

<b>Application No</b>	<b>W/39590</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED CHANGE OF USE OF EXISTING PASTURE LAND TO A CAMPSITE - TO INCLUDE 1 SHEPHERD'S HUTS AND 5 TENTS AT PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA

<b>Applicant(s)</b>	MRS DIANE LUCAS, PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA
<b>Agent</b>	,
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Llanybydder
<b>Date of validation</b>	07/10/2019

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The application site lies 1km south of the village of Llanybydder and is located off Glantren Lane which leads from the A485 up towards Llanllwni mountain. The site is in an elevated position and currently comprises part of a paddock area to the rear of the property currently known as Penrhiwsych. The grassed site comprises a generally level site that is bordered to the west and south by mature hedgerow and trees whereas the northern and eastern boundaries are delineated by an electrical fence and garden boundary respectively. The boundary of the wider field area lies adjacent to a public right of way along the north western boundary.

The site has operated as a camping site since July 2019 under the 28 day permitted development rule. Access to the site is via a gated entrance to the side of the host dwelling from Glantren Lane, the access lane leads into a courtyard area beyond which is a tracked area leading into the field.

## Proposal

The development seeks to obtain planning permission for a permanent camping site comprising 5 tents and 1 shepherds hut. When originally submitted the proposal also sought permission for up to two motorhomes, but following concerns from the highway department, this element of the proposal has been eliminated. The proposal does not include any works to create permanent pitches, with the proposed shepherds hut intended to be able to be moved if necessary.

## Planning Site History

There is no relevant planning history relating to the site.

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

SP15 Tourism and the Visitor Economy

GP1 Sustainability and High Quality Design

TR3 Highways in Developments- Design Considerations

TSM2 Touring Caravan and Tent Sites

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – No objections following removal of the motorhome pitches, subject to imposition of conditions to secure visibility improvements to the existing access.

**Llanybydder Community Council** – Raised concerns over the single track and road access that will prove difficult to negotiate.

**Local Member(s)** - Councillor Ieuan Davies is a member of the Planning Committee and has made no prior comment.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of a site notice. two representations were received, objecting to the development on the following grounds:

- Neighbours have not been consulted by the applicant as indicated on the planning application form;
- Insufficient parking space for vehicles;
- Insufficient parking space for visitors with horses;

- No detail where residents of the existing bed and breakfast would park;
- Lane leading up to the site is very narrow with limited passing places;
- Lane users frequently use private entrances as passing places and the applicants have not approached owners of private entrances to ask whether visitors could use their entrances as a passing place;
- The applicants have no passing places or a splayed entrance into the site;
- Traffic generated by the proposal could obstruct private entrances;
- Other applications for planning permission have been refused on highway grounds or advised not to proceed due to highway concerns;
- Concern over proposed inclusion of campervans/motorhomes due to narrow lane;
- Concerns over intended use of cesspit and potential for sewerage to leak into watercourse network leading to a lake downstream;
- Concern over highway failures with collapsed drains and culvert that Highways Authority are aware of and if planning permission is to be granted these failures need to be prioritised.

All representations can be viewed in full on our [website](#).

## Appraisal

The main issues of the case are considered to be whether the principle of the development can be considered as acceptable, whether the development would have an unacceptable impact upon the character and appearance of the area and the living conditions of nearby residents and highway safety.

### Principle of development

Whilst the application site lies outside of the defined settlement boundary of Llanybydder, Policy TSM2 of the LDP specifies that planning permission for camping sites will be permitted provided that the site is directly related to settlement which exhibit appropriate services and facilities. In this regard, the application site is within walking distance of the village of Llanybydder which has a full range of services and facilities. The site is accessible to the village either via Glantren Lane or via a network of footpaths and whilst it is appreciated that the walk back up to the site would be uphill it is not considered that this conflicts with the policy requirement. It is therefore considered that in principle use of the land at the application site as a campsite is acceptable subject to other material planning considerations.

### Impact upon character and appearance of the area

The site is situated to the rear of the existing dwelling and its associated wider garden area and therefore would be rather seen as an extension of the existing built form in the area. The existing field boundaries help screen the site from views and this, coupled with the intended low number of pitches and restriction to tents only and only 1 hut, it is not considered that the use of the site would have an unacceptable impact upon the character and appearance of the area or wider landscape. This is further the case given that the proposal will rely on the existing access into the site rather than the creation of a new access point.

## **Impact upon living conditions**

Glantren lane serves a number of properties and farms, with the nearest property to the application site located approximately 150m to the south east, with the next nearest being approximately 300m to the north. This distance, coupled with the low numbers of pitches proposed, is not considered to give rise to concerns regarding impact upon the living conditions of nearby residents. Whilst evidently, two residents have raised concerns over the impact of the development on use of the lane, and particularly the use of private entrances as passing bays, it is considered that the number of pitches proposed is low and with the omission of the motorhomes element from the proposal it is not considered that the traffic generated by the proposal would have a detrimental impact upon the living conditions of residents in terms of the use of private driveways as passing places.

## **Highway Safety**

The objections received on the application have centred around the narrow access lane that is Glantren Lane and the lack of passing bays along the road. The application has been the subject of consultation with the Highway Authority who did raise concerns regarding the access lane on the basis of the proposal as originally submitted which included the motorhomes. It was deemed that should motorhomes be proposed then additional passing bays would be required given the size of such vehicles. However, since the motorhomes element has been omitted from the scheme, the highway Authority are now comfortable with the proposal on the basis of only 5 tents and 1 shepherd's hut, and therefore raise no objections in terms of use of the access lane for the proposed use.

Turning to the existing access, the highway authority has requested improvements to the visibility to ensure that there are no obstructions over a height of 0.9m (including hedgerows, vegetation, fence). A condition securing this prior to the use of the site and subsequently in perpetuity has been suggested. On this basis, no concerns are raised in relation to the access proposal.

In terms of parking, there is ample space within the rear courtyard area and beyond for the parking and turning of vehicles for both the existing residents (including the limited bed and breakfast use) and the proposed use. This is therefore not raised as a concern.

Therefore, in terms of highway safety, whilst the concerns raised by objectors are acknowledged, on balance it is considered that the proposal, as revised, would not result in a significant increase in traffic generation that would attract a sustainable reason for refusal on highway safety grounds.

## **Other Matters**

Objectors have advised that despite the applicant stating in the application that they have consulted neighbours not all neighbours have been consulted. Whilst this is a matter for the applicants, the application has been the subject of the statutory requirements for publicising planning applications. In terms of concerns over the use of a cesspit, the installation and subsequent maintenance of cesspit is the responsibility of the applicant. Concerns regarding the state of the highway itself, including collapsed drains and culverts is a matter for the Highway Authority to address under separate legislation.

## Planning Obligations

No planning obligations are required.

## Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development represents an appropriate low impact development in the location which is well related to the village of Llanybydder via the road and public footpaths. The site is well screened by existing mature vegetation and given its intended scale, would not have an unacceptable impact upon the character and appearance of the area or the living conditions of neighbouring properties. Whilst concerns regarding the access road leading up to the application site are acknowledged, given the scale of the proposal it is not considered that the traffic generated by the development would have an unacceptable impact upon highway safety. The application is therefore recommended for approval subject to the below conditions.

### RECOMMENDATION – APPROVAL

## Conditions and Reasons

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:1250 scale Location Plan received 2 October 2019
- 3 No more than 5 tents and 1 shepherds hut shall use the site hereby approved at any one time.
- 4 The shepherds hut accommodation hereby approved shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept 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.

- 5 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the application site's whole U5320 road frontage within 2.4 metres of the near edge of the carriageway.
- 6 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 7 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of clarity as to the extent of the permission.
- 4 To clarify the nature of the development and avoid the creation of unencumbered residential unit in the open countryside that would be contrary to National and Local planning policies and guidance.
- 5-7 In the interests of highway safety.

## Notes

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).