

APPLICANT: Mr Andrew Walker Wild Rose Cottage, Duffryn Lane, St Nicholas, CF5 6TA

AGENT: Mr Geraint John Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

Wild Rose Cottage, Duffryn Lane, St. Nicholas

Proposed mixed unit holiday accommodation scheme

SITE AND CONTEXT

The site sits to the south east of Wild Rose Cottage and is accessed from Dyffryn Lane. It is approximately 0.79 hectares in size.

Part of the site accommodates a former yard area with associated buildings, which include a garage, three outbuildings in various states of repair and two barns. The yard area has become largely disused and overgrown. The rest of the site is green, well vegetated land.

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.

There is a watercourse running through the site. Parts of the site are considered to be at risk of surface water flooding. Parts of the site are also in Zones 2 and 3 for risk from surface water flooding on the 2021 Flood Map for Planning.

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

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

Site Location Plan:

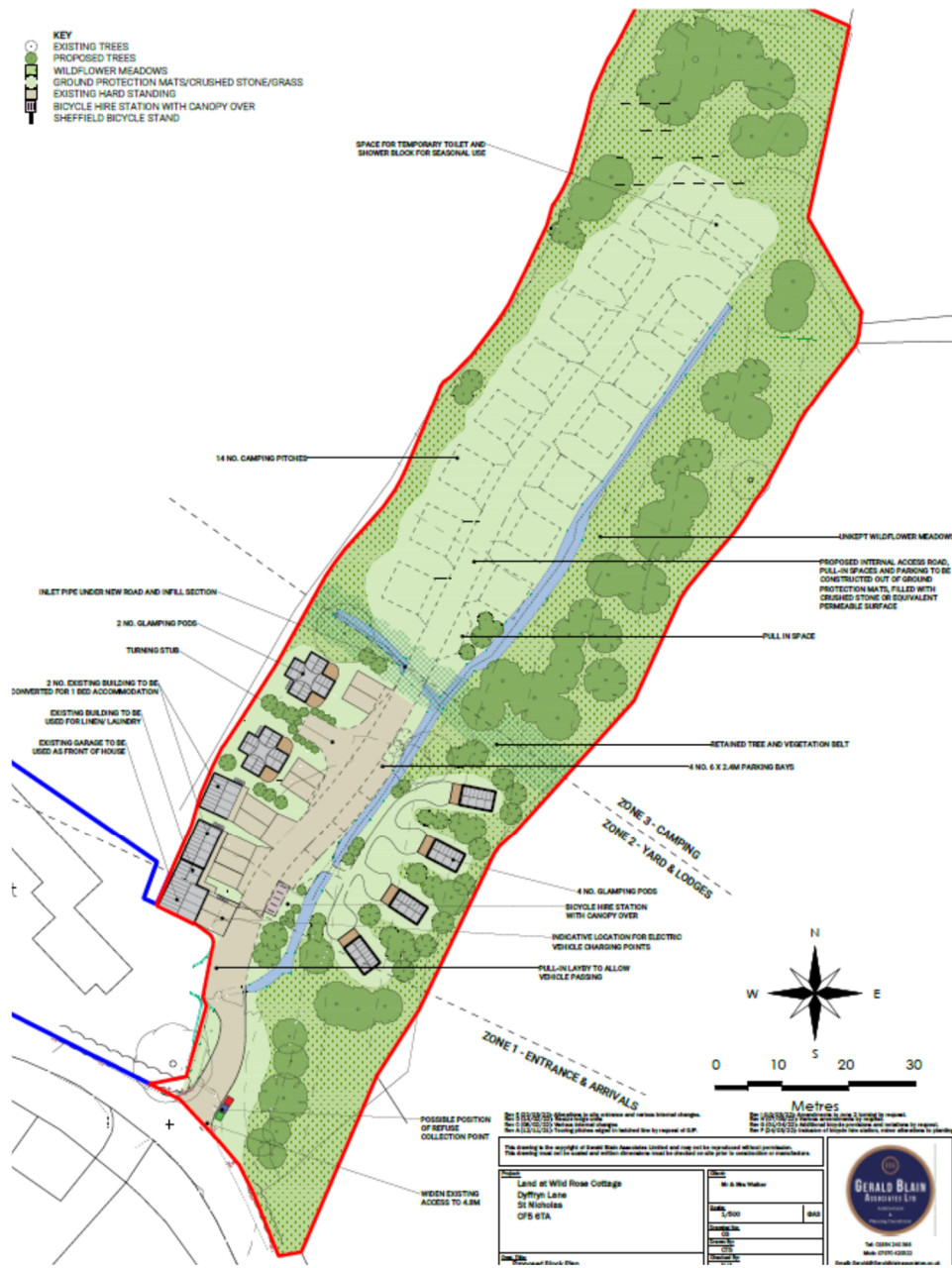


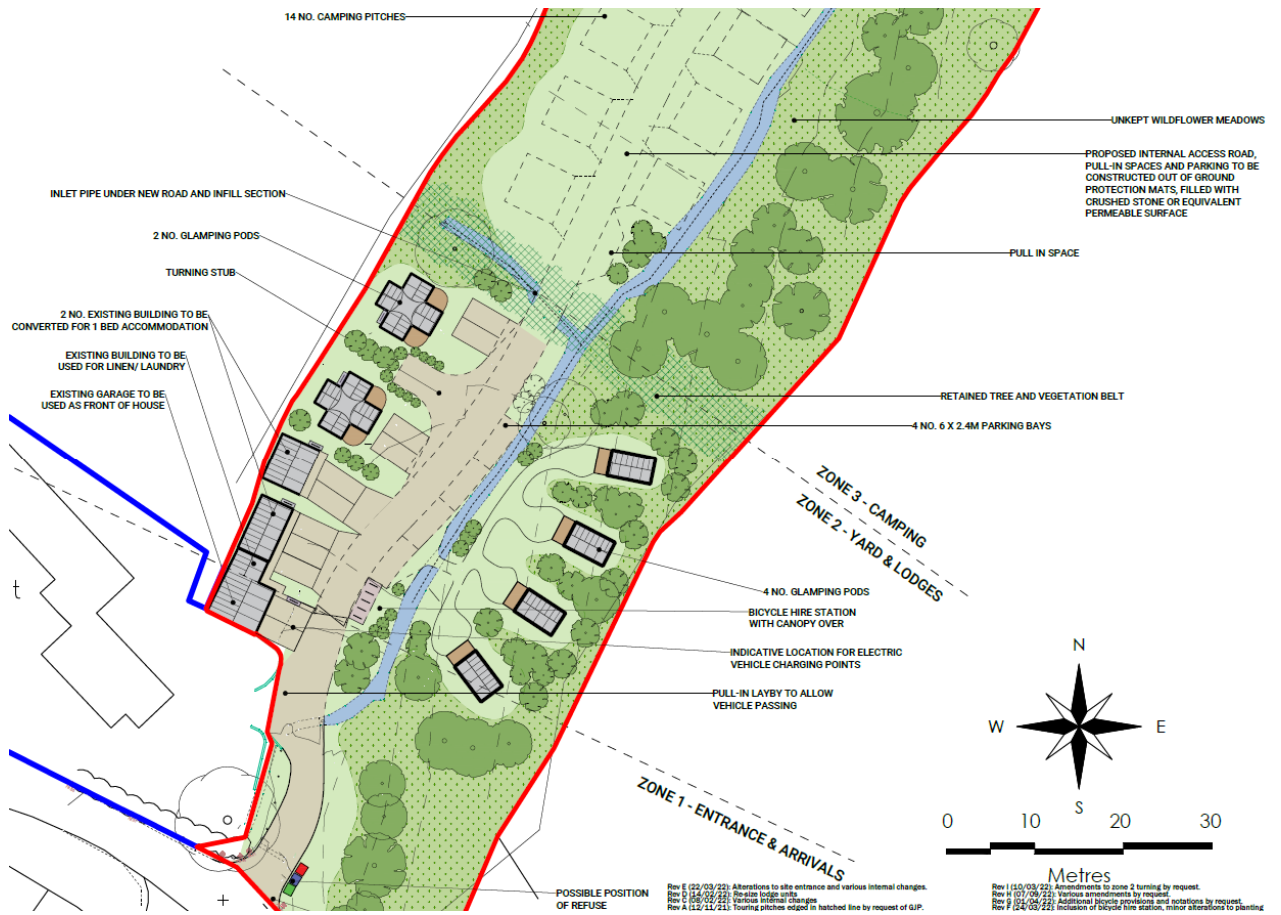
DESCRIPTION OF DEVELOPMENT

Planning permission is sought for a holiday accommodation scheme. The development consists of the provision of 14 camping pitches, 6 glamping pods and the conversion of existing buildings to provide 2 single room units. The proposed development also includes a reception area and laundry facilities housed within existing converted buildings. Two steel framed open barn-style buildings are proposed to be demolished as part of the proposal.

A business plan, flood consequences assessment, ecology appraisal, reptile mitigation strategy, precautionary method statement for great crested newts, reptiles and other amphibians, bat survey reports, planting specification, transport statement & transport note, tree survey planning statement and assessment of the impact of the proposal on the setting of a scheduled monument have been submitted as part of the application.

Block Plan:





Existing Yard Area (Barn to be Demolished):



Garage and Outbuildings in relation to House:



Location of Smaller Glamping Pods (South East Side of Site):



Location of Camping Area:



PLANNING HISTORY

None

CONSULTATIONS

The Local Member was consulted. **Councillor I Perry** responded advising that residents were concerned about access to the site for larger camper vans and towed caravans along Dyffryn Lane.

St Nicholas and Bonvilston Community Council were consulted and responded advising they resolved to support the proposed mixed unit holiday accommodation scheme.

The **Council's Shared Regulatory Services (Environment Team)** were consulted and responded advising that contamination is not known at this site but cannot be ruled out and the unforeseen contamination conditions is requested. A condition requiring the assessment of imported aggregates for contaminants and an informative note containing standard advice contamination and unstable land are also recommended.

The **Council's Tourism and Marketing Section** were consulted and responded advising they support the proposed development. The plans submitted are very welcomed and appropriate for this location within the Vale.

Cadw were consulted and responded advising the impact of the proposed development on the setting of the scheduled monument GM009 (Tinkinswood Burial Chamber) will be a material consideration in the determination of this application. Following the submission of an assessment of the impact of the proposal on the setting of the scheduled monument, they have no objection to the proposed development.

Dwr Cymru Welsh Water were consulted and responded advising that it appears the application does not propose to connect to the public sewer, and therefore they have no further comments.

The **Council's Ecologist** was consulted and responded advising that there are five areas where the impact of the development is moderate to high – hedgerows, ecological resilience, bats, breeding birds and amphibians and reptiles.

In respect of hedgerows, the proposals outlined are perfectly acceptable in managing and linking the hedgerows and for new planting of local provenance tree species. In respect of ecological resilience, the investment in diversifying and strengthening the ecological features of the site will add to its resilience.

In respect of bats, there needs to be an assessment of the buildings and trees for bats. In addition a dusk and dawn flight survey would help the applicant understand which bats are using the site and their flight lines which can then influence the Lighting Plan which will be required and is likely to be conditioned as part of the planning process. A holding objection is requested only to determine the use of the site by bats and if any of the existing buildings or mature trees are being used as roosts.

In respect of breeding birds, no species lists are attached to the Preliminary Ecological Appraisal. This would help determine the types of nest boxes that could be provided around the site.

In respect of amphibians and reptiles, the provision of a pond will be a great addition. The applicant might also want to consider a hibernaculum that will also support these species.

Finally it would be beneficial for the site if there was an Ecological Management Plan.

Glamorgan Gwent Archaeological Trust were consulted and have responded advising it is unlikely that archaeological deposits would be encountered during the development and that they do not recommend any archaeological mitigation. They have no archaeological objection to the application.

Natural Resources Wales were consulted and responded advising that following the submission of additional documents in support of this application they understand that the development is in a sewered area, but it is proposed that foul drainage is to be discharged to a private sewerage system. In this instance, based on the additional information submitted, they are satisfied that sufficient information has been provided by the applicant as part of this planning application to justify the use of a private sewerage system on the grounds of cost and practicality. They have considered this proposal in the context of the advice and guidance provided in Welsh Government Circular 008/2018 and raise no objection to the application on the grounds of foul drainage.

Following the submission of the bat survey reports, they have commented that the Bat Survey Report by I&G Ecological Consulting, dated October 2022 has identified that bats are unlikely to be present at the application site. They therefore have no comments to make with regards to bats.

They understand that the Local Planning Authority intend on assuming Great Crested Newts are present in the area around the application site and intend on requesting a newt barrier is erected around the site to prevent the species from accessing the site. They have no adverse comments to make regarding this proposal.

They have no comments to make with regard to flood risk.

The **Council's Highways Development Team** were consulted. Following the submission of revised plans and details, they responded advising that it is recognised that the site will not be promoting provision for touring caravans and only tents or campervans will be able to book onto the site along with the glamping pods. This is deemed suitable and should alleviate the concerns of vehicles turning onto Dyffryn Lane from the A48 and turning into the site access.

The site will likely aid in intensifying the use of Dyffryn Lane for both vehicles and pedestrians although the lane does attract significant traffic at times due to the Dyffryn Gardens events and general visitors. There is lack of an off street footway for a distance from the proposed site travelling North and South however the lane is well used by pedestrians and in some cases cyclists and the addition of the campsite should not have a detrimental impact on the safety of users of the lane based on the existing and historic use. However, the introduction of a campsite could potentially intensify the use of the lane by pedestrians and cyclists and therefore some mitigating measures would be sought.

Visibility splays have been shown at the entrance which are in accordance with the 85th percentile speeds recorded along the lane of 27.8mph. Swept Paths have also been provided for the site access to ensure vehicles can safely negotiate without conflicting with oncoming vehicles.

The Highway Authority has no objection to the proposals in principle subject to the following condition:

Prior to beneficial occupation of the proposed site, a scheme of traffic calming and warning in the form of road markings and signage along Dyffryn Lane on either approach to the site access shall be submitted to and approved in writing by the Local Planning Authority. The signage could be but not limited to pedestrians in road signs accompanied by 'Araf' 'Slow' road markings and high friction surfacing which could aid in warning vehicles of the potential for pedestrians and others to be in the road.

The Council's **Drainage Section** were consulted and responded advising NRW maps indicate that there is a low to medium risk of surface water flooding to the site. In order to ensure suitable access and egress arrangements are available for the development during periods of heavy rainfall. It is requested that a further assessment of the contributing catchment is provided to demonstrate that formalised swales / watercourses within the design proposals have sufficient capacity to accommodate flows. As part of the assessment it is also requested that the capacity of the existing highway culvert is provided together with further consideration as to its vulnerability to blockage.

A condition is recommended for a detailed scheme of surface water drainage, including how flows from the wider catchment will be dealt with, and advisory notes are recommended in respect of requiring approval of surface water drainage from the Sustainable Drainage Approval Body (SAB) and the potential for the requirement for Land Drainage Consent in respect of doing works to watercourse.

The **Council's Shared Regulatory Services (Neighbourhood Team)** were consulted but no comments have been received at the time of writing this report.

The **Council's Landscape Officer** was consulted but no comments have been received at the time of writing this report.

The **Creative Rural Communities Team** were consulted but no comments have been received at the time of writing this report.

REPRESENTATIONS

The neighbouring properties were consulted on 28 April 2022.

A site notice was also displayed on 25th May 2022.

Representations were received from ten addresses objecting to the application (3 Broadway Green; 7 & 16 Dyffryn Close; 11 Maes y Ffynnon; 99 Vachel Road; 42 Village Farm; Holly House; Pound Cottage; Sherwood and Tinkinswood Farm) as well as 2 representations where the addresses were not specified. These are summarised as follows:

- Other large vehicles already use Dyffryn Lane and the traffic volumes on it are far higher than stated in the report;
- The traffic survey carried out is inaccurate as it was carried out during a lockdown period and in January when the least amount of traffic is on the road;
- The entrance to Dyffryn Lane is narrow which causes a hazard;
- Caravans using Dyffryn Lane would exacerbate these problems;
- There are concealed driveways on Dyffryn Lane.
- The increase in traffic proposed is substantial;
- It will be difficult for the proposal to be accessed via sustainable transport as the topography will make the cycle hire scheme unattractive and bus services through St Nicholas are limited;
- Dyffryn Lane is unsafe for walking;
- Lack of parking on the site;
- Use is not suitable for a residential area;
- The size of the development in relation to the surrounding area;
- Littering;
- Pollution from foul sewage, plastic pollution and other impacts on the environment;
- Disturbance due to noise;
- Increase in crime levels;
- Visual impact of proposal;
- Increase in flood risk;
- Impact on wildlife;
- The proposal is not needed due to accommodation available elsewhere;

- The development will not contribute to the local economy or community, and would be detrimental to the wellbeing of local people and future generations;
- Insufficient consultation carried out.

1 representation was received commenting on the application (Tinkinswood Barn). This is summarised as follows:

- Concerned about the touring caravans turning into Wild Rose Cottage on an extremely dangerous bend.

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 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 MG18 – Green Wedges
 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 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 planning application:

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

- Priority in urban areas is improving and integrating active travel and public transport.
- Priority in rural areas is supporting the uptake of ULEV vehicles and diversifying and sustaining local bus services.
- Active travel must be an essential and integral component of all new developments.
- New development and infrastructure should be integrated with active travel networks and where appropriate ensure new development contributes towards their expansion and improvement.
- Supports reduced levels of car parking in urban areas, car free developments in accessible locations and developments with car parking spaces that can be converted to other uses over time.
- Where car parking is provided for new non-residential development a minimum of 10% of car parking spaces should have electric vehicle charging points.

Planning Policy Wales:

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

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 planning application:

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 in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. 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.

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)
- 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

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the preparation of this report.

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

Principle of Tourism Development

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. The Council's Tourism and Marketing Section have advised that they are very supportive of this development and believe the proposals are a very healthy mix of accommodation types which will have wide appeal to the visitor market, in a location which at present lacks suitable accommodation base.

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 sustainable low impact tourism, for the proposal to be considered acceptable in planning terms. This is discussed further below.

Conversion of Buildings

Two small buildings within the former yard area are proposed to be converted for the provision of one bedroom holiday accommodation. In addition, the garage and a further existing outbuilding are proposed to be used for a reception area and laundry area respectively. The buildings are proposed to be finished with slate roofs and either UPVC or timber windows and doors.

One of the buildings that is proposed to be converted for accommodation and the buildings proposed to be converted for the reception and laundry area appear in relatively good condition. A letter has been submitted from a structural engineer confirming this, although it has advised that the proposed laundry room and proposed accommodation building will require new roofs.

Policy MD11 (Conversion and Renovation of Rural Buildings) states that proposals for the conversion or renovation of existing rural buildings for tourism use will be

acceptable where conversion of an existing rural building would not give rise to the need for a replacement building; and reuse can be achieved without substantial reconstruction, extension or alteration that unacceptably affects the appearance and rural character of the building or its setting.

The buildings currently appear to be being used for domestic purposes and it is considered unlikely their conversion would give rise to the need for replacement buildings. It is considered their reuse can be achieved without substantial reconstruction and the reuse of existing openings within the buildings is proposed also. The buildings are not proposed to be extended. As such, it is considered their conversion for tourism purposes would comply with Policy MD11 (Conversion and Renovation of Rural Buildings) of the Local Development Plan.

Garage Building to be used as Reception & Outbuilding to be used as Laundry:



Outbuilding to be converted to Accommodation:



The other building proposed to be converted for accommodation is missing its roof and substantial parts of its walls.

Second Outbuilding to be converted to Accommodation:

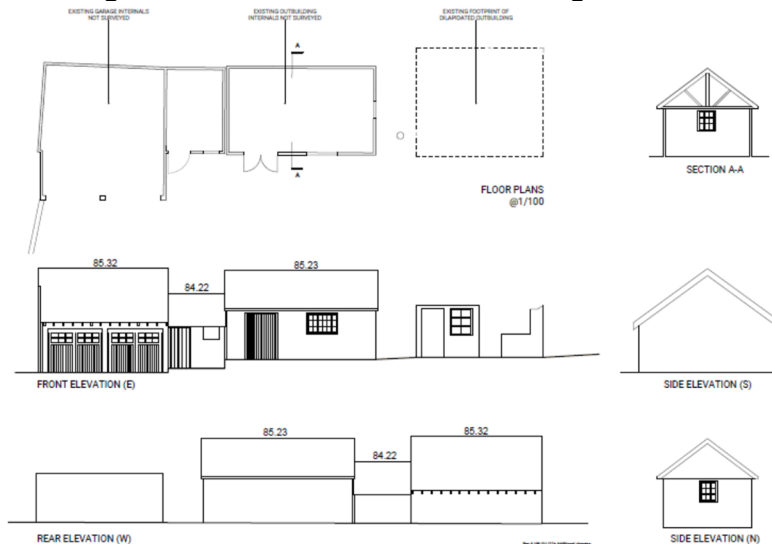


A further letter has been submitted from a structural engineer advising that the parts of the building that do exist are in structurally sound condition. Nevertheless, a substantial rebuild is required to bring the building back into use, and such works would normally be considered contrary to Policy MD11 (Conversion and Renovation of Rural Buildings) as the building would require substantial reconstruction.

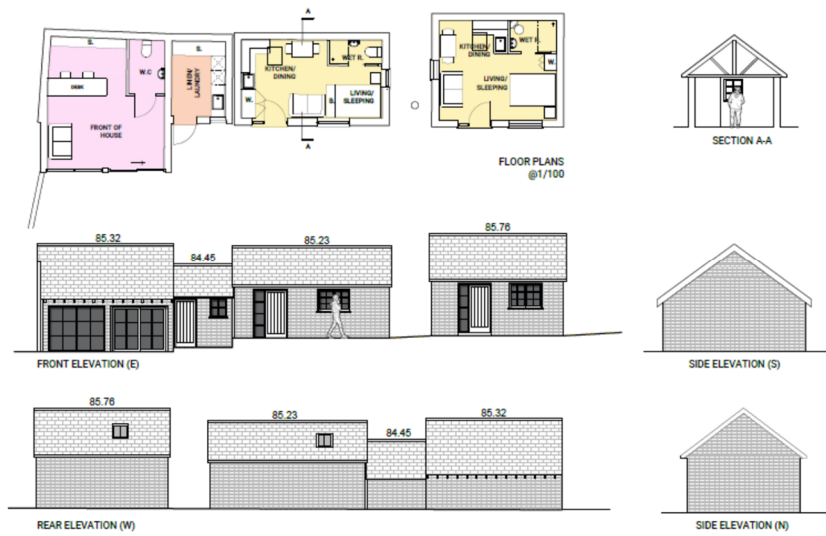
However, in this case, it is a small building measuring 4.8 metres x 5.5 metres in footprint and 4.3 metres in height to the ridge. The building is on the existing yard area and has a close relationship with the other buildings to be converted which are in better condition (see above and below) and also the existing house. The finished building would provide modest studio accommodation for tourists as part of a wider proposal.

Therefore given its small size, location, that part of the building already exists and that it is part of a mix of accommodation on a proposed wider tourism site, in this context the conversion of this building could be considered as part of a wider sustainable low impact tourism proposal under Policy MD13 (Tourism and Leisure) of the Local Development Plan. How the rest of the development meets that definition is considered further below.

Existing Plans and Elevations of Buildings to be Converted:



Proposed Plans and Elevations of Buildings to be Converted:

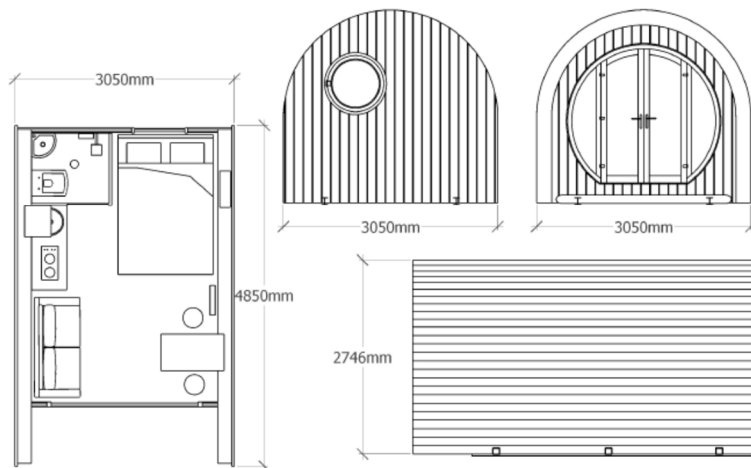


A condition is proposed for the submission of finishing materials. Although the windows and doors are proposed to be either timber or UPVC, it is considered that, depending on the details /design of the windows used, timber is likely to be more appropriate to maintain the rural character of the site.

Provision of Glamping Pods and Camping Pitches:

The four smaller glamping pods proposed are 3.05 metres x 4.85 metres in footprint and are 2.75 metres in overall height. The pods will be constructed from timber. They are low key structures within the landscape. Parking will be provided on the other side of the water course.

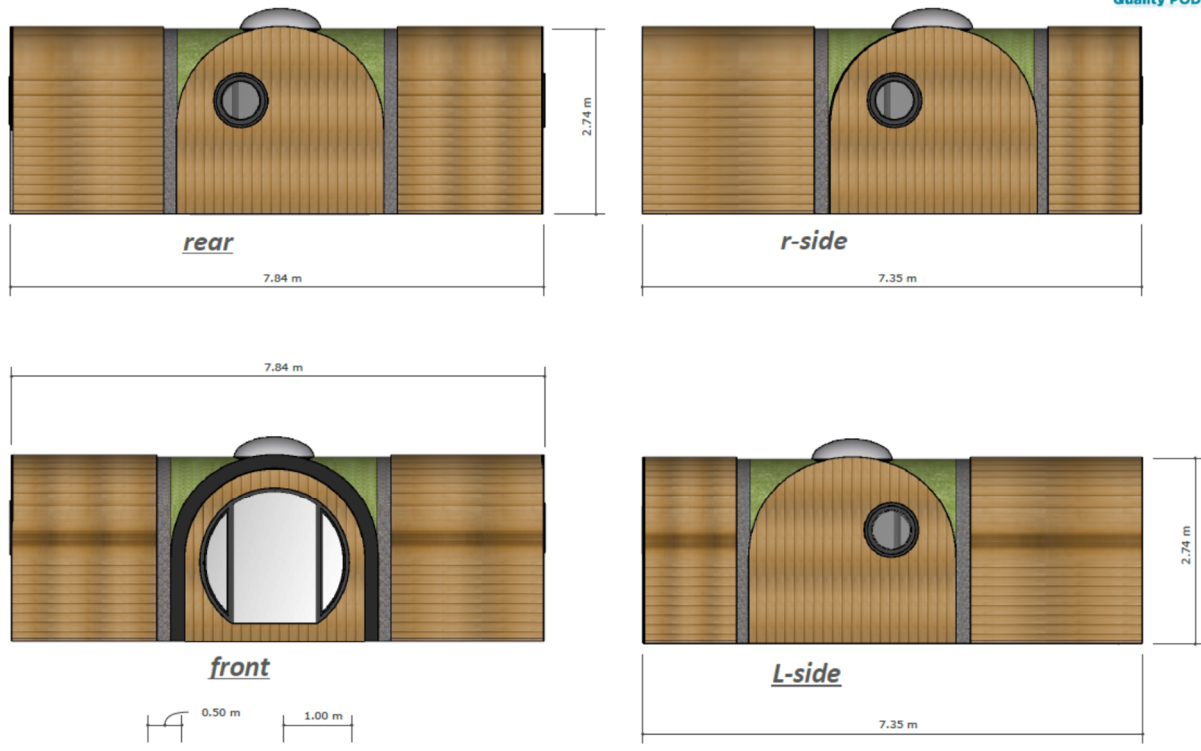
Smaller Glamping Pods:



The larger glamping pods are a cross shape and provide two separate sleeping areas, a living area/kitchen and a bathroom. They too are 2.75 metres in height and will be constructed from timber. It is noted that these are significantly larger in footprint than the other pods, but are still of a low height and due to this, their shape and finishing materials will still be low key structures in the landscape.

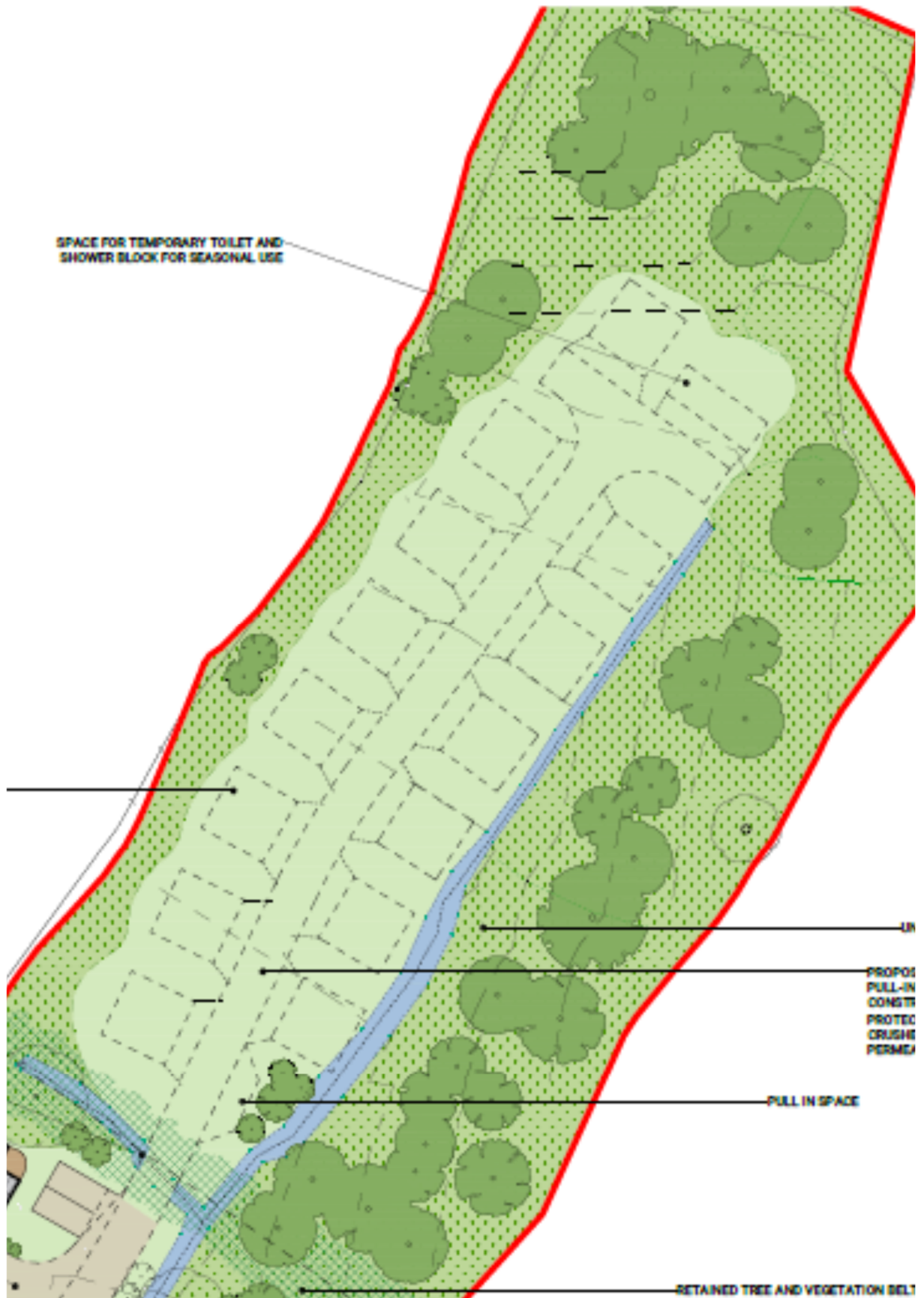
Larger Glamping Pods:





The fourteen pitches proposed for camping will also involve the installation of a temporary toilet and shower block on a seasonal basis, and a condition is recommended in respect of its details and when it will be present on site. The internal access road through the field will be constructed using grass protection mats filled with crushed stone.

Camping Pitches:



Paragraph 7.11.3 of the Council's Tourism and Development Supplementary Planning Guidance sets out the typical attributes of sustainable low impact tourism as being the following:

- Be 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;
- Be of an appropriate scale sympathetic to their location and surrounding uses;
- Be 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;
- Be 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.

Based on the comments from the Council's Tourism and Marketing Team, the proposal is considered to contribute to the wider rural economy. The other points are considered below. However, it is considered that in principle proposals for camping and glamping pods can be considered as sustainable low impact tourism development in accordance with Policy MD13 (Tourism and Leisure) of the Local Development Plan.

Visual and Landscape Impact:

The site is within the Dyffryn Basin and Ridge Slopes Special Landscape Area and Policy MG17 (Special Landscape Areas) of the Local Development Plan requires that within special landscape areas, development proposals will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of the area.

The Council's Tourism and Development Supplementary Planning Guidance states that such developments shall be sensitively located and designed to minimise impact on existing landscape features, be of an appropriate scale sympathetic to location and surrounding uses and being compatible with surrounding land uses as typical attributes of sustainable low impact tourism.

The site is approximately 190 metres in depth from the existing access. As well as the construction works to provide accommodation, which are described above, works are also required to provide access and parking through the site.

The yard area where the buildings, barns and access are located currently contains a significant amount of concrete hardstanding. There will be an increase in hardstanding in this area to provide parking and an extension to and widening of the track. However, some areas of existing hardstanding will be removed to provide landscaping. A condition is recommended for the provision of details of materials for the access and parking in this area. The accesses from this area to the pitches and the smaller glamping pods are proposed to be grass protection matting filled with crushed stone.

At present, the yard area is clearly visible from Dyffryn Lane, with this visibility increased by tree felling and clearance works that have taken place (see below). However, visibility further into the site is currently restricted due to the old barns, shipping containers and vegetation.

Once clearance works take place, the containers are removed and the barns demolished, this will increase visibility into the site. However, the construction works proposed to take place are modest and low density, and significant additional tree planting is proposed (see below), which will break up the visual impact of the accommodation, tents and vehicles on the site when viewed from the road. The proposed development is considered to result in the site retaining its rural character and it is considered that the development will appear appropriate within the countryside location.

View into the Site from the Site Access:



In respect of the wider landscape impact, there is extensive tree cover around the remainder of the site boundaries, resulting in the site being secluded within the landscape.

As such, the proposal is not considered to have a significant impact on the special landscape area, and is considered to comply with Policy MG17 (Special Landscape Areas) of the Local Development Plan and the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Impact on Neighbours:

Policy MD2 (Design of New Development) of the Local Development Plan sets out that development proposals should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance.

The nearest neighbours to the site are approximately 200 metres away, with the nearest residential properties being at Button Ride to the north and Tinkinswood Barn to the south. Due to the distance between the site and the neighbours and the extensive tree cover on the site boundaries, the proposal is not considered to have a significant impact in respect of neighbour amenity, including in respect of noise or disturbance. As such the proposal is considered to comply with Policy MD2 (Design of New Development) of the Local Development Plan in this respect.

Highways and Transport:

Policy MD2 (Design of New Development) of the Local Development Plan sets out that development proposals should provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users and have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree.

The Council's Tourism and Development Supplementary Planning Guidance sets out utilising existing road infrastructure without the need for highway improvements or avoiding causing adverse effects on the existing highway network, being accessible to sustainable modes of transport e.g. train, bus, cycle tracks and walking routes and requiring limited supporting infrastructure such as parking as typical attributes of sustainable low impact tourism.

In respect of the sustainability of the site, Dyffryn Lane lacks a footway when travelling northbound until after the junction with Dyffryn Close approximately 460 metres to the north of the site entrance. However, the transport statement advises that due to low recorded speeds and traffic flows, Dyffryn Lane is suitable for shared use by pedestrians, cyclists and vehicles, and the Council's Highways Development Team have confirmed that they would not object to the use of Dyffryn Lane as a walking route as it is already used as such.

This would allow for walking to St Nicholas where a bus service is available. The transport statement also advises that a cycle hire scheme for up to 10 cycles would be provided on the site for staff and visitors and that cycle parking would be provided. A condition is recommended for further details of cycle parking for each accommodation unit and also the cycle hire scheme.

15 car parking spaces are shown on the site for the converted buildings and glamping pod accommodation, but these will be broken up by landscaping. Two electric vehicle parking spaces are proposed to be provided to comply with the requirement in Future Wales for 10% of parking spaces in non-residential development to provide electric charging points. A condition is recommended for further details of these.

On a weekday, the transport statement advises that the site will generate between 1 and 4 vehicle movements per hour. The movements will be higher at the weekends rising to a maximum of 10 vehicle movements per hour. This level of traffic movement generated by the site is not considered to significantly impact on the capacity of the local highway network.

It was originally proposed to allow touring caravans to use the pitches, but this has now been removed from the proposal. It has also since been clarified that the site will not be used for camper vans and only camping will take place. A condition is recommended to clarify that the site is not used for these purposes.

In order to accommodate an increase in vehicular use, the existing access is proposed to be upgraded through the provision of full-height 4 metre kerb radii and to be widened from 4.2 metres to 4.8 metres for the first 9 metres from Dyffryn Lane to allow for passing. Visibility splays of 2.4 metres x 43 metres would be achieved by trimming the existing hedge. These works are considered minimal and acceptable in terms of visual and landscape impact.

In respect of the Council's Highway Development Team's request for traffic calming, it is noted that there are already "Araf/Slow" markings on the approach to the site, with the northbound markings being approximately 70 metres from the site entrance and the south bound markings being approximately 200 metres from the site entrance. Given this, that an existing access is proposed to be used and improved and the visibility splays proposed to be achieved, it is not considered that additional "lineage and signage" is necessary for the application to be acceptable.

As such, the proposal is considered to be acceptable in terms of transport and highway considerations and to comply with Policy MD2 (Design of New Development) of the Local Development Plan in these respects, as well as the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Ecology and Biodiversity:

Policy MD9 (Promoting Biodiversity) of the Local Development Plan requires new development proposals to conserve and where appropriate enhance biodiversity interests.

The Council's Tourism and Development Supplementary Planning Guidance sets out contributing directly to nature conservation objectives and providing opportunities to promote greater understanding and enjoyment of the natural environment as typical attributes of sustainable low impact tourism.

The preliminary ecological appraisal recommends further hedgerow and tree planting, the retention and expansion of scrub on the northern boundary, grassland management and the creation of a wildflower meadow and the retention of vegetation along the watercourse.

Due to the suitability of the site for reptiles, including slow worm, grass snake and common lizard, a reptile mitigation strategy has been submitted. As well as measures to protect reptiles during clearance and construction, it sets out that an area of reptile (and amphibian) habitat to be provided during the operation of the site.

Area to be maintained as suitable reptile habitat (within red dashed line):



Extensive tree planting is already proposed (see below) and it is considered an ecological mitigation, enhancement and management plan should be provided for the retention and creation of habitat as outlined above. A condition is recommended for this purpose.

A bat survey report has been submitted with the application. This includes both a preliminary roost assessment and bat activity surveys. The current outbuildings were found to have moderate potential to support roosting bats, but there are considered to currently be no bats using the buildings as no bats were seen to enter or exit the buildings. Commuting and foraging is taking place on the site by soprano pipistrelle and common pipistrelle bats, and possibly also by myotis and noctule bats. The report concludes that a European Protected Species Licence will not be required to undertake the development.

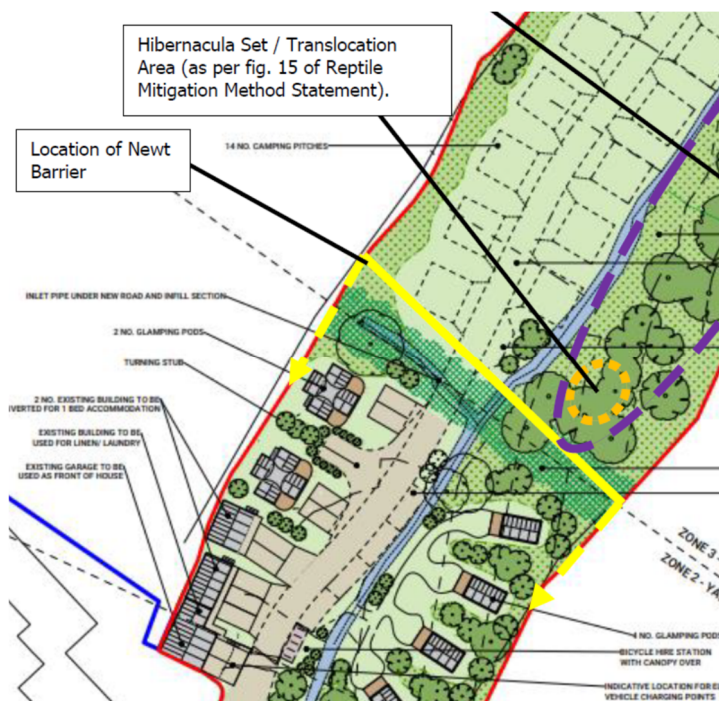
The report recommends that 10 bat boxes, 8 bird boxes/other nesting features and measures to support bumblebees are implemented, as well as recommendations in respect of lighting. Conditions are recommended for the provision of bat and bird nesting boxes and for a lighting plan. The measures to support bumblebees can be considered as part of the ecological mitigation, enhancement and management plan.

A further report has been submitted in respect of the potential for bats roosting within the trees on the site. This concluded that that no trees on the site showed signs of being used by bats and that none of the trees surveyed had suitable roosting features present.

Given the submission of the above reports, it is considered that the holding objection raised by the Council's Ecologist has been addressed.

In respect of great crested newts, following comments raised by Natural Resources Wales, the Council's Ecologist has provided further informal advice where he suggests that a great crested newt barrier is installed and maintained, to prevent great crested newts (and other amphibians and reptiles) accessing the site during construction and to allow a translocation exercise to take place of any existing great crested newts that may be in the construction area. A newt barrier has now been erected on site and a translocation area has been confirmed. The Council's Ecologist has verbally advised that a further barrier will be required around the area being developed for camping when that area is developed, and a condition is recommended for this.

Location of New Barrier and Translocation Area:



The site will remain as low density and well-vegetated with enhancement measures for biodiversity and extensive tree planting being proposed. As such, the proposal is considered to comply with Policy MD9 (Promoting Biodiversity) of the Local Development Plan in these respects, as well as the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Trees:

Policy MD2 (Design of New Development) of the Local Development Plan requires that development proposals should incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests.

The submitted tree survey report suggests that trees within groups G2, G3 and G7 will be felled. G2 is a group of hawthorn and hazel trees and G3 is a group of ash, hazel and goat willow trees, both of which are classed as category C. G2 consists of semi mature scrub trees and G3 consists of trees that are supported by dilapidated buildings, and there is concern that they will cause further damage to those buildings that are proposed for conversion. The trees within G7 to be felled are five category U trees which are infected with ash dieback. This part of G7 is covered by an extensive tree preservation order dating from 1952, which covers many trees within St Nicholas.

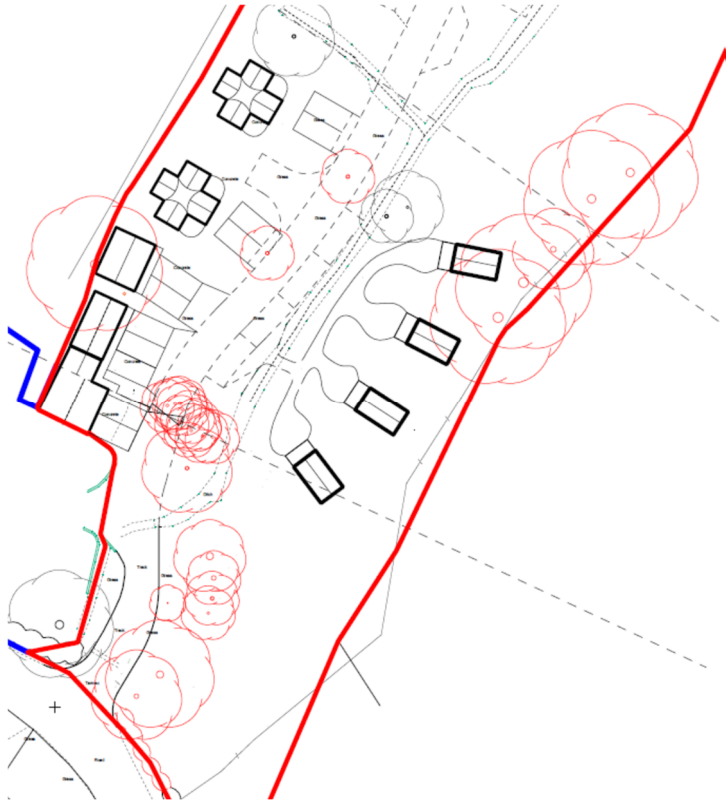
Location of tree groups to be felled:



Nine trees are proposed to be felled in total within these groups, however the submitted block plan suggests that a further 19 trees and a section of hedgerow have already been cleared to accommodate the development.

However, substantial additional tree and hedgerow planting is proposed at the site, as set out in the submitted planting schedule. This includes approximately 150 trees, as well as additional hedgerow planting. Although the clearance that has taken place at the front of the site provides an opportunity for a clearer view into the site when viewed from the road, the proposed loss of the trees will not have a significant impact on the screening of the site when viewed from elsewhere in the landscape.

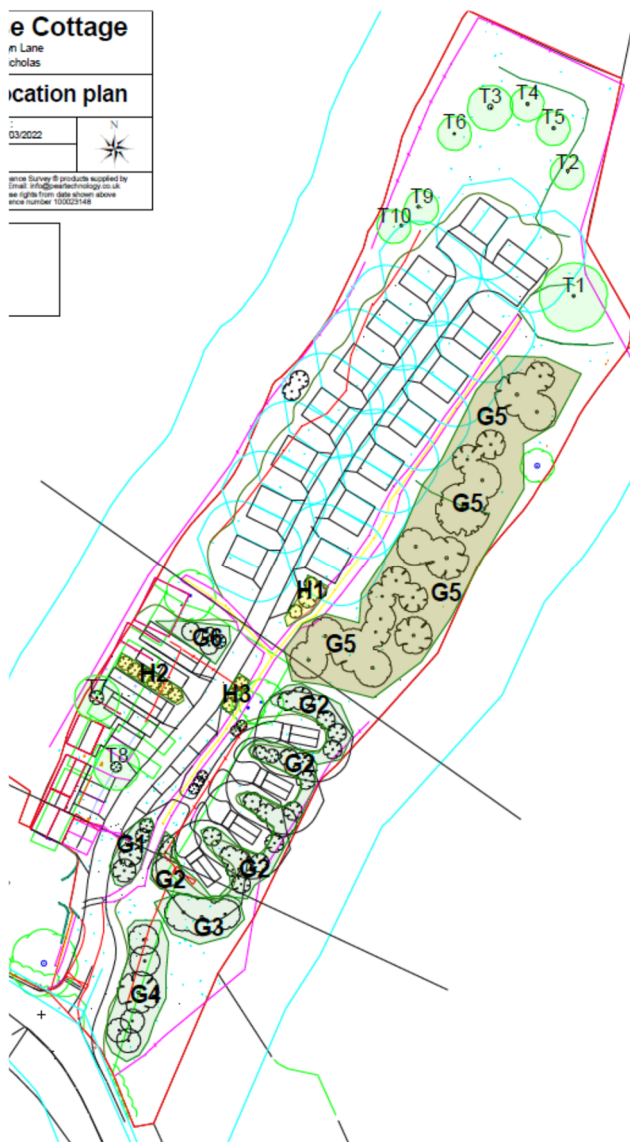
Block Plan:



Existing Tree Cover on South Eastern Boundary of Site:



Proposed Additional Tree and Hedgerow Planting:



The proposal is therefore considered acceptable in respect of its impacts on trees, and in accordance with Policy MD2 (Design of New Development) in this respect.

Drainage and Flood Risk:

Policy MD7 (Environmental Protection) of the Local Development Plan) requires that development proposals do not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from pollution of land, surface water, ground water and the air, and flood risk and consequences.

The Council's Tourism and Development Supplementary Planning Guidance states that development should be designed to minimise impact on water, utilising sustainable sources of water and energy and providing servicing without significant modifications to existing infrastructure as typical attributes of sustainable low impact tourism.

In respect of flood risk, the site is in Zone A on the Development Advice Map accompanying Technical Advice Note 15 (Development and Flood Risk) so is not considered at risk of flooding from a larger watercourse. However, there is a smaller watercourse crossing the site, from south west to north east. Areas immediately adjacent to this do have a low to medium risk of flooding, but this would be to a depth less than 0.15m. Two sections are proposed to be culverted to allow for access across the site, and these are proposed to be designed so they do not increase flood risk. The Flood Consequences Assessment concludes that the proposed development will not increase flood risk. To reduce risk of flooding to visitors, precautionary measures are proposed such as raised floor levels to the glamping pods (by 0.3 metres), which is proposed to be achieved as part of the design of the pods.

Natural Resources Wales initially raised concerns that the development would not be connected to a mains foul sewer. The applicant has advised that they would look to install a Klargest treatment plant and that a connection to a mains sewer would require the construction of a pumping station and works along the highway that would be significantly more expensive. They have also consulted with Dwr Cymru Welsh Water regarding the matter, who have advised that the 200 metres of pipe needed to connect to the existing public sewer would be a significant distance to travel and the level of constraints is unknown. Following the submission of additional informal, Natural Resources Wales have withdrawn their concerns regarding the lack of a connection to a mains foul sewer.

In respect of utilising other utilities, the proposed development is adjacent to the existing house, and as such a water supply and an electricity supply will already be available that can be utilised with minimal additional infrastructure requirements.

As such, the proposal is considered to comply with Policy MD7 (Environmental Protection) of the Local Development Plan in respect of pollution of land, surface water, ground water and the air, and flood risk and consequences, as well as the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Historic Environment:

In respect of the impact of the proposal on the nearby Tinkinswood Burial Chamber, which is a scheduled monument, Policy MD8 (Historic Environment) of the Local Development Plan states that development proposals must preserve or enhance archaeological remains and where appropriate their settings.

The Council's Tourism and Development Supplementary Planning Guidance sets out providing opportunities to promote greater understanding and enjoyment of the local heritage as a typical attribute of sustainable low impact tourism.

An assessment has been submitted of the proposal on the Tinkinswood Burial Chamber. This concludes that there is considered to be no visual impact arising from the development on the setting of the scheduled monument, and little to no effect on the ability to understand, appreciate and experience the historic asset.

There is intervisibility between the monument and the site, but it is distant and the existing dwelling appears very prominent in the view from the monument towards the application site. Visitors to the application site will increase traffic movements on Dyffryn Lane with potential for additional noise and light from the site. However, the level of traffic movements and distance from the monument (approximately 340 metres) is considered to be sufficient to prevent significant loss of tranquillity around the monument.

The location of the site would allow for sustainable trips to be made on foot to visit the burial chamber and to increase the appreciation of the heritage of the area, as well as to Dyffryn Gardens, which is approximately 800 metres to the south of the site.

As such, the proposal is considered to comply with Policy MD8 (Historic Environment) of the Local Development Plan, as well as the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Agricultural Land Classification:

The proposed development is taking place on land which has a predicted agricultural land classification of Grade 3a (moderate to good quality agricultural land). Policy MD1 (Location of New Development) of the Local Development Plan requires that new development on unallocated land should have no unacceptable impact on the best and most versatile agricultural land, which includes Grade 3a land.

The Council's Tourism and Development Supplementary Planning Guidance states that development should be designed to minimise impact on soil and not detract from existing agricultural activities where applicable, as typical attributes of sustainable low impact tourism.

It is accepted in this case, that only the field area where the camping pitches are proposed is likely to have any suitability for agricultural production, but it currently does not appear to be used for that purpose. This is a relatively small area and therefore its value for agricultural purposes would be more limited, and it is considered that it would be of more value accommodating the biodiversity enhancement measures proposed as part of this application. As such, the proposal is considered to have no unacceptable impact on the best and most versatile agricultural land, in accordance with Policy MD1 (Location of New Development) of the Local Development Plan, and is considered to comply with the relevant criteria in respect of Low Impact Tourism set out in the Council's Tourism and Development Supplementary Planning Guidance.

Other Issues:

The proposal is not considered to have a significant impact on the availability of mineral resources.

The conditions and informative note requested by the Council's Shared Regulatory Services in respect of contamination and unstable land have been recommended.

Turning to other concerns raised by neighbours not addressed above, while it is acknowledged that an increase in visitors means there is a greater risk of littering within the area, to do so would be unlawful behaviour to be dealt with by other means and is not considered to be a reason to refuse the planning application.

In respect of the risk of crime, the development would be staffed and is adjacent to the owner's home and as such there would be surveillance of the site.

In respect of the concerns raised regarding potential plastic pollution, this comment was made due to concerns that the grass protection mats would break up and get into the soil. However, preventing this is considered to be a maintenance issue for the site operators.

Concern was raised regarding consultation within the local area. Three site notices were placed along Dyffryn Lane, and the three closest properties were consulted. As the site is isolated from other dwellings, this level of consultation is considered sufficient in this case.

Conclusion:

Given the above assessment, the proposal where it cannot be considered under Policy MD11 (Conversion and Renovation of Rural Buildings) of the Local Development Plan is considered to be acceptable as sustainable low impact tourism under Policy MD13 (Tourism and Leisure) of the Local Development Plan. As such, approval of planning permission is recommended.

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 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 – Delivering the Strategy, SP9 – Minerals, SP10 – Built and Natural Environment, SP11 – Tourism and Leisure, MG17 – Special Landscape Areas, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MG22 – Development in Minerals Safeguarding Areas, MD1 - Location of New Development, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity, MD11 - Conversion and Renovation of Rural Buildings and MD13 - Tourism and Leisure of the Local Development Plan, Future Wales – the National Plan 2040, Planning Policy Wales and the relevant Technical Advice Notes and Supplementary Planning Guidance, the proposed development is acceptable in principle, and in respect of visual and landscape impact, neighbour impacts, ecology/biodiversity considerations, impact on trees, flood risk, impact on the historic environment, impact on agricultural land and in all other respects.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

01 Location Plan (received 5th April 2022)

03 Rev I Proposed Block Plan (received 10th March 2023)

12 Outbuilding Conversions- Proposed Plans and Elevations (received 5th April 2022)

Cadair Idris Layout 1 (received 5th April 2022)

Warren Pod Plans (received 24th October 2022)

Planting Location Plan, dated March 2022 (received 5th April 2022)

Planting Specification, dated March 2022 (received 5th April 2022)

Newt Barrier Plan (received 19th May 2023)

Precautionary Method Statement: Great Crested Newts, Reptiles and Other Amphibians, dated April 2023 (received 27th April 2023)

Reptile Mitigation Strategy, dated February 2022 (received 5th April 2022)

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence or by any other persons. An up to date register shall be kept at the holiday accommodation hereby permitted 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.

Reason:

To enable the Local Planning Authority to maintain control over the nature of the use of this site and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD13 (Tourism and Leisure) of the Local Development Plan.

4. No touring caravans or camper vans are permitted to pitch at the site at any time.

Reason:

To minimise conflict between highway users in accordance with Policy MD2 (Design of New Development) of the Local Development Plan.

5. In the event following first beneficial use that the site is not used for the tourism accommodation hereby approved for a continuous twelve month period, this use shall permanently cease and all glamping pods, and grass protection matting along with the crushed stone filling shall be removed within a further six months of the cessation of the use.

Reason:

To safeguard the use of the site and protect the character and appearance of the rural area to accord with Policy MD1 (Location of New Development) of the Local Development Plan.

6. No development shall commence on site until a detailed scheme for the surface water drainage of the whole site, demonstrating how flows from the wider catchment will be dealt with in the design proposals, have been submitted and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason:

To prevent flood risk and pollution, in accordance with Policy MD7 (Environmental Protection) of the Local Development Plan.

7. All the trees and hedges to be retained and/or any trees whose canopies overhang the site shall be protected by strong fencing, the location and type to be first submitted to approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the

site for the purposes of the development, and shall be retained and maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies MG17 (Special Landscape Areas) and MD2 (Design of New Development) of the Local Development Plan.

8. Notwithstanding the submitted details, prior to the commencement of the works on the conversion of the buildings hereby approved, a schedule of finishing materials to be used, including for the walls, roofs, windows, roof lights and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained.

Reason:

To safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

9. Prior to the commencement of works to layout access and parking to the converted buildings and larger glamping pods hereby approved, details of surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

10. Prior to the first time that it is installed, details of the temporary toilet and shower block, including the time period within the year that it will be present on the site, shall be submitted to and approved in writing by the Local Planning Authority. The temporary toilet and shower block shall be installed in accordance with the approved details.

Reason:

To clarify the details of the proposed temporary toilet and shower block and safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

11. Prior to the construction of the camping area within Zone 3 as shown drawing no. Plan 03 Rev I Block Plan, a reptile and amphibian barrier shall be erected around the area of development within Zone 3 in accordance with a plan and method statement that shall have been first submitted to and approved in writing by the Local Planning Authority. The method statement shall include the timing for the erection and duration of the barrier, its construction, and method for subsequent trapping and translocation of reptiles and amphibians.

Reason:

In the interests of biodiversity, and in accordance with Policy MD9 (Promoting Biodiversity) of the Local Development Plan.

12. Prior to the first beneficial use of the development hereby approved, an ecological mitigation, enhancement and management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover a period of 10 years from the first beneficial use of the site and be implemented in accordance with the approved details.

Reason:

In the interests of biodiversity, and in accordance with Policy MD9 (Promoting Biodiversity) of the Local Development Plan.

13. Prior to the first beneficial use of the development hereby approved, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented and lighting shall be maintained in accordance with the approved details, for as long as it exist.

Reason:

In the interests of biodiversity, and in accordance with Policy MD9 (Promoting Biodiversity) of the Local Development Plan.

14. Prior to the first beneficial use of the development hereby approved, bat boxes and bird nesting boxes/features shall be provided in accordance with details that shall be first submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of biodiversity, and in accordance with Policy MD9 (Promoting Biodiversity) of the Local Development Plan.

15. Prior to the first beneficial use of each unit of accommodation, arrangements for the provision of cycle parking/storage for that unit of accommodation shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the submitted details prior to the first beneficial use of that unit and retained.

Reason:

To ensure sufficient cycle parking arrangements are provided on the site to encourage sustainable tourism, in accordance with Policies MD2 (Design of New Development) and MD13 (Tourism and Leisure Proposals) of the Local Development Plan.

16. Prior to the first beneficial use of the development hereby approved, details of the cycle hire scheme, the cycle storage area for this and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The cycle hire scheme shall be implemented in accordance with the approved details.

Reason:

To encourage sustainable tourism, in accordance with Policy MD13 (Tourism and Leisure Proposals) of the Local Development Plan.

17. Prior to construction of the electric vehicle parking spaces as shown on drawing no. 03 Rev I Proposed Block Plan, full details of the spaces and charging points shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle parking spaces shall be completed in accordance with the approved details prior to the first beneficial use of the development hereby approved and shall thereafter be so retained.

Reason:

To safeguard the provision of satisfactory electric vehicle parking as required by Policy MD2 (Design of New Development) of the Local Development Plan and Policy 12 (Regional Connectivity) of Future Wales.

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following

completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy MD7 (Environmental Protection) of the Local Development Plan.

19. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason:

To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy MD7 (Environmental Protection) of the Local Development Plan.

20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first beneficial use of the development hereby approved; and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies MG17 (Special Landscape Areas), MD2 (Design of New Developments) and MD9 (Promoting Biodiversity) of the Local Development Plan.

NOTE:

1. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Local Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

(i) determining the extent and effects of such constraints;

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/soils) are chemically suitable for the proposed end use (under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to Section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed); and

(iii) the safe development and secure occupancy of the site

rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

2. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

Further information of the SAB process can be found at our website or by contacting our SAB team: sab@valeofglamorgan.gov.uk

- 3. Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority – Vale of Glamorgan Council). Works include any change to the ordinary watercourse that may obstruct or alter its flow on a permanent or temporary basis.**
- 4. In respect of the timing of the erection of the reptile and amphibian barrier as required by condition, it would be expected that such a barrier would be erected in March or April.**

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 that 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 that 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.