in this case, and hence compatible with the general theme of Policy TSM 6.

4.2.11 Inclusive access

Policy GEN 6, criteria vi) sets a requirement to consider the access needs of persons with disability, with additional guidance provided in SPG 8. TAN 12 and 18, together with the Council's document 'Planning and Inclusive design' provide further detail and advice.

There is limited information in the submission dealing with inclusive access

issues, but it does refer to the site being readily accessible with no major gradients. It states the toilet/shower block will have a ramped door access and a "high accessibility shower/wc unit".

Having regard to the scale and nature of the use, and the accessibility proposals outlined, Officers would consider that basic provision is being proposed for access for persons with disability.

5. SUMMARY AND CONCLUSIONS:

- 5.1 Current planning policies permit touring caravan site developments subject to meeting basic tests, requiring due consideration of local impacts. There is also encouragement for such tourism developments as part of farm diversification projects.
- 5.2 The proposal at Rhos Isaf is for a seasonal touring caravan use for 20 pitches. The site is relatively well screened and there are proposals to supplement the landscaping.
- 5.3 There are local concerns over the potential highway impacts of additional traffic along the B5431, and over additional activity, noise and disturbance.
- 5.4 The Head of Transport and Infrastructure raises no objections on highways grounds and there are limited concerns from other 'technical' consultees to the application.
- 5.5 Overall, Officers suggest the proposals are in compliance with current policies and merit support subject to inclusion of conditions to cover issues raised by the Environment Agency and other consultees.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No touring caravans shall be permitted to remain on the site between 31st October in any one year and 1st March in the following year, and within the permitted season for use of the land, no more than 20 touring caravans shall be stationed on the land at any one time.
3. The touring caravan use shall not be permitted to commence until a) access improvements and the track serving the site have been completed in accordance with the submitted plans; and b) the proposed toilet/shower block and its associated foul drainage system have been installed and are capable of use; and c) the local planning authority has been notified of the proposed date of commencement of the touring caravan use.
4. The use of a cesspool to serve the toilet/shower block shall not be permitted to continue beyond the end of the third full touring caravan season following the notification to the local planning authority of the commencement of the use in accordance with Condition 3; and the touring caravan use shall not be permitted to continue after that time other than following the formal written approval of the Authority to an alternative means of foul water disposal, and the installation of the approved system.
5. The toilet/shower block shall be removed from the site within one week of the end of each season, and shall not be brought back onto the site any earlier than one week before the start of the following season, other than with the prior written consent of the local planning authority.

6. None of the trees within the application site shall be lopped, topped, or felled without the prior written consent of the local planning authority.
7. The proposed additional planting shown on the plans shall be completed prior to the commencement of the touring caravan use. Any trees, hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the local planning authority.
8. The toilet/shower block shall not be brought onto the site until the prior written approval of the local planning authority has been obtained to the detailed treatment of the external walls and roof thereof. The block shall be in accordance with the details as approved under this condition at all times.
9. In relation to the use of the touring caravans:
 - (i) None shall be used other than for holiday purposes only.
 - (ii) None shall be occupied at any time as a persons' sole or main place of residence.
 - (iii) The site licence holder shall maintain an up to date register of the names and addresses of the occupiers of the touring caravans and the dates each caravan arrives on the site and leaves the site. The register shall be made available on request for inspection by officers of the local planning authority. Responsibility for the maintenance of the register shall be that of the caravan site licence holder or his/her nominated person.
10. There shall be no external lighting permitted within the site other than in accordance with such details as may be submitted to and approved in writing by the local planning authority.
11. The touring caravan use shall not be permitted to commence until the written approval of the local planning authority has been obtained to a suitable form of information/interpretation facility within the site to ensure awareness of the Geodiversity features of the locality. The agreed facility shall be displayed at all times during the touring caravan season.
12. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan and shall be completed prior to the commencement of the proposed use.
13. Full details of the alterations to the existing vehicular verge crossing shall be submitted to and approved in writing by the local planning authority before the commencement of any site works and the access shall be completed in accordance with the approved plans before the caravan site is brought into use.
14. The proposed access shall have a visibility splay of 2.4 x 70m in both directions measured along the nearside edge of the adjoining carriageway over land within the control of the applicant and/or the Highway Authority, within which there shall be no obstruction in excess of 1.05m in height.
15. Notwithstanding the detailing on the submitted site plan, the layout and treatment of the large vehicle 'turning area' at the north eastern end of the site shall not be as shown, but shall be in accordance with such alternative detailing as may be submitted to and approved in writing by the local planning authority prior to commencement of any work thereon

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt, to ensure caravan numbers do not exceed the approved

numbers at any time, and to ensure the use of the touring caravan use is seasonal in accordance with planning policy.

3. To ensure the site is served by a safe and satisfactory access and foul water disposal arrangement.
4. The use of a cesspool is not considered a satisfactory long term arrangement for foul water disposal.
5. In the interests of visual amenity.
6. In the interests of visual amenity and to ensure the protection of the Ancient Woodland.
7. In the interests of visual amenity.
8. In the interests of visual amenity.
9. In order that the authority is able to retain control over the uses of the caravans for holiday purposes only.
10. In the interests of visual amenity.
11. To recognise the significance of the local Geodiversity.
12. To provide for the parking and turning of vehicles clear of the highway in the interest of traffic safety.
13. To ensure the formation of a safe and satisfactory access in the interests of highway safety.
14. To ensure that adequate visibility is provided at the proposed point of access to the highway.
15. For the avoidance of doubt and in the interests of visual amenity

NOTES TO APPLICANT:

You are advised that Public Footpath 26 abuts the application site and that the Head of Transport and Infrastructure has drawn attention to the need to safeguard the footpath in connection with the proposals, i.e.

- No building materials to be stored on the right of way.
- No diminution in width of the Footpath as a result of the development.
- No alteration to the surface of the Path, unless approved via licence from the County Council. Please contact Paul Owen, the Rights of Way Officer, on 01824 706872 for further information.
- No additional barriers (e.g. gates) to be placed across the right of way, of either a temporary or permanent nature.
- The safety of members of the public using the right of way must be ensured at all times; if the path needs to be temporarily closed on safety grounds during construction, the developer will be required to apply for a closure 6 weeks prior to any works commencing. If so, the developer should contact Tania Evans of the Public Rights of Way Unit to discuss a possible temporary closure. Her telephone number is 017824 706923.

In relation to the foul drainage system, you are advised that the Environment Agency do not consider a cesspool to be an acceptable long term means of disposal, hence the requirement to secure the agreement of the local planning authority and the Agency to the details of and implementation of a more sustainable system no later than 3 years from the first use of the site. The Agency has advised that the developer will then need to register an exemption or apply for an environmental permit under the Environment Permitting Regulations 2010. In connection with Condition 11, you are advised to contact the Vice Chair of the North East Wales Regionally Important Geodiversity Sites group, Dr. Jacqui Malpas, c/o 30 Peel Hall Lane, Ashton, Chester to discuss an approach to provision of interpretative material. In relation to protected species matters, you are advised that if in implementing the permission and recommendations of the Ecological report, any statutory protected species

are found within the boundaries of the application site, all works should cease immediately and the Countryside Council for Wales should be consulted for further advice before proceeding further.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.