

Date/Dyddiad: 17th December 2021

Ask for/Gofynwch am: Mrs. Helen Winsall

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Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/HW/2021/00138/PRE

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Geraint John
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Dear Mr John

Town and Country Planning Act, 1990 (as amended)
Pre-Application Enquiry Reference: 2021/00138/PRE
Location: Wild Rose Cottage, Dyffryn Lane, St. Nicholas
Proposal: Proposed mixed unit holiday accommodation scheme

I refer to your pre-application enquiry received on 30th July 2021, in respect of the above development. Having considered the above, I respond as follows.

Local Context and Constraints

The site sits to the south east of Wild Rose Cottage and is accessed via one of two vehicular access points into Wild Rose Cottage from Duffryn Lane. The site is approximately 0.79 hectares in size.

Part of the site accommodates a former yard area with associated buildings. However this has become rather overgrown and the buildings are dilapidated. The rest of the site is green, well vegetated land.

None of the site appears to be within the curtilage of the house, although the former yard area has a close relationship with it.

The site is outside the settlement boundary and within the Dyffryn Basin and Ridge Slopes Special Landscape Area.

The land is predicted to be Grade 3a (good to moderate quality agricultural land). The site is also identified as within an area for safeguarding sand and gravel resources

It is noted that there is a watercourse running through the site. Part of the site is considered to be at risk of surface water flooding, with the risk being defined in some areas as intermediate and some as less.

There is a tree preservation order in place that covers trees along the south western boundary of the site (No 4, 1952).

There is ancient woodland adjacent to the site in the east, which is also a Site of Importance for Nature Conservation (SINC).

The site is approximately 280 metres away from the Tinkinswood Burial Chamber Scheduled Monument.

Areas of potential great crested newt habitat have also been identified close to the site.

Proposal

The proposal is for holiday accommodation. The existing access point into the site is proposed to be used.

The proposal would involve the conversion of two existing buildings into accommodation, the demolition of existing dilapidated barns, and their replacement with two double holiday lodges, four glamping pods, fifteen touring caravan and camping pitches and the provision of access, parking and bridging of two watercourses on the site.

Relevant Planning History

None

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 Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP 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 MG17 – Special Landscape Areas
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species
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 MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD11 – Conversion and Renovation of Rural Buildings
POLICY MD13 - Tourism and Leisure

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this proposal:

Chapter 3: Setting and achieving our ambitions

- 11 Future Wales’ outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.
- In the absence of SDPs, development management process needs to demonstrate how Future Wales’ regional policies have been taken into account.

Policy 4 – Supporting Rural Communities

- Supports sustainable and vibrant rural communities.

Policy 9 – Resilient Ecological Networks and Green Infrastructure

- Action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

Policy 12- Regional Connectivity

- Active travel must be an essential and integral component of all new developments.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to this proposal.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this proposal:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Sustainable Management of Natural Resources
- The Best and Most Versatile Agricultural Land
- Development in the Countryside (including new housing)

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications, transportation Infrastructure, economic development, tourism and the Rural Economy)

Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)
- Recognising the Environmental Qualities of Places (water and flood risk, air quality and soundscape, lighting, unlocking potential by taking a de-risking approach)

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 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 10 – Tree Preservation Orders (1997)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 13 – Tourism (1997)
- Technical Advice Note 23 – Economic Development (2014)

- Technical Advice Note 24 – The Historic Environment (2017)

Welsh National Marine Plan:

National marine planning policy is in the form of the Welsh National Marine Plan (2019) (WNMP). The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales. WNMP is of limited relevance in the assessment of this proposal.

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)
- Conversion and Renovation of Rural Buildings (2018)
- Design in the Landscape (2006)
- Minerals Safeguarding (2018)
- Parking Standards (2019)
- Sustainable Development - A Developer's Guide (2006)
- Tourism and Leisure Development (2019)
- Trees, Woodlands, Hedgerows and Development (2018)

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 letter has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In the advice 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

Policy SP11 (Tourism and Leisure) of the Local Development Plan states that proposals which promote the Vale of Glamorgan as a tourism and leisure destination will be favoured. The policy goes on to say that favourable consideration will be given to proposals which enhance the range and choice of the Vale of Glamorgan's tourism and leisure opportunities, particularly through the provision of all year round facilities and a range and choice of visitor accommodation in appropriate locations; favour rural diversification and the local economy; and protect existing tourism assets and promote the sustainable use of the countryside and the Glamorgan Heritage Coast.

Paragraph 5.100 of the Local Development Plan below this policy confirms the importance of ensuring that tourism is undertaken in a sustainable manner.

Policy MD13 (Tourism and Leisure) allows new or enhanced tourism proposals where the proposal is located within the key settlement, the service centre settlements, primary settlements and minor rural settlements; or forms part of a rural enterprise or farm diversification scheme or involves the conversion of an existing rural building in accordance with Policy MD11; or involves sustainable low impact tourism and leisure proposals in the countryside.

The proposal is not within or adjacent to any settlement boundary, and does not appear to be part of a rural enterprise or farm diversification scheme. There are buildings on the site which could be considered for conversion, and therefore these would have to be considered acceptable under Policy MD11 of the Local Development Plan, with the rest of the proposal being considered low impact tourism, for the proposal to be considered acceptable in planning terms.

Paragraph 7.11.3 of the Council's Tourism and Development SPG advises that sustainable Low Impact Tourism proposals would be expected to have the following characteristics:

- Are sensitively located and designed to minimise their impact on water, soil and existing landscape features;
- Utilise sustainable sources of water and energy, and provide servicing without significant modifications to existing infrastructure;
- Are of an appropriate scale sympathetic to their location and surrounding uses;
- Are compatible with surrounding land uses, and do not detract from existing agricultural activities where applicable;
- Utilise existing road infrastructure without the need for highway improvements or avoid causing adverse effects on the existing highway network;
- Are accessible to sustainable modes of transport e.g. train, bus, cycle tracks and walking routes;
- Require limited supporting infrastructure such as parking;
- Contribute directly to nature conservation objectives;
- Provide opportunities to promote greater understanding and enjoyment of the natural environment and local heritage and
- Generate wider benefits to the local economy.

As such any tourism scheme for the site will have to be designed giving full consideration to how it complies with the above.

Overall, it is commented that this is quite a significant sized tourism scheme and it is noted that significant works will be required to provide buildings, glamping pods access, parking and bridges. Whether the final scheme can be considered as low impact tourism will depend on issues such as whether the rural character of the site can be retained, including the retention of trees and biodiversity, the provision of appropriate additional landscaping, the design of buildings proposed and the layout and materials used for the access and parking areas.

As presently proposed, unlike other tourism sites where the touring/camping pitches and lodges are located in much larger fields and do not dominate the character of the existing field, due to the limited size of the site the whole site will be dominated by the proposed use with what appears to be a high level of intensity. As a whole, this would not be considered to constitute low impact tourism given the scale of the operational development proposed and the material change this will have on the character of the site.

I would comment on the individual aspects of this proposal as follows.

Access into the Site

The proposal will utilise the existing access and it is acknowledged that you intend to retain trees at the access and provide some further tree planting, which is welcome. However the proposal is likely to result in a significant increase in the number of vehicles using this access. Therefore the access will need to be an appropriate width and have adequate visibility for the vehicles that are going to use it. It is noted that you are intending to increase the width of the access.

A Transport Statement will be required with any planning application to address access and traffic issues, including the suitability of the access arrangements shown. Please note that due to the rural location of the site, access improvements that result in the frontage appearing heavily engineered or that result in the loss of trees or hedgerow are unlikely to be considered acceptable, and would be unlikely to be considered as creating low impact tourism.

It is also noted that the site is approximately 750 metres from the nearest bus stops on the A48 and the footway into the village starts at Dyffryn Close, which is approximately 400 metres away from the site. Consideration will need to be given to the safety of pedestrians walking on this stretch of road in the above statement. In addition, while the development size does not meet the threshold for a formal travel plan, due to its location away from public transport provision, consideration will need to be given to promoting active travel (subject to safety considerations) and reducing the number of car journeys that could be associated with the site.

Conversion of Buildings

Two buildings in the former yard area at the front of the site are proposed to be converted into accommodation.

The first of these buildings is a red brick outbuilding. Having viewed this, it appears in reasonable condition. Subject to the proposed alterations to the building being minimal and a survey to confirm substantial reconstruction is not required, in accordance with Policy MD11 and the Council's Conversion of Rural Buildings SPG, the conversion of this to a tourism use is considered acceptable in principle. A smaller building adjoining this is proposed to be retained for laundry and linen storage and there is no objection to the principle of this either.

The second building is in a much more dilapidated state and its conversion will require a substantial rebuild. However, it is noted the building is relatively small and close to the existing house, within the former yard area. If the structure that is present can be utilised without requiring further demolition, it may be considered acceptable as part of a low impact tourism proposal. Again a structural survey would be needed to confirm that further demolition work wasn't required.

It is noted that it appears that the existing garage is to be retained for the private use of the occupants of the house. However, its reuse as a building for the scheme could result in one less new building having to be constructed on the site. It is considered that this could accommodate the reception/front of house area.

New Buildings

It is noted that dilapidated buildings are proposed to be replaced with two double lodge buildings, which will be in the former yard area. Four glamping pods are proposed in the area to the other side of the watercourse, which appears undeveloped and well vegetated. A bridge would be required to access these. A new cabin to provide a reception/front of house area is proposed.

I am initially concerned that this proposal involves seven new buildings in the countryside, and in a Special Landscape Area.

In respect of the lodges, it is noted that they are larger buildings and, given the site location, it is therefore a concern as to whether they can be considered part of a low impact tourism proposal. I do not have any details of the lodges proposed, i.e. whether they are of a simple cabin design or whether they appear more as holiday cottages. However, it is acknowledged that they are on the former yard area and that their visibility off site is going to be limited. Whether they can actually be considered as part of a low impact tourism scheme is going to depend on their design and context within the rest of the development, including factors such as the amount of other development proposed in the overall scheme, how much of the existing vegetation will be retained and the level of ground works required.

It is acknowledged that the glamping pods in themselves are much smaller structures and their provision is less of a concern in itself. However, it is also noted that they would sit within an area that is well vegetated and currently has quite a wooded, natural appearance. This will need to be retained in any proposal and the groundworks to provide access, parking etc. kept to a minimum. The pods should appear as structures sitting within a wooded, natural area, rather than an area dominated by the pods and the works needed to accommodate them. A tree survey/arboricultural impact assessment and relevant ecology surveys will also be

required to establish whether there are any significant impacts on trees and ecology from the proposal (see below), as such impacts would make the proposal less likely to be considered low impact tourism.

As set out above, it is recommended that the reception/front of house functions should be provided in the existing garage, to avoid the need to provide a further building for this purpose.

Camping and Caravanning Pitches

15 pitches for camping and touring caravans are proposed in the field in the north of the site. This part of the site is further away from the house. It is accepted that the site is well screened by vegetation and the off-site visual impacts and impacts on the wider Special Landscape Area are likely to be limited. Again it is noted that a water course will need to be bridged to reach this part of the site. There is no objection to the principle of providing camping and caravanning pitches, subject to the level of provision not dominating the character of the field as such (see above), minimal works being undertaken to provide the pitches, and the proposals being acceptable in respect of the retention of biodiversity and impacts on the quality of agricultural land.

I have noted that the proposed grasscrete access road extends for some length into the site to provide access to the pitches, and in plan form this has a rather formal and engineered appearance (see below).

Internal Access and Parking

It is noted that a lengthy access track is provided through the site, with a number of parking spaces on the site as well. You are intending to construct these from a mix of grasscrete and crushed stone.

On paper, the works seem to give the site rather an engineered appearance. Further consideration will need to be given to how access and parking are provided, to ensure the works fit the definition of low impact tourism. The amount of surfacing provided should be kept to a minimum (although it is accepted that the yard area already has a concrete surface) and parking and manoeuvring areas should be laid out informally with use of minimal markings, signs and edging. It is noted the surfacing has been removed from the proposal for the camping and caravanning pitches, which is welcome. Materials should have the lowest possible impact and those that require minimal ground works, such as grass protection mats, would be preferred, particularly on the areas of the site that are not already surfaced.

Agricultural Land Classification

In accordance with paragraph 5.8.2 of the Tourism and Development Supplementary Planning Guidance, low impact tourism would not be expected to sterilise the best and most versatile agricultural land. This includes Grade 3a land, which is the predicted agricultural land classification for this site. This reinforces that development will only be considered acceptable if it is carried out in a way that minimises damage to the quality of the land, through the use surfaces that require minimal ground works

and minimal digging for utilities. Again, given the level of development presently proposed on site, it is hard to see how any of this best and most versatile agricultural land can viably be retained for agricultural use and this would result in the loss of this finite resource. An agricultural land survey should be provided with any planning application.

Trees/Ecology

A tree survey/arboricultural impact assessment and preliminary ecology survey should be provided for the whole site. In respect of the preliminary ecology survey, any surveys that are recommended as a result of this will also need to be carried out and submitted.

While such surveys will need to be determined by the initial survey, it is noted there are a number of great crested newt records in the area and it is considered that this is likely to require further survey work. In addition the conversion/demolition of buildings is likely to result in requirements for further bat surveys.

In respect of the impact on trees, the proposal should avoid the need to fell trees, regardless of whether those trees are covered by a tree preservation order.

It is considered key to the proposal being considered low impact tourism that trees, other vegetation and biodiversity are retained on the site. It is noted that additional tree planting is proposed and this is also considered important to enhance biodiversity and to ensure the buildings and pitches remain as low key features within the site. A landscaping scheme should be produced that includes the retention of existing landscaping and habitat, supplemented by additional planting and other biodiversity enhancements.

Surface Water Flood Risk

I advised at our meeting site that this proposal would require a flood consequences assessment due to the impending publication of the new version of Technical Advice Note 15. As I am sure you are aware, the publication of the new TAN 15 has now been postponed.

Nevertheless, I consider that due to the risk from surface water flooding, the nature of the proposal and the proposed bridging of the water courses, an assessment of the risk to the site from flooding should still be provided in this case.

Noise/Disturbance/Site Management

A proposal of this scale has the potential to impact on the countryside through additional noise and activity disturbing the tranquillity of the area and details of how the site will be managed to prevent such impacts should be provided. In addition details of how matters such as security and waste disposal will be managed should also be addressed, as proposals such as additional fencing, CCTV, lighting and bin stores for these purposes will all have additional impacts, that need to be assessed in considering whether the proposal constitutes low impact tourism. This can be addressed in the Business Plan for the development (see below)

Scheduled Monument

The site is close to the Tinkinswood Burial Chamber Scheduled Monument and consideration will need to be given to the impacts on its setting. While it is acknowledged that the visibility between the two sites is likely to be limited, the additional activity generated by the development and any works along the site frontage could impact on the setting of the monument. This will need to be considered and addressed in any planning application. Please note that Cadw are likely to be consulted on any planning application.

Business Plan

The supportive comments you have received from the Tourism and Marketing Officer are noted. In accordance with section 7.8 of the Council's Tourism and Development Supplementary Planning Guidance, you should provide a business plan as part of the planning application to show that the business is financially sound and will be economically viable going forward. This should also address how the site will be managed (see above).

Mineral Resources

The site is within an area reserved for its mineral resources. The need to avoid an impact on these again reinforces that development will only be considered acceptable if it is carried out in a way that minimises damage to the quality of the land, through the use surfaces that require minimal ground works and minimal digging for utilities.

Required Supporting Documentation

If you do decide to proceed with an application, as well as the required plans, application form and fee, the following documents are likely to be required:

- Transport Statement
- Tree Survey Report/Arboricultural Impact Assessment
- Preliminary Ecology Assessment (and any further surveys)
- Assessment of Flood Risk
- Agricultural Land Survey
- Statement addressing the impact on the scheduled monument
- Landscaping Scheme
- Business Plan

If any subsequent application fails to include the information above, there is a chance it may not be registered and, in any event, it is likely that an application will either be refused or will not be able to be progressed until its satisfactory submission.

Development Team Approach – Building Control

Please note if you decide to employ the Council's Building Control team in respect of the proposed development for which you have sought advice, any fees you have paid in respect of this guidance will be taken into account in assessing the relevant Building Regulations fee. All Building Regulations fees are now based on a standard hourly rate with the final fee payable worked out on a risk assessed basis. Accordingly, as the Council's officers will have been involved in the project from the earliest stages this will be considered in the final risk assessment based fee for Building Regulations.

Should you have any further questions regarding the above, please contact Helen Winsall on the above number.

Yours sincerely

Mrs. Helen Winsall
for Operational Manager Development Management

Please Note:

The advice offered in this response represents an informal opinion, provided in accordance with the Council's Guidance Note on 'charging for pre-application advice'. In particular, it is emphasised that while this pre application advice will be carefully considered in reaching a decision or recommendation on an application, the final decision on any application that you may make can only be taken after we have consulted local people, statutory consultees and any other interested parties. It does not, therefore prejudice any decision which the Local Planning Authority may make should the matter come before them in a formal context.