

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Councillor Gwyn John due to the significant level of neighbour representation, potential wildlife impacts and the justification for holiday let accommodation in the area.

EXECUTIVE SUMMARY

This is an outline planning application to use the woodland for tourism accommodation including details of access and appearance for 11 tree tents and associated structures to be used as seasonal tourist accommodation.

The main issues to consider in this application is the principle of the change of use, access and parking, visual impact, effect on the ancient woodland, impact upon protected species and habitats, and impacts upon the amenities of neighbouring properties.

Approximately 124 representations have been received raising concerns with respect to the use not being in character with the residential area, visual impact, the impact on the nearby residential amenity from increases in traffic, noise and disturbance, impact upon ecology as well as highway safety implications.

The application is recommended for approval subject to appropriate conditions.

SITE AND CONTEXT

The application relates to an area of mixed woodland to the south of Llantwit Major with access gained from the Ham Manor Park residential park to the south.

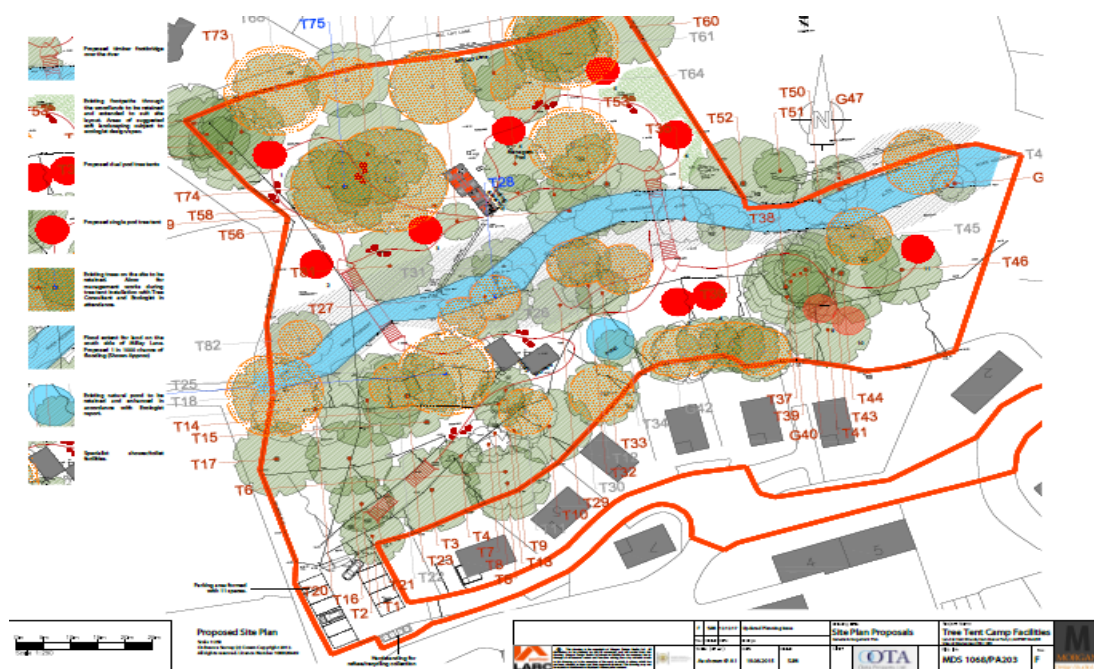
The site lies just outside of the settlement of Llantwit Major as defined by the Vale of Glamorgan Local Development Plan 2011-2026 and, as such, the site is located in the countryside. There are significant site levels differences at the site, which mean that the woodland floor is approx. 5m lower than the adjacent land. The River Hoddnant runs centrally through the site and as a result part of the site also sits within Flood Zone C2. The site lies adjacent to but not within the Glamorgan Heritage Coast. The site is also situated within Sand & Gravel and Limestone mineral safeguarding location.

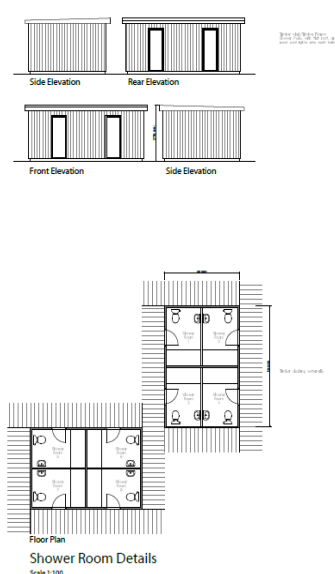


DESCRIPTION OF DEVELOPMENT

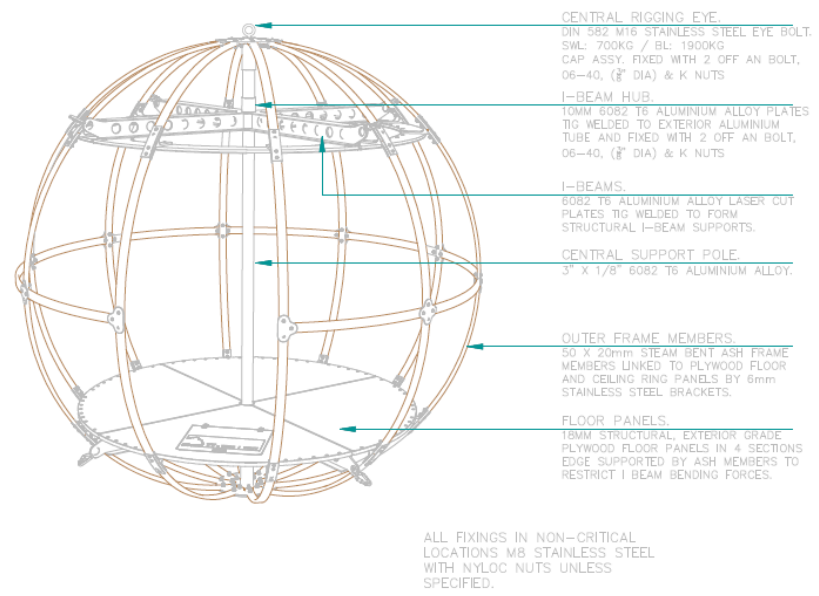
This is an outline planning application to use the woodland for tourist accommodation in the form of 'tree tents'. The application seeks consent for access and appearance with other matters including scale, layout and landscaping reserved for future consideration. The proposal is for 11 tree tents and associated structures to be sited within the woodland to be used as seasonal tourist accommodation between March and October.

The indicative plans show accommodation for 11 no. tree tents and ancillary infrastructure, including shower/toilet facilities and 2 no. bridges to provide pedestrian access across the River Hoddnant from the proposed car parking area to the south-west of the site.



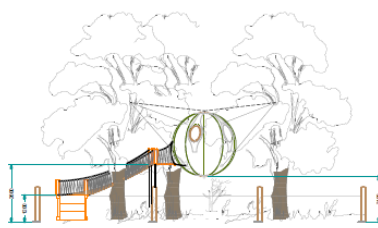


TREE TENT STRUCTURAL DETAIL.



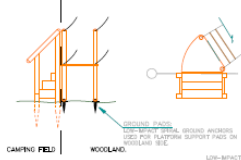
Tree Tent Construction Details
Scale 1:50

TREE TENT INSTALL INSTALLATION OVERVIEW



ELEVATION

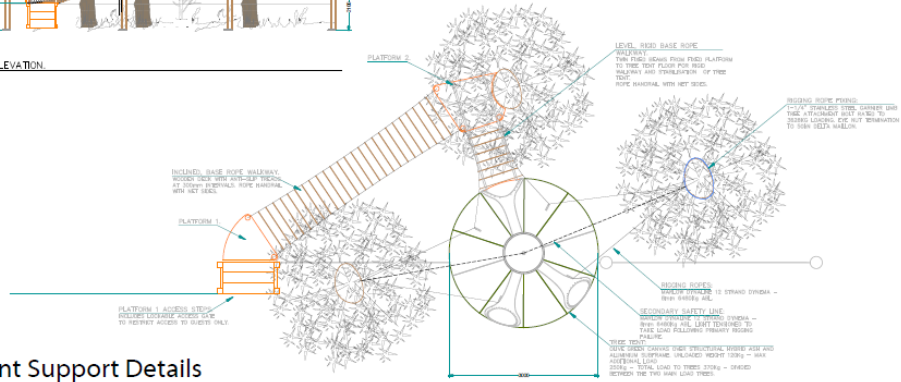
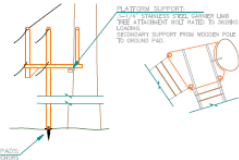
PLATFORM 1 DETAIL



CAMPING FIELD

WOODLAND

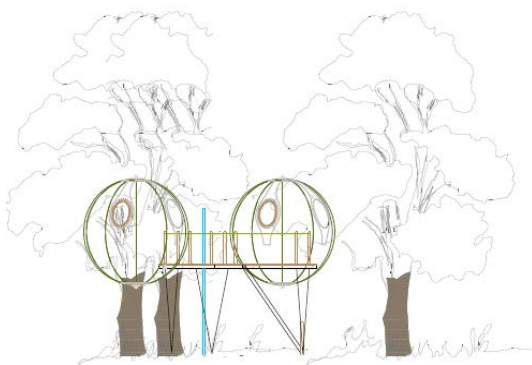
PLATFORM 2 DETAIL



Tree Tent Support Details

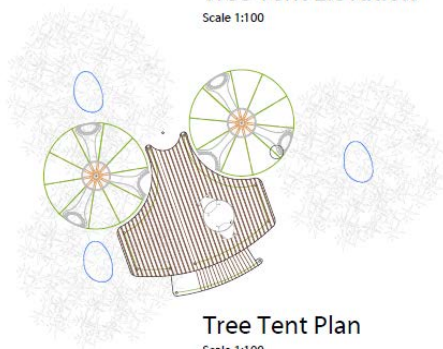
Scale 1:100

PLAN VIEW



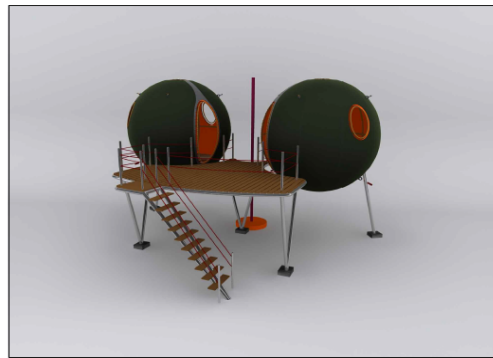
Tree Tent Elevation

Scale 1:100



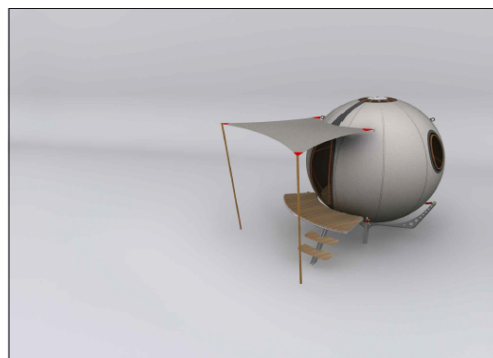
Tree Tent Plan

Scale 1:100



Tree Tent Stilt Detail

Scale NTS



Tree Tent Ground Cradle Detail A

Scale NTS

The application also includes the following supporting documents: -

- Tree Survey
- Design & Access Statement
- Ecology appraisal
- Bat Survey

PLANNING HISTORY

No relevant planning history on the site.

CONSULTATIONS

Llantwit Major Town Council - The Town Council want to encourage tourism and development to the town, however, the concerns of local residents must be considered and therefore the Town Council object to the application on the following grounds:

- 1) The difficult access to the site via the narrow lanes of both Ham Manor Park and Mill Lay Lane.
- 2) The development is considered unsuitable for the area.
- 3) The proposed development encroaches on the surrounding countryside which is part of a conservation area.
- 4) The ecological impact to the area.
- 5) The increase in noise, pollution and light from the proposed development to the residents of Ham Manor Park and Mill lay Lane.

Highway Development - No objections subject to conditions on cycle parking and the car parking provision being provided.

Council's Public Rights of Way Officer - No comments have been provided to date.

Tourism & Marketing - No objection to the proposal in principle.

Shared Regulatory Services (Pollution) - No objection but has made comments with respect to the wood burning stoves shown in the tree tents. Due to the topography of the land and height of the flue outlet, unless the 'correct fuel' were to be used, any smoke and odour generated through use of a wood burning stove would not be able to dissipate so as not to have a detrimental effect on residential amenity. To help alleviate any smoke/odour from having a detrimental impact, all fuel must be controlled and supplied by the 'Manager' of the site. In addition, this department advised that the applicant should be mindful that there are residential premises surrounding the site. This development will be attracting tourists and it would be important to consider the future Management of the site.

Shared Regulatory Services (Licensing) - The site would require a licence under Section 269 of the Public Health Act 1936. The campsite would be subject to a number of conditions including items such as period of use, spacing, boundaries, fire precautions, WC facilities and waste disposal. Conditions are based on the Model Standards for Holiday Sites. Should planning be approved an application for a site licence must be made before the site operates and an inspection will be required before any licence is granted.

Council's Ecology Officer - The Council's Ecologist initially sought further information and ecology reports in relation to impacts upon bats resulting from tree works. Following these submissions the Council's Ecologist states: We remove our objection to this application, however, we recommend that the issues regarding 1) tree removal for Health and Safety reasons, 2) exact positioning of tree pods, 3) lighting and 4) Japanese Knotweed treatment be addressed at Reserved Matters. We recommend that this consent includes two Advisory notices for the applicant relating to Japanese Knotweed and a Bat licence, if required.

Natural Resources Wales – Protected Species - No objections subject to the following conditions: -

Condition 1: European Protected Species (bats, dormice)- Construction phase method statement setting out the measures to mitigate potential effects to European Protected Species, to be agreed with the Local Planning Authority and implemented as agreed.

Condition 2: European Protected Species (bats, dormice)- a lighting plan for the development limiting lighting to the insides of the proposed tree tents and cabins, with no lighting of the wider woodland habitat, watercourses or trees with potential for bat roost provision, to be agreed with the Local Planning Authority and implemented as agreed

Natural Resources Wales – Flooding - The proposed accommodation appears to be located outside of DAM Zone C and our flood map outlines, and therefore we have no significant concerns regarding flood risk. However, as we advised in our previous letter, the proposed river crossings will require a Flood Risk Activity Permit.

Llantwit Major Ward Member - Councillor Gwyn John - Objection- Councillor John has indicated that the development would not comply with the relevant development policies, lack of waste management, impact upon nearby residential amenity by virtue of noise and disturbance, loss of trees, lack of good access would exclude the less mobile and impact upon crime. He has also indicated that the use would not complement the surrounding residential use, impact upon wildlife and visual impact as well as indicating the site is within a flood zone.

Llantwit Major Ward Member - Councillor Sally Hanks - Objection on the grounds that there are too many holiday rentals in this area already. The narrow lanes are too small to take all the extra traffic and pedestrians will be put in more danger as access is very difficult. Trees and shrubbery will be damaged and it will have a major detrimental ecological impact on local wildlife and many birds. Tree tents are going to appeal to youngsters, so many local people are worried about more noise and rubbish, and how this site will be managed.

Woodlands Trust - The Woodland Trust objects to this planning application on the basis of damage, loss and deterioration to Ham Wood (grid ref: SS972680), an area of ancient woodland designated on Natural Resources Wales' Ancient Woodland Inventory as Restored Ancient Woodland Site (RAWS).

REPRESENTATIONS

The neighbouring properties were consulted on 20 December 2017 and a site notice was also displayed on 3 January 2018.

Approximately 124 letters of representation have been received. The issues are summarised below: -

- Impact upon Countryside.
- Loss of trees and impact upon ancient woodland
- Impact upon wildlife.
- Danger to pedestrians from increased traffic and lack of lighting and walkways.
- Increasing traffic to the detriment of highway safety and congestion within the Ham Manor estate.
- Flooding from the river.
- Tents would be visible in winter months.
- Impact upon privacy.
- Impact on residential amenity by virtue of noise, disturbance, litter and increased vermin.
- Cesspit located within woodland, which raises concerns regarding fire safety when camping.
- Not enough information submitted with the application.
- Loss of value to adjacent houses.
- Infringing on Glamorgan Heritage Coast.
- Overdeveloped commercial tourist activity in quiet location.
- Sets a precedence for other applications.
- No Waste Management for the site.
- Tents not suitable for disabled persons.
- Lack of management details.
- This development should not be served by a private road.
- Unclear how many trees need to be destroyed as part of the scheme.
- No demand for this type of development.
- Too close to residential properties.
- Detract from nearby tourist services and existing accommodation.

- Light pollution.
- The use could increase activity out of season, which could result in an increase of crime.
- If this proposal is approved, there could be the potential for the business to expand and impact upon the woodland and wildlife to a greater extent.

Jane Hutt AM has expressed concerns regarding the impact on ecology, access to the site, and noise pollution. Further correspondence received in January 2019 relayed concerns from her constituents including the ecological threat to ancient woodland of increased human activity, in particular with regards vegetation and various fauna such as bats, otters and birds, access and noise pollution both in the construction and, later, the operation of the site.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy
 POLICY SP9 – Minerals
 POLICY SP10 – Built and Natural Environment
 POLICY SP11 – Tourism and Leisure

Managing Growth Policies:

POLICY MG19 – Sites and Species of European Importance
 POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species.
 POLICY MG22 – Development in Minerals Safeguarding Areas

Managing Development Policies:

POLICY MD1 - Location of New Development
 POLICY MD2 - Design of New Development
 POLICY MD7 - Environmental Protection
 POLICY MD9 - Promoting Biodiversity
 POLICY MD13 - Tourism and Leisure

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 10, 2018) (PPW) is of relevance to the determination of this application.

Section 5- Productive and Enterprising Places

- A Resilient Wales is supported by our agriculture and tourism industries and through the beauty of our natural, built and historic environment. Tourism development, which can finance preservation activities, needs careful management to ensure continued enjoyment by future generations. Sustainable agricultural practices can also assist in nature conservation and enhancement. Wales' topography also lends itself to renewable energy generation.
- A Vibrant Culture and thriving Welsh Language are supported by the provision of jobs and economic activity which needs to be strategically planned and managed. The Welsh language and culture makes a distinctive contribution to the viability of communities. Our tourism offer also needs promotion to capitalise support activities which reflect our distinctiveness.

Productive and Enterprising Linkages

The policy topics of the Productive and Enterprising Places theme can collectively work together to create sustainable places through development plan strategies, policies and allocations and development management decision making. In particular:-

- Capitalising on our existing natural and historic assets and new transportation infrastructure to maximise opportunities for tourism-related economic development;

5.5 Tourism

5.5.1 Tourism involves a wide range of activities, facilities and types of development and is vital to economic prosperity and job creation in many parts of Wales. Tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection.

5.5.2 The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. The planning system can also assist in enhancing the sense of place of an area which has intrinsic value and interest for tourism. In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In some places however there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors.

- 5.5.3 In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. Here development should be sympathetic in nature and scale to the local environment.
- 5.5.4 Much of the existing provision of facilities and accommodation for tourism occurs in urban locations, including historic and coastal towns and cities. There will be scope to develop well-designed tourist facilities in urban areas, particularly if they help bring about regeneration of former industrial areas. The sensitive refurbishment and re-use of historic buildings also presents particular opportunities for tourism facilities in all areas.
- 5.5.5 Long-distance routes, rights of way, disused railways, waterways and other green infrastructure are important tourism and recreation facilities, both in their own right and as a means of linking attractions.
- 5.5.6 Planning authorities should provide a framework for maintaining and developing well-located, well designed, good quality tourism facilities. They should consider the scale and broad distribution of existing and proposed tourist attractions and enable complementary developments such as accommodation and access to be provided in ways which limit negative environmental impacts as well as consider the opportunities to enhance biodiversity

Trees, Woodlands and Hedgerows

- 6.4.24 Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. They also play a vital role in tackling climate change by locking up carbon, and can provide shade and shelter, a sustainable energy source and building materials. The particular role, siting and design requirements of urban trees in providing health and well-being benefits to communities, now and in the future should be promoted as part of plan making and decision taking.
- 6.4.25 Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.
- 6.4.26 Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would

result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consider the advice of NRW. Planning authorities should also have regard to the Ancient Tree Inventory.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 13 – Tourism (1997)
- Technical Advice Note 15 – Development and Flood Risk (2004)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Biodiversity and Development (2018)
- Design in the Landscape
- Minerals Safeguarding (2018)
- Parking Standards
- Residential and Householder Development (2018)
- Trees, Woodlands, Hedgerows and Development (2018)
- Draft Tourism and Leisure Development (Jan 2019)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been

prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

Having assessed the provisions of the policies listed above it is considered that the main issues to consider are the principle of the tourism development in this location, the visual impact of the proposals, impact upon amenity of neighbouring residential properties, ecological issues, impact upon trees, parking provision and highway safety as well as mineral safeguarding.

Principle of the use

The site lies just outside the defined settlement boundary of Llantwit Major as identified within the Council's Adopted Local Development Plan 2011-2026. LDP policies SP1, SP11, MD1 and MD13 are all relevant and seek to secure sustainable development, protect the character of the open countryside and restrict new development to appropriate development in the countryside, including low impact sustainable tourism. In particular, Policy MD 13 states that proposals for the development of new tourism facilities will be permitted where the proposal involves sustainable low impact tourism in the countryside.

The Council's Draft Tourism and Leisure Development SPG has been developed to support and provide additional detail to the relevant LDP policies and is currently out to public consultation. It provides further information and guidance on low impact tourism in the Vale of Glamorgan. Paragraph 7.11.4 indicates that examples of low impact tourism development include visitor accommodation in the form of semi-permanent structures such as yurts, tepees or bell tents which can be easily removed and have a minimal impact on the locality. Where a proposal also requires some ancillary infrastructure such as amenity blocks, the preference is for such facilities to be provided in existing rural buildings. Having regard to this, it is considered that the development would be a form of low impact tourism for the purpose of Policy MD 13.

The development would consist of temporary and semi-permanent, structures, including the structured sphere shaped tents and the associated platforms along with small bridges and shower/toilet facilities. The indicative plans shows that the spherical tree tents are to be spread across the woodland area, with some in pairs and mounted above the ground by aluminium supports, rather than suspended from the trees. The aluminium supports will be fixed to ground plates attached to small concrete blocks or screw in ground anchors. The tents will then sit just above ground level and will be linked by small paths and two wooden footbridges across the River Hoddnant. The tree tent company have designed the rigging, attachment and mounting of the tents to be as non-evasive to the trees and surroundings. The associated amenity buildings are proposed as single storey, timber frame construction, set on simple raised stone setts or slabs with no permanent foundations. The

use is proposed seasonally (March to October), as such, the impact of the use and its intensity will differ throughout the year.

In terms of sustainability, the site is located next to the settlement of Llantwit Major. There are regular bus and train services from Llantwit Major. The bus services would be a 5 to 10 minute walk from the site while it would be a 10-15 minute journey (0.8 miles) on foot to the train station, which provides links to Cardiff and Bridgend. A certain number of car trips are an inevitable by-product of a semi-rural tourism site such as this, however, it would be possible for persons to access the site via train and bus and it is not so remote to dissuade persons from using public transport when visiting other locations from this site.

As the proposal is a sustainable low impact tourism development, it is considered to comply with Planning Policy Wales and LDP policies and is therefore the type of use that is acceptable in principle in this location.

Impact on Trees

A tree report was prepared by Julian Wilkes of Treescene Ltd., which indicated that a number of the trees on site are classified as dead or of a poor value that they would mean that they could not be retained for more than 10 years (55 out of 83 trees surveyed). However, the applicant has outlined in the Design and Access statement that no trees would be removed to enable the development as they form an important backdrop to the tree tent scheme, but some works may be required on trees nearest the proposed tree pods.

As the application is in outline at this stage, the exact siting of the tree pods is not yet known and any works to the trees (if necessary) would have to be considered at Reserved Matters stage when detailing the exact siting of the pods and any potential works to the trees. As such, despite concerns raised by residents and objections from the Woodland Trust, the use of the site for the tourist development would potentially only result in some minor works to trees that would be located close to the tree pods and would have limited visual impact upon the site and its surroundings. In addition, works to any trees could also be avoided, if needed, by amending the specific location of the pods during the reserved matters stage.

No objection has been received from NRW in terms of the impacts on trees and the Council's ecologist has indicated that the development will introduce management of the woodland that will be an improvement compared to the existing situation where little or no woodland management has been undertaken and public access has not been managed.

Visual Impact

The site is an identified area of mixed ancient woodland and is currently not being used for any specific use. The land is privately owned but it would appear that the land is currently used informally by members of the public for walking. The applicant has indicated that the woodland has been left unmaintained for many years and consequently has become neglected and somewhat overgrown, a view which is supported by the Council's ecologist.

The woodland along with the river habitats are considered to be of County level importance in their own right, while the site is of a local level importance for some protected species. The woodland currently provides a contribution to the rural and undeveloped character of the area. The site can be seen from close proximity from Mill Lay Lane and from around 250m to the west on a public right of way.

As set out above, the proposal does not involve significant loss of trees that could have an overall adverse visual impact upon the site and its surroundings. Details of precise work to trees and landscaping will be a matter for later consideration in the Reserved Matters application.

With respect to the tree pods and associated structures, the indicative plans shows that the spherical tree tents are to be spread across the woodland area, with some in pairs and mounted above the ground by aluminium supports, rather than suspended from the trees. Tent structures would be lightweight, hybrid aluminium and steam bent ash airframes. The spherical structure is enclosed by a cotton canvas. The shower/toilet facilities are shown as being housed in more traditional (proprietary) timber frame/log cabin structures in clearings fairly central to the site.

Depending on the height of the tent above the platform (not yet indicated) and the relative ground level in the woodland, the tents would be partially visible from the public highway on Mill Lay Lane and Raglande Court but views would be obscured by the distance and the woodland screening. Furthermore, the size and appearance of the tents including appropriate finishing colours will limit their visual impact outside the site.

The shower/toilet facilities, cooking and washing areas are shown as being housed in typical utilitarian style timber frame/log cabin structures in clearings fairly central to the site along with the footways bridges across the river. As these buildings and bridges would be located fairly centrally at a much lower level to the road, the buildings would have very little visual impact.

When taking the above into account and the possible public viewpoints of the woodland, it is considered that the visual impact of the tents and associated shower/toilet and kitchen facilities from outside the site would not have a significant impact upon the character and appearance of the woodland or the wider visual amenities.

The initial application did propose the access directly from Mill Lay lane, however, due to significant concerns being raised in respect to highway safety and potential visual impact of forming the access in this location, the application has been amended in order to access the site from the Ham Manor estate.

The access would be to the West of the Oaklodge (no. 5) Woodside Hamlet lodges. The proposed parking area is currently an area of grass to the West of the lodges. The vehicle access would be formed at the higher level adjoining the lodges and only proposes pedestrian access into the woodland from this point. As the parking area would adjoin the Ham Manor estate and would only alter the character of the garden land near to the lodges, it is considered that the visual change to the character of the land would not be significant.

Moreover, the new access would only be visible from inside the private Ham Manor estate and it is considered that the change would not unacceptably impact upon the appearance of the land at this location adjoining the existing holiday park.

It is therefore considered that the visual impact of the proposals would not be significantly harmful to the character and appearance of the site, complying with the requirements of Criteria 1 of LDP Policies MD1 and MD2.

Impacts on Ecology

The woodland is ancient and along with the river habitats are considered to be of County level importance in their own right, while the site is of a local level importance for protected species. Otters are also thought to use the river habitat for foraging.

Policies MG20, MG21 and MD9 indicate that new development proposals should not have adverse impact upon priority habitats and protected species and should conserve and where appropriate enhance biodiversity interests. The application is supported by a Phase 1 habitat survey and a series of species specific surveys and assessments to determine the presence and importance of the habitat to those species on the application site. The ecology report and its findings are detailed below: -

Amphibians

In respect to the proposed development, the updated ecology report indicates that the proposals would not be likely to affect Great Crested Newts and the likelihood of them being located within the woodland is low.

Birds

Birds are found within the woodland but are only likely to be effected by the proposals if significant numbers of the trees are to be removed. In this instance, any works to the trees in order to accommodate the specific location of the pods (not yet known) can be carried out outside the bird nesting season (March - August) (**condition 13 refers**).

Dormice

Although no substantial evidence of Dormice was found on site, their presence cannot be ruled out. The development would not result in works that are likely to affect the potential Dormice habitat other than the amenity buildings, which would result in a loss of a small area of the woodland ground flora. As such, any clearance of the land for this part of the development would take place with the supervision of an ecologist and at a time when Dormice are active (April to October) (**see Condition 12**). Therefore the proposed development would not have a significant impact upon Dormice.



Bats

From the initial survey, 26 of the trees surveyed (grade 1* and 1) were thought to hold potential for bat roosts. A further tree climbing inspection survey was carried out in July, August and September 2018 in order to inspect the trees with likelihood for bat roosts and these were cross referenced with those identified as ones with health and safety concerns and also those near to the indicative location of the tree pods.

Following the tree climbing survey, the 26 trees that were thought to hold potential for bat roosts was reduced to 13 trees. Of the 13 trees only T3 and T8 lie within close proximity of the development and could potentially require some work in order to facilitate the development.

The Ecology report indicates that although T3 is close to the path, it no longer has a top and therefore no limbs would need to be removed for safety reasons. T8 also lies close to the path and it is indicated that if any limb removal is thought to be necessary then ecological supervision would be required. Tree surgeons would be directed away from any trees where bat roost features have been found and where this is not possible and works must be carried out to the tree then a further tree climbing survey would be carried out and an application would be made to NRW for a licence if the bat roost does need to be destroyed. Mitigation of the loss of any bat roost would consist of artificial roost replacements.

Enhancement

The report also sets out biodiversity enhancements. Various enhancements are proposed to increase the plant species diversity of the woodland itself and open the canopy when necessary. Wildlife boxes for three different species groups will be installed throughout the woodland while at least one otter holt and brash piles will be added to provide additional resting sites for birds, bats, dormice, otters and amphibians.

The Council's Ecologist along with Natural Resources Wales (NRW) were consulted on the updated Ecology Appraisal and have not raised any

objection to the proposed use, subject to conditions regarding a method statement for the protection of species during the construction phase of the development (see condition 11), a lighting plan (see condition 14) and a treatment plan for the Japanese Knotweed found on the site (see condition 16).

Having regard to the information contained within the Ecology appraisal, it is considered that the proposal would not have an adverse impact upon the priority habitat or the protected species and will conserve and enhance the biodiversity interests on the land. Where the development is likely to have any impact upon the protected habitats and species, the report has set out appropriate mitigation measures.

As a consequence, the development is considered acceptable in this regard and complies with the requirements of LDP policies MG20, MG21 and MD9 as well as the Council's Biodiversity and Development SPG.

Impact upon neighbouring amenity

The proposal has attracted substantial local objections in respect of the impact upon the nearby residences by virtue of noise and disturbance, litter, fire safety and crime from the use of the site and the potential traffic movements to and from the site.

The site is located within relatively close proximity to Woodside Hamlet (tourist lodges) and the Ham Manor estate (retirement park) with static park homes as well as some converted buildings to the South West. To the North is a modern residential estate at Raglande Court and Whitewell Drive. A further dwelling, Ham Lodge, is located to the East. Woodside Hamlet lodges along with 1 and 2, The Green and 20a and 21, Ham Manor Estate directly adjoin the site. A paddock of land within Ham lodge ownership does adjoin the site but it is understood that it is not garden. As such, it is separated by approximately 40m distance. The nearest dwellings, Raglande Court (no 14 and 17) and 25, Whitewell Drive, are approximately 10m from the woodland edge across Mill Lay lane and approximately 10m higher than the woodland base.

While the tents would be elevated on platforms, the indicative site layout sets out that the tents are all situated within the woodland. The nearest tree tent would be within 14m of No. 1 Woodside lodge, however, there is a significant difference in level between the tent and the lodge (5m difference). All the other tents and associated structures would be located in excess of approximately 21m from the nearest neighbours. As such, given the location, the level differences and the distance there are no significant concerns over the proposals being overbearing or impacting upon light or privacy.

The noise that could potentially be generated by the use relates to the possible volume of multiple voices, movements and activities of those attending the site at different times of the day and night. While it would be expected that levels of noise may increase with the change of use and type of accommodation proposed, it is considered that the number of tents proposed is relatively modest.

While the nearby properties may be affected without adequate management and controls, the Environmental Health Officer has raised no objections to the principle of the development but indicates that consideration would need to be taken on the potential impacts of the wood burning stoves smoke /odour (proposed within the tents) and the noise associated with the use.

Given the small scale of the accommodation, it is considered that effective site management would address many of the amenity concerns raised by residents with respect to noise, odours, operating times, waste disposal and litter etc. In terms of management of the site, as the application is in outline, the applicant has not submitted any specific details and indicated that this would be set out within any subsequent reserved matters application. Condition 15 is recommended requiring a management plan to be submitted prior to the beneficial use of the site. In addition, a site license would be required which would place further control over such issues.

Accordingly, while there would be a degree of impact from the use, it is considered that the small scale of the accommodation proposed (11 pods) along with the seasonal operational times, coupled with appropriate management would mean that the use could be carried out without impacting significantly upon nearby residential amenity.

Accordingly, subject to conditions on the specific management of the site, it is considered that the proposal will not detrimentally impact upon the amenity of adjoining neighbours, complying with the requirements of LDP policies MD2 and MD7.

Parking and Highway Safety

In respect of access to the site, this will be along the existing internal access road serving the residential park. There is no pavement along this road but traffic calming (speed reduction) measures have already been installed. The application also proposes 11 parking spaces (including one disabled space) for the proposed development.

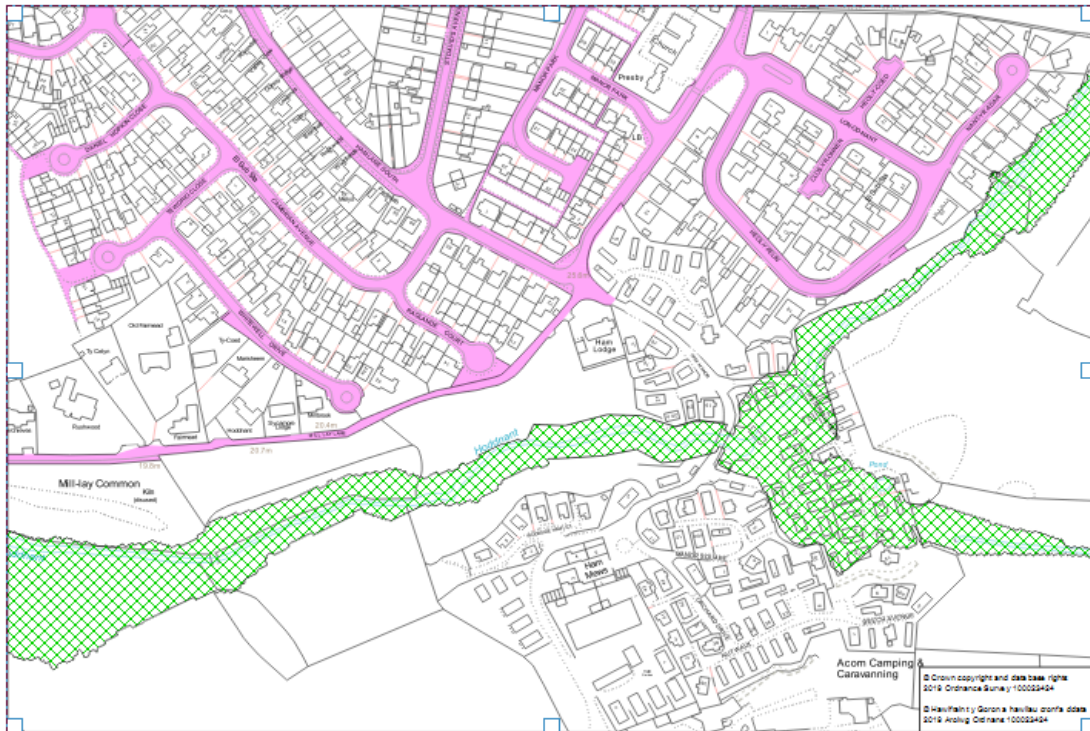
The area immediately adjoining the site is in a mix of residential and tourism use. Whilst the creation of 7 single and 2 double pod units would add to the traffic along the route it is considered that the number of units would not result in a significant amount of traffic and the increased use of the adopted highway for the development proposed would be acceptable.

The Council's Highways Officer has been consulted and has not raised any objections regarding the increase of traffic to the site or the number of parking spaces proposed. As such, the proposal complies with the requirements of LDP policies MD1 and MD2.

Flooding

The proposed development site lies partially within Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). The Flood Map

information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Hoddnant.



The proposed accommodation would be located outside of DAM Zone C and, therefore, National Resource Wales have no significant concerns regarding flood risk. However, the proposed river crossings will require a Flood Risk Activity Permit and the applicant would have to seek consent for the permit from National Resource Wales.

As such, the proposal complies with the requirements of policy MD7 of the Adopted LDP 2011-2026 and the advice and guidance contained within. TAN15.

Drainage

The planning application indicates that the surface water will be disposed of via soak away while the toilets are eco-toilets that would compost the waste. Although the principle of dealing with surface water and foul waste appears acceptable, no formal details have been submitted regarding drainage at the site.

As such, it is recommend that any consent should include a drainage strategy (see Condition 10) which should explore all opportunities for sustainable surface water management, its adoption and maintenance as well as disposing of foul waste.

Mineral Safeguarding

The site is also situated within a Sand & Gravel and Limestone mineral safeguarding location. Policies SP9 and MG22 of the LDP relate to minerals safeguarding areas and significant weight are given to safeguarding these resources. However, given the location of the development on ancient woodland and within close proximity of residential dwellings, it is considered that the extraction of the resource on the application site would have a significant impact on the amenity of the residential dwelling as well as the sensitivity of its location at an ancient woodland and adjoining the Glamorgan Heritage Coast. Therefore, it is considered the proposal would not impact upon the potential future extraction of the mineral, complying with Policies SP9 and MG22 of the LDP.

REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to policies SP1 – Delivering the Strategy, SP9 – Minerals SP10 – Built and Natural Environment, SP11 – Tourism and Leisure, MG22 – Development in Minerals Safeguarding Areas, MG19 – Sites and Species of European Importance, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD1 - Location of New Development, MD2 - Design of New Development, MD7 - Environmental Protection, MD9 - Promoting Biodiversity, MD13 - Tourism and Leisure it is considered that the proposed tourist development would not unacceptably impact upon the character of the woodland or the wider area, the residential amenities of neighbouring properties, the safety or free flow of traffic, flooding, drainage or any protected habitats or species. It is also considered that the development represents a positive tourism use which would support the local rural economy, in accordance with the aims of the above policies and guidance.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

Approve