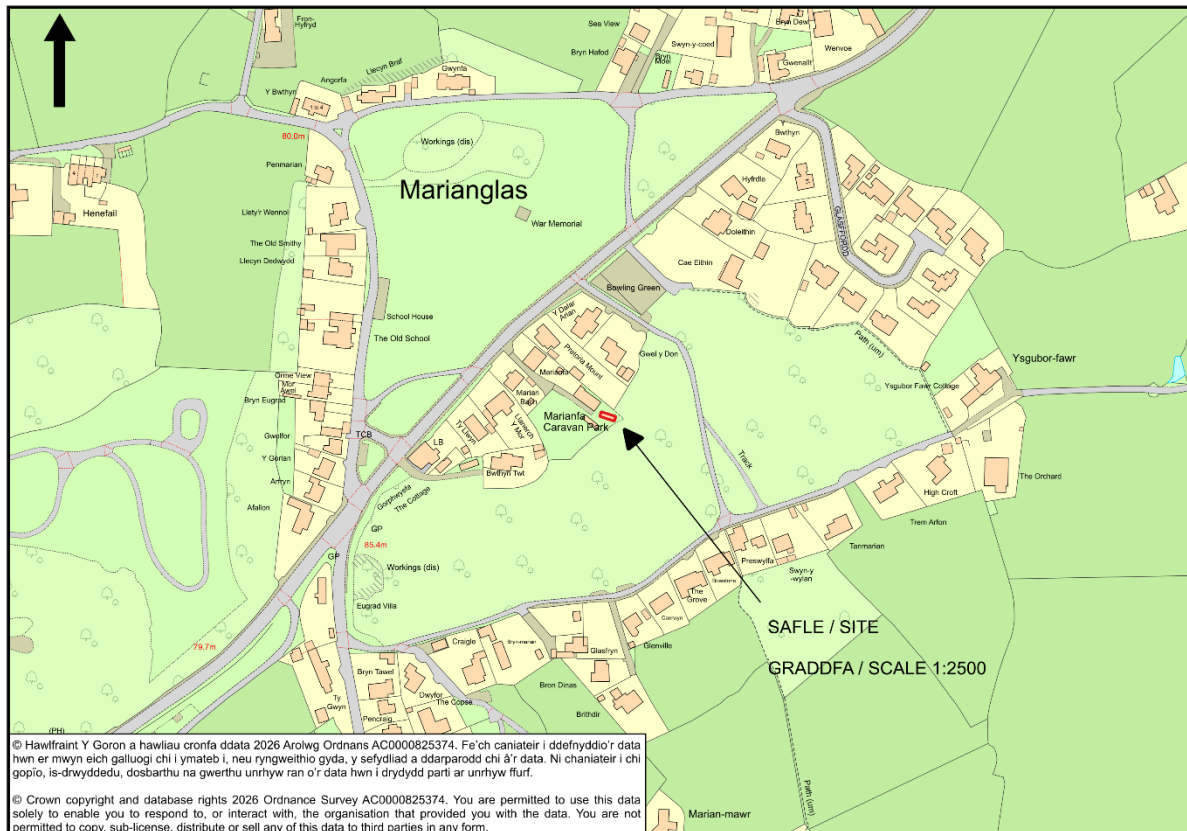


Application Reference: FPL/2025/258

Applicant: David & Susan Worthington

Description: Full application for the use of existing static caravan for temporary ancillary residential accommodation at

Site Address: Marianfa, Marianglas



Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)

Recommendation: Permitted with Conditions

Reason for Reporting to Committee

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

Proposal and Site

The site is located on an existing holiday site with the site having two static caravans and nine touring caravans for seasonal holiday use. The site is accessed along a private access from the B5110 road

through the area of Marianglas and is considered to be within the open countryside as defined by the Joint Local Development Plan.

The proposal is for the temporary use of one of the existing holiday let static caravans on site for residential use for the carers of the applicant who has need of medical care.

Key Issues

The key issues are whether the proposal complies with planning policies and does the temporary use have a negative impact on the existing site, neighbouring dwellings and the surrounding area.

Policies

Joint Local Development Plan

Policy PS 1: Welsh Language and Culture
Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy PS5: Sustainable Development
Policy PS6: Alleviating and Adapting to the Effects of Climate Change
Policy TWR 3: Static Caravan And Chalet Sites And Permanent Alternative Camping Accommodation
Policy TWR 4: Holiday Occupancy
Policy TAI 14: Residential Use of Caravans, Mobile Homes or Other Forms of Non-Permanent Accommodation
Policy PS 19: Conserving and where appropriate Enhancing the Natural Environment
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment
Supplementary Planning Guidance – Maintaining and Creating Distinctive and Sustainable Communities

AONB Management Plan (2023 – 2028)

Planning Policy Wales (12th edition)

Well-being of Future Generations (Wales) Act 2015

Technical Advice Note 5: Nature conservation and planning
Technical Advice Note 6: Planning for sustainable rural communities
Technical Advice Note 12: Design

Response to Consultation and Publicity

Consultee Responses
Cyngor Cymuned Llaneugrad Community Council: No observations received to date
Iechyd yr Amgylchedd / Environmental Health: Provided advice for the applicant
Polisi Cynllunio / Planning Policy: Provided planning policy advice

Cynghorydd Margaret Murley Roberts: No response received to date.
Cynghorydd Ieuan Williams: No response received to date.
Cynghorydd Ewyn Morris: No response received to date.

Publicity

The proposal has been advertised through the posting of personal letters of notification to the occupiers of neighbouring properties, a site notice placed on site and an advert in the local newspaper. The latest date for the receipt of representation on the 1st notifications was the 19/12/2025 and 29/09/26 on the 2nd notifications. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

26C16A - Cais am Dystysgrif Cyfreithlondeb ar gyfer defnydd tir fel maes carafanau yn / Application for a Certificate of Lawfulness for use of land as a caravan site at Marianfa, Marianglas. Gwrthod / Refused 17/07/2001

26C16B - Cais am dystysgrif cyfreithlondeb er mwyn defnyddio tir ar gyfer gosod 2 garafan statig i ddefnydd gwyliau rhwng 1 Mawrth a 31 Hydref ym mhob blwyddyn calendr a defnyddio'r tir ar gyfer storio hyd at naw carafan symudol rhwng 1 Tachwedd a'r 1 Mawrth olynol ac ar gyfer gosod hyd at naw carafan symudol i ddefnydd gwyliau rhwng 1 Mawrth a'r 31 Hydref olynol yn / Application for a certificate of lawfulness for use of land for the siting of two static caravans for holiday purposes between 1 March and 31 October in each calendar year and use of the land for the storage of up to nine touring caravans between 1 November and the following 1 March and for the siting of up to nine touring caravans for holiday purposes between 1 March and the following 31 October at Marianfa, Marianglas. Cyfreithlon / Lawful 29/10/2002

Main Planning Considerations

- Existing static caravan on site and the Enforcement Investigation
- Policy considerations
- Biodiversity and Green Infrastructure

(i) Existing static caravan on site and the Enforcement Investigation

This planning application is for the temporary use of one of the existing holiday let static caravans on site for residential use for the carers of the applicant who has need of medical care. The Enforcement Investigation (ENF/2025/49) into the use of the static caravan concluded that this was in breach of planning control and that temporary permission may be granted in exceptional circumstances. The applicant has submitted the planning application to rectify the breach in planning control.

(ii) Policy considerations

JLDP Policy PCYFF 1

Policy PCYFF 1 of the JLDP relates to development boundaries and states that outside the development boundaries development will be resisted unless in accordance with specific policies in the Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The application site is not located within a development boundary and does not therefore accord with policy PCYFF1. It is therefore necessary to consider whether the proposal conforms with other specific plan policies.

JLDP Policy PCYFF 2

Policy PCYFF 2 relates to development criteria and requires that proposals comply with relevant plan policies and national planning policy and guidance. It also states that where a proposed development would have an unacceptable adverse impact upon the health, safety or amenity of occupiers of local residences, that planning permission will be refused.

The existing holiday caravan site has no permission for the use of the static or tourer caravans as residential units. The applicants residential dwelling 'Marianfa' is approximately 45m away to the North West with the dwellings boundary being 19m away.

The nearest neighbouring dwelling to the static caravan is 'Gwel Y Don' approximately 28m away to the North with boundary fences, hedges and the garden area of dwelling 'Pretoria Mount' between. The garden area of dwelling 'Pretoria Mount' is the nearest garden area to the static caravan which is approximately 5m away with a tall boundary fence along the boundary.

The evidence submitted demonstrates that Mr and Mrs Worthington are providing ongoing care to Mrs Susan Worthington and that, due to the layout, size and occupation of Marianfa, suitable accommodation cannot reasonably be provided within the existing dwelling. The close proximity of the static caravan allows care needs to be met whilst maintaining an appropriate degree of independence for all occupants.

With the existing static caravan sited within the corner of the existing holiday caravan site where there is sufficient boundary screening and distances to neighbouring properties the proposed temporary use would not harm the amenities of neighbouring dwellings or their garden areas and would comply with planning policy PCYFF 2 of the JLDP.

JLDP Policy TAI 14 and TWR 4

Policy TAI 14 supports residential use of caravans in certain circumstances, such as temporary accommodation of workers during construction of approved building project or there is a need in connection with the establishment of a new rural based enterprise in line with national planning policy and guidance.

Policy TWR 4 supports existing holiday caravan sites to extend their opening seasons as long as the use of the caravans is for holiday purposes and does not become the occupant's main or sole place of residence.

National policy **Well-being of Future Generations (Wales) Act 2015** states in its well-being goals for 'a healthier Wales' the goal is '*A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.*' In its goal for 'a more cohesive Wales' it states '*Attractive, viable, safe and well-connected communities.*'

While the JLDP policies do not support residential use of existing static caravans for carers, policy TAI 14 does state that the residential use of static caravans for workers of building projects will only be granted temporary permission. National policy supports decisions which promotes health within their local communities.

The planning statement and medical note provided by the applicant's doctors confirm the medical need for temporary care of the applicant and that there is no existing space within the existing dwelling to accommodate the family who will be providing the care.

In exceptional circumstances such as this where there is a justified need determinations need to consider the material considerations of the proposal as stated in **Section 38(6) of the Planning and Compulsory Purchase Act 2004** and to balance the development plan against these exceptional material considerations. Section 38(6) states '*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*' Significant weight has been afforded to the exceptional medical circumstances of the applicant and the evidenced need for close family care. Limited weight is afforded to the conflict with Policies TWR 4 and TAI 14 given the temporary and personal nature of the proposal.

The **Well-being of Future Generations (Wales) Act 2015** also supports sustainable development through 'prevention'. Granting a temporary, compassionate intervention prevents a severe breakdown in family welfare and avoids unnecessary acute emergency admissions to local health facilities.

The proposal utilises an existing static caravan which is already lawfully stationed on the site. No additional caravan is proposed and no operational development is required. Consequently, the proposal represents the least intrusive means of meeting the identified care needs.

While the development is contrary to Policies TWR 4 and TAI 14 is acknowledged, the temporary residential use of this static caravan will have no negative harm on the existing holiday caravan site, neighbouring properties or the surrounding area and will be conditioned so that the use will return to a holiday let when care is no longer needed.

On balance, it is concluded that the exceptional circumstances of this application constitute an exceptional material consideration that outweighs the temporary breach of the holiday let caravan.

JLDP Policy PCYFF3, PCYFF4 and AMG 1

Policy PCYFF 3 states: *All proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged.*

Policy PCYFF 4 states: *All proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused.*

Policy AMG 1 considers proposals within or affecting the setting and/ or significant views into and out of the Areas of Outstanding Natural Beauty (AONB) and that have regard to the AONB Management Plan. The management plan states:

Owing to its existing position within the site, surrounding vegetation, boundary treatments and neighbouring development, the caravan is not considered to be prominent within the wider AONB landscape. The static caravan is located in the South Eastern corner of the site and is screened from view to the East by a high timber fence, trees/vegetation to the South with adjacent static caravan and building to the West and North directions respectively. There are no proposed changes to the existing caravan and or the site which would impact the visual appearance of the caravan or surrounding area.

The temporary use proposed would not change the visual appearance of the static caravan or the surrounding area with the development considered to comply with JLDP policies PCYFF 3, PCYFF 4 and AMG 1.

(iii) Biodiversity and Green Infrastructure

The updated advice in Chapter 6 of Planning Policy Wales (PPW) is to apply a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks, and deliver net benefits for biodiversity. The first priority is to avoid damage to biodiversity in its widest sense and ecosystem

functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered.

In accordance with the requirements of Policy AMG5 of the Joint Local Development Plan, Chapter 6 of the Environment Wales Act and the latest advice in PPW the proposal ensures that no existing trees will be affected by the development. The development proposes a bird box to be installed on the caravans North elevation. As no physical development is proposed and the application relates solely to a change of use of an existing caravan, opportunities for biodiversity enhancement are necessarily limited. It is considered that the proposal is acceptable and complies with the requirements of Policy AMG5, the Environment Wales Act and the latest changes to Chapter 6 of PPW.

Conclusion

In reaching this recommendation, regard has been had to the fact that the proposal involves the temporary occupation of an existing static caravan already present on an established holiday caravan site. No additional caravans, buildings, engineering operations or site expansion are proposed. The proposal therefore results in very limited physical or visual impact beyond that already authorised at the site.

Under these exceptional circumstances of this application the material consideration to grant a temporary use of the static caravan for carer accommodation outweighs the development being contrary to planning policies TAI 14 and TWR 4. The recommendation should not be interpreted as support for the permanent residential use of holiday accommodation generally. The circumstances of this case are highly unusual and relate to the specific and evidenced medical needs of the applicant, the availability of an existing caravan, and the temporary nature of the proposal. The development will include conditions which will restrict the use of the static caravan to temporary ancillary residential accommodation in connection with the applicants existing dwelling and that the holiday let use of the static caravan will return in a reasonable amount of time after care is no longer needed at the site.

Recommendation

The recommendation is approval of the application with the following conditions:

(01) The static caravan as delineated in red on the submitted location plan – Dated 30/10/2025 shall not be occupied at any time other than by Mr Paul Worthington and Mrs Julie Worthington for purposes ancillary to the residential use of the dwelling house known as Marianfa.

Reason: For the avoidance of doubt.

(02) Within three months of the cessation of the care need giving rise to this permission, the Local Planning Authority shall be notified in writing and residential occupation of the caravan shall cease.

Reason: For the avoidance of doubt.

(03) When the static caravan is no longer occupied by Mr Paul Worthington and Mrs Julie Worthington the local planning authority should be notified and the ancillary use of the static caravan shall cease and its use shall revert to its previous use.

Reason: For the avoidance of doubt.

(04) The static caravan shall not be occupied as an independent dwellinghouse and shall remain ancillary at all times to the use and occupation of Marianfa.

Reason: To prevent the creation of an unrestricted residential unit in the open countryside.

(05) The residential use of the static caravan shall cease within 3 years from the decision date of this notice and its use shall revert to its previous use.

Reason: To prevent the creation of a permanent unrestricted residential unit in the open countryside.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.