



PLANNING & DEVELOPMENT COMMITTEE

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0882/10 (GW)
APPLICANT: Transformahome
DEVELOPMENT: Temporary farmhouse, glamping pods, storage building and associated development (Amended site location plan, description and changes to position of glamping pods and storage building received 10th and 16th March 2020)
LOCATION: FERNHILL FARM, CAROLINE STREET, BLAENRHONDDA, CF42 5RY
DATE REGISTERED: 09/12/2019
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: GRANT

REASONS: Sufficient evidence of a firm intention and ability to develop the rural enterprise has been submitted along with evidence to support the need of a temporary dwelling on site. Therefore a temporary permission of 3 years is recommended.

If a permanent dwelling is required, an application must be made that fully meets the tests in paragraph 4.4.1 or 4.6.1 of Technical Advice Note 6 (TAN 6): Planning for Sustainable Rural Communities (2010). If a subsequent application doesn't meet the tests, no further temporary permission can be granted and the temporary dwelling would be required to be removed from the site.

Turning to the glamping pods and related development, this could provide a tourism benefit for the area and lead to further beneficial tourism development for the site and wider area. Concerns were initially raised in relation to the sustainability of the development and its visual impact. Subsequently amended details were submitted, re-locating the glamping pods closer to the proposed farmhouse and closer to the settlement of Blaenrhondda. Whilst some concerns still remain, the amended location reduces them.

On balance, a temporary permission is considered acceptable to enable the rural enterprise to develop and potentially regenerate the surrounding land to a more positive agricultural and tourism use.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Prosperity and Development because three or more letters of objection have been received.

APPLICATION DETAILS

This application seeks permission for a temporary farmhouse and glamping pods. It is the long term intention of the applicant to develop the wider site area as a farming and tourism enterprise and an indicative masterplan has been submitted to outline potential future proposals and support the application. Members should note that the 'indicative masterplan' is not proposed as part of this application; and it is only the temporary farmhouse, glamping pods and related development that is the subject of this application. Any other development shown within the indicative masterplan, such as the community garden, visitor centre, stables, café, lake, access road and housing, would need separate planning permission.

Initially, the vision for the site is to develop a farm and supporting temporary dwelling and glamping area. The farm business will look to establish a herd of 30 sows and a flock of 350 ewes and it is detailed the temporary dwelling will be required in order to run this business alongside the glamping. The applicant has provided evidence of some stock already on site and the initial steps being undertaken to start regenerating the ground for agricultural purposes.

The temporary dwelling would be a wooden mobile home type of structure and would have two bedrooms with a kitchen and living area and one bathroom. It would be placed on a concrete base. A landscaping plan has been submitted for the area around the temporary dwelling. Native species shrubs, trees and hedge planting would be provided on and around the site.

Originally four glamping pods were proposed on a plateau in the northern part of the site. Following concerns raised to the applicant with regard the visual impact and sustainability of this siting, an amended location has been received. The four glamping pods would now be placed to the south of the location of the temporary farm house close to the public highway access at the top of Caroline Street.

The glamping pods would be arranged in a line of individual plots. They would have an 'arc' shaped roof covered with green coloured shingles. The front and rear elevations would be finished with wooden boards. A native species hedge would be provided around each plot and the glamping area with some additional trees.

A storage building would also be provided on the opposite side of the access track to the glamping pods. It would be used for general storage and would house a wood pellet boiler. The building would be finished with green coloured box profile sheeting and would have solar panels on its roof. A car parking area would be provided next

to this. A native species hedge would be provided around this area with some trees at the corners.

A 'Biorock' or similar waste water treatment tank would also be provided for foul drainage from the pods.

On a wider scale, and outside of the remit of this application, the plans detail that alongside the sheep and pig farming, the applicant is intending to plant willow trees. These will be harvested for the wood pellet boiler and also sold on for use outside the site.

The application is supported by:

- Planning Statement;
- Planning Appraisal;
- Indicative Masterplan;
- Land Quality Assessment;
- Ecological Appraisal Report;
- Landscape Plan Supporting Report;
- Landscape and Visual Impact Assessment;
- Fernhill Photo Sheets;
- Fernhill Farm Planning Budget;
- Details of houses to buy and rent in the area;
- Evidence of loans undertaken to support the enterprise, receipts for sale and buying of stock, Welsh Government Rural Payments letter detailing County Parish Holding Number and Customer Reference Number; and
- Biomass boiler detail.

SITE APPRAISAL

The site is part of the former Fernhill colliery site and is accessed from the northern end of Blaenrhondda. The road access from Brook Street is surfaced for the first part (Caroline Street), however its condition deteriorates as it changes to a private road and its width reduces closer to the site of the house and glamping pods.

PLANNING HISTORY

19/0147/10	Land at Fernhill Farm, Caroline Street, Blaenrhondda	New dwelling and garden curtilage including car parking.	Withdrawn	14/08/2019
18/0555/10	Land at Fernhill Farm, Off Caroline/Brook Street, Blaenrhondda	Temporary farmhouse and glamping pods.	Withdrawn	19/09/2018

03/0265/10	Fernhill Colliery, Rhigos Road, Blaenrhondda	Development of green waste & wood composting site. Compost to be used for onsite restoration	Granted	18/04/2003
99/6269/15	Former Fernhill Colliery Site, Blaenrhondda, Treherbert	Variation of condition nos. 2, 28, 29 & 33 of 54/93/0323 to landscape disturbed area to amenity and nature conservation purposes not agriculture as originally envisaged and to extend the permission by 2 years	Approved. Notice not issued.	29/09/2000
99/6210/15	Former Fernhill Colliery Site	Variation of Conditions 1,13,30,31 and 32 of 54/93/0323 to amend the extent of working and restored landform	Approved. Notice not issued.	29/09/2000
97/6468/15	Old Fernhill Colliery Site	Land Reclamation and Coal Recovery	Notice not issued	
93/0323	“	“ Coal recovery and land reclamation scheme	Approved. Notice not issued.	05/12/1994
86/1152	“	“ Levelling site, construction of western town buildings, car park, toilets, caravan and camping facilities	Granted	06/02/1987

PUBLICITY

The application was originally advertised by site notice. However, following amended plans being received the Council were unable to display a new site notice due to the current Coronavirus (COVID-19) situation and the restrictions placed on movement. It is not considered the amended scheme would result in any further comments from the existing objectors but in light of this situation both local Members, Councillors Davies and Jones, have been reconsulted and have confirmed that they are happy for the application to be reported to Committee for final determination without the posting of a second site notice.

At the time of writing this report four letters have been received (all from before the amended plans were submitted). The planning related objections are summarised below. Comments on non-material planning considerations have not been included:

- There is still no public showing of the land owned by the applicant and where the public right of way is.
- Work has started on the glamping pods despite this not being approved.
- The drainage systems won't cope.
- It will cause a lot of pollution due to the coal dust being disturbed and impact on people's health.
- The ground does not look stable enough to build upon.
- It would pollute the river and affect fish and other wildlife.
- Dwr Cymru need to repair pipes above the coal board compound, as when it rains, there is a river of water making the road dangerous for walkers and could compromise the road going across the stream.
- The applicant has a waste disposal permit from NRW and the dumping of waste materials can be seen and is encouraging illegal dumping at the site.
- There is also a sub-station that supply's electricity to the top of the Rhondda, there seems to be a lot of gas bottles laying nearby. Should there be an electrical problem it would take some time for vehicles to get there as the barrier is locked.
- Where he's planted his small trees I'm sure is blocking the electric and coal board entrances on to their land.
- Blaenrhondda doesn't cope with the traffic now.
- There is a very real shortage of parking locally.
- Concerned about potential amount of housing and construction traffic.
- Further development will impact on services such as the doctor's surgery.
- Would it be possible to include an 'integrated sustainable transport hub' close to the bus terminus? Would a new bus route between Treorchy and Aberdare be considered?

CONSULTATIONS

Coal Authority – No objection. The area of the temporary farmhouse and glamping pods is outside the high risk area for former coal mining works.

Dwr Cymru/Welsh Water – No objection. They advise the site is crossed by a 225mm combined public sewer, however the submitted plan indicates the farmhouse or glamping pods would not be within the easement. Further advice on water supply and foul drainage is provided.

Natural Resources Wales - No objection. However Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage. It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site, the Local Planning Authority may wish to re-consult Natural Resources Wales.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

RCT Countryside, Landscape and Ecology – The ecology assessment has been reviewed, which is an appropriate assessment of the site, and which concludes that with some precautionary species measures, the direct ecological impacts of the development are unlikely to be significant.

There are concerns that the glamping pods would be on colliery spoil and involve excavation and land forming works. Given the potential erosive nature of colliery spoil, and that this site sits close to the Rhondda Fawr river (which is a SINC), I am concerned as to how these works will be undertaken without causing erosion and possible run-off impacts to watercourses. However, the amended plans appear to show the glamping pods on natural ground, so these concerns about colliery spoil disturbance are not relevant. The landscaping looks appropriate and using a small range of locally occurring tree scrub species.

The ecology report highlights the need for light sensitivity treatment of the site. This is currently a dark night sky environment which has both ecological and landscape benefits. There are concerns about light spill, however as long as the lighting is appropriate low key and perhaps doesn't involve external site lighting that would most likely be okay.

There are some concerns with regard the wider bio-fuel planting that would have further implications for erosion/ disturbance of colliery spoil, sediment and other run-

off and potential water quality impacts. It would also result in a loss of open grassland, heath and Fridd habitat to planting.

RCT Flood Risk Management - The comments for the amended position of the glamping pods are the same as the original location. The site is situated within a reclaimed tip and the applicant should be made aware of the geotechnical formation in which the development is proposed. The site location is shown to encompass a range of surface water flood risk conveyance routes that affect the wider site location. No objection is raised subject to a condition requiring drainage details. Advice is given with regard Sustainable Drainage Approval and Ordinary Watercourse Consent.

RCT Public Health and Protection – No objection subject to conditions on the demolition of existing dwellings, a restriction on hours of operation during the construction period of the development, noise, dust and waste.

The Fernhill Colliery formerly occupied the site and there is potential for contamination. With regard the contaminated land report submitted this does not cover the amended siting of the glamping pods. As such, a condition with regard this issue is recommended.

Further advice is provided with regard private water supplies.

RCT Public Rights of Way Officer (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting of the pods, but it is not considered the potential impact would be any different to that of the original scheme) - The Council received an application to add a route running through the site to the Definitive Map and Statement however, the application is incomplete. If completed, the application will be entered onto the register of Definitive Map Modification Orders and at the appropriate time the application will be determined.

RCT Transportation Section – The local highway network, such as Brook Street and Caroline Street, leading to site are sub-standard in terms of available carriageway width, segregated footways, street lighting, and drainage. Any intensification of vehicular and pedestrian movements would exacerbate the current situation and increase risk to all highway users.

The proposed is lacking in a segregated footway / cycle facilities and would be reliant on private motor vehicles only which is non-compliant with Sustainable Transport hierarchy stated in PPW 10th edition and Active Travel (Wales) Act 2013 and therefore is considered unacceptable.

However, taking into account the proposed farm enterprise, which is a temporary permission, reluctantly, on-balance, the proposed is acceptable.

South Wales Fire and Rescue (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting

of the pods, but it is not considered the potential impact would be any different to that of the original scheme) – No objection and advice is provided on provision of water supplies for firefighting and emergency access for firefighting appliances.

Wales and West Utilities (Based on the original plans and location of glamping pods. No additional comments have been received in respect of the amended siting of the pods, but it is not considered the potential impact would be any different to that of the original scheme) – According to their records Wales and West Utilities have no apparatus in the area of enquiry. However, gas pipes owned by others may be present in the area. Information with regard to such pipes should be obtained from the owners. Further advice on safe digging practices is provided.

POLICY CONTEXT

The site is located in the Northern Strategy area. The amended application site is located within the settlement boundary and the Fernhill strategic site (NSA 5). The site is within a mineral (coal) safeguarding area (AW 14) and within the Rhondda Historic Landscape as identified by Cadw.

Other notable designations nearby include: the site is adjacent to a Special Landscape Area (SLA) - Rhondda Fawr Northern Cwm & Slopes (SSA 25.7), surrounded by a Site of Importance for Nature Conservation (SINC) (AW 8) and there is also a Regionally Important Geological Site (RIGS) close to the boundary of the site.

Rhondda Cynon Taf Local Development Plan

Policy CS 1 - sets out criteria for achieving strong sustainable communities including:

- promoting residential and commercial development in locations which support the role of principal towns and key settlements.
- provide high quality, affordable accommodation that promotes diversity in the residential market.
- Ensuring the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings;
- Promoting accessibility by securing investment in new roads, public transport improvements, walking and cycling;
- encouraging a strong, diverse economy which supports traditional employment and promotes new forms of employment in the leisure and tourism sectors;
- Protecting the cultural identity;
- Promoting and enhancing transport; and
- Reducing daily out commuting.

Policy CS 3 - allocates strategic sites to promote sustainable growth within Rhondda Cynon Taf; this includes land at the former Fernhill colliery site in Blaenrhondda. The policy states that the development of the strategic sites must have regard to the indicative concept plans identified on the proposals map.

Policy CS 10 - seeks to protect resources and to contribute to the demand for minerals without compromising environmental and social issues.

Policy AW 1 – sets out the strategy for the supply of new housing over the plan period.

Policy AW 2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations. These include sites within the settlement boundary and those which have good access to key services and facilities. The policy also favourably looks upon proposals which support the strategic sites.

Policy AW 5 - sets out criteria for new development in relation to amenity and accessibility and requires existing features of natural environment value to be retained.

Policy AW 6 - requires development to involve a high quality design and to make a positive contribution to place making including, the protection and enhancement of the landscape and biodiversity.

Policy AW 8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation, including ecological networks, the quality of natural resources and the natural drainage of surface water.

Policy AW 10 - seeks to ensure that development proposals will not cause harm to health and /or local amenity. The policy includes reference to land stability and contamination.

Policy AW 14.4 - requires the resources of coal to be safeguarded from development.

Policy NSA 5 - allocates land at the Fernhill strategic site for housing development, a local retail centre and informal recreation contained in a countryside setting. The policy also states that the site will be subject to a large scale reclamation scheme.

Policy NSA 16 – provides criteria for the re-development of vacant/redundant industrial sites.

Policy NSA 25 - identifies special landscape areas including the Rhondda Fawr Northern Cwm and slopes. Development within a defined SLA will be expected to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

Supplementary Planning Guidance

Access Circulation and Parking

Design and Placemaking

Nature Conservation

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local

Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations (Wales) Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by Chapter 2 achieving wellbeing through placemaking, Chapter 3 strategic and spatial choices, Chapter 4 active and social places, Chapter 5 productive and enterprising places and Chapter 6 distinctive and natural places of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 managing new development.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 13: Tourism;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development; and

PPW Technical Advice Note 24: The Historic Environment.

Manual for Streets; and

Welsh Government Circular WGC 008/2018: Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.

The above chapters and Technical Advice Notes set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to

be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main issues:

The application includes two elements, albeit related, the temporary farm house and the glamping pods (including storage building and associated works). These will generally be assessed separately although some issues are relevant to both.

Impact on the Strategic Site

A strategic development site (NSA 5) is located north of Blaenrhondda and the first part of the access road and the temporary farmhouse and glamping pods would be located within it. The development, which the strategic site is allocated for (housing and related development), has not yet come forward within the current Local Development Plan (LDP) period of 2006-2021. The applicant has also submitted an indicative masterplan for the whole area that the applicant controls. Whilst this details housing could come forward on the strategic site, it is considered the likelihood of this in the near future is not certain. Furthermore, the current LDP is under review and the current housing allocation may not be in an updated LDP.

As such, the proposed tourist and rural enterprise uses being proposed could provide an alternative economic benefit to the area. It is considered this type of use, would also complement other potential tourist uses in the area such as 'Zip World', the opening of the Rhondda Tunnel in Blaencwm and other such developments. Furthermore, the proposed rural enterprise on its own, would not prevent or negatively impact on the development of the wider strategic area.

In summing up whilst the proposal as presented for the temporary farmhouse and glamping pods does not comply with the current vision for the strategic site (Policy NSA 5), it would not necessarily prejudice the site coming forward in the future given the nature of the use. It is also considered that with regards to developing a residential scheme that there are viability issues in doing so and therefore the Council could consider alternative or complimentary uses on the site.

Temporary Farmhouse Dwelling Appraisal

The applicant makes the argument the dwelling is needed to support a farming and tourism business. Planning Policy Wales does allow for dwellings in isolated areas in support of rural enterprises however, they require special justification.

Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN 6) Rural Enterprise Dwelling Appraisal sets out special justification tests to ensure that the dwelling is justified. Section 4.3.1 of TAN 6 sets out the tests for a new rural enterprise dwelling on a new rural enterprise where there is a functional need for a full time worker

and the evidence criteria in paragraphs a-e in section 4.6.1 are fully evidenced by a Rural Enterprise Dwelling Appraisal.

It is noted the applicant has applied specifically for temporary permission. As stated in TAN 6, if the tests cannot be fully proven; a temporary permission may be appropriate for a period which is commonly three years, although a different time period may be given. This will afford the applicants the opportunity to prove that their business has a chance of being viable.

A Planning Statement by Graham Leaver of Egis Consultancy Ltd. and further information in the application highlights the detail in respect of the tests as required by TAN 6 has been submitted. Members should note that without the Council obtaining an assessment from a professional agricultural consultant of the submitted information, the following comments are offered as an observation.

a) clear evidence of a firm intention and ability to develop the rural enterprise concerned (significant investment in new buildings and equipment is often a good indication of intentions);

In considering the information in the appraisal and the planning statement, the applicant has purchased the land and states that the business has established a small herd of pigs and had a loan of £150,000 sanctioned by a bank. A 5 year business plan has been submitted with the application. There are costs indicated in the appraisal including that the investment is calculated to be approximately £85,000. The applicant has also submitted various receipts which itemise purchases of what can be seen as agricultural equipment. The applicant has also supplied details of a licence for the movement of pigs and an application for a County Parish Holding Number. In considering all of the documentation that has been submitted it would appear that there is some evidence of intent. The application however also states that the applicant works full time elsewhere at the moment.

b) clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be available;

The appraisal states that the reason for the proposed location of this development site is due to the site being owned by the applicant. However land ownership is not a consideration for planning. The planning statement makes reference to properties that have been looked at and details are provided with the application, however there is no commentary provided of the suitability of these as the applicant requires a house on site.

c) clear evidence that the proposed enterprise has been planned on a sound financial basis;

Evidence including a 5 year budget has been submitted with this application. This details the operation would be running on a profit from year one and that would increase over the five years. There is no evidence to the contrary available to dispute the financial details submitted but it is noted that these are only projections.

d) there is a clearly established functional need and that need relates to a full-time worker, and does not relate to a part-time requirement;

From the evidence provided by the applicant; there is a claim that the functional test is satisfied as their presence is required during farrowing and lambing due to difficulties occurring in a very short space of time. The appraisal also makes reference to presence being required during these difficult times in order to keep distress of both mother and baby to a minimum during labour. It also makes reference to farrowing often occurring outside of normal working hours. The appraisal makes reference to various tasks that can be required just after farrowing such as disease, feeding and the provision of clean bedding. Reference is also made to emergencies such as fire and stock escaping and security purposes. The policy stipulates that for a dwelling to be essential it should relate to *unexpected situations that might arise*. Whether it could be considered 'essential' for an individual to be present in the case of such 'unexpected situations' is a judgement best made by an agricultural professional. As such, there is no evidence to the contrary available to dispute that the operation requires a full time worker.

The applicant has provided information which illustrates the labour requirements associated with running the business. It is not clear if this number of animals will be on site immediately or whether this number will be grown as the business grows. No contrary evidence is available to clarify whether the calculation made in the appraisal, which concludes one full time member of staff is required, is correct. It is stated in the appraisal that the applicant would work full time on the farm within 3 years, therefore there will not be a full time worker present on the site initially. TAN 6 states *that where there is currently no dwelling associated with the rural enterprise for whom there is a functional need for new accommodation must be a full time worker*. It is therefore questioned if there is a current need for the dwelling at present or if this is more appropriate as the business grows.

e. the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned;

TAN 6 states that evidence is required to demonstrate that there is no other dwelling(s) or building suitable for conversion. It is clear that there are no other buildings on the site and therefore no opportunity to convert them. This is accepted. The TAN also makes reference to other dwellings in the locality. Details of other properties in the locality are provided, however the appraisal states that there are 15 properties for sale and 2 houses for rent within a mile radius of the holding, the appraisal goes on to state that the nearest post code is 1/2 a mile away from the proposed dwelling and these are all for sale. Whilst it is understood that a rental property would be preferable, due to the temporary nature of the proposal, no commentary has been presented outlining what alternative properties have been considered and why they aren't suitable. Although the applicant does state they need to be situated on the actual site.

f) other normal planning requirements, for example siting and access, are satisfied;

1. Siting and Design – The dwelling would be sited near some existing enclosures and near to the base of the valley side. While isolated, the siting and design for a temporary dwelling is considered acceptable.
2. Impact on Residential Amenity - In terms of the impact on the amenity of surrounding residents the nearest dwellings are located some distance from the siting of the temporary dwelling. As such it is considered there would be no significant impact.
3. Access - There are concerns that the proposal would not be accessible by a range of transport modes. An inevitable consequence of being located away from settlements is that there would most likely be a greater requirement for vehicular travel by the family, visitors and for deliveries. No objection has been raised by the Transportation Section.
4. Contamination - There is concern regarding potential contamination from the former colliery use of the site and land stability given the history of the site. An investigation has been submitted and the Council's Public Health Section detail further clarification is required and maintain the requirement for a condition if permission is granted. It is considered this would be necessary due to the health and safety risks.
5. Ecology – No objection has been raised from the Countryside Section and is discussed further in the following sections.
6. Drainage - It is proposed foul drainage would go to a package treatment plant. However planning guidance (Welsh Government Circular 008/18) details where practicable, foul drainage should be discharged to the mains sewer. The nearest sewer is some distance. As this application is for temporary permission for one dwelling it is considered acceptable. Natural Resources Wales detail that a package treatment plant must be installed to British Standard 6297 and Approved Document H of the Building Regulations 2000. With regard to surface water drainage the Council's Flood Risk Management Section detail a condition is required to submit further details.

Summary

It is considered the evidence submitted does not fully satisfy the justification tests outlined in PPW and TAN 6. There is not enough substantiated evidence, at the moment, to justify a dwelling under section 4.3.1 of TAN 6. In summary there is no significant existing rural enterprise being run from the site, insufficient evidence has been submitted to show that other sites outside or within the land holding are suitable for the enterprise, the financial figures that have been provided are only projections, the need for a full time worker at the present has not been clearly established and insufficient evidence has been submitted of other houses considered to rent or buy in the area.

Notwithstanding this, it is noted that TAN 6 does allow for temporary permission if the evidence has not been fully satisfied. It is considered the applicant has submitted sufficient evidence of intent of setting up the enterprise and building this up over a three year period to a point where a permanent dwelling may be considered acceptable. As detailed above, an assessment of this will be required by the submission of a further planning application for a permanent dwelling. Policy guidance details that no further temporary permission should be given. And if the requirement for a permanent dwelling is not met, the temporary dwelling would be required to be removed from the site. Therefore, on balance, taking into account the above, a temporary three year permission is considered appropriate.

Glamping Pods Assessment

Principle of Development

With any development it is necessary to consider the sustainability of such a proposal and whether it accords with the National Sustainable Placemaking Outcomes as outlined in Planning Policy Wales Edition 10. This is especially pertinent given that the development is not proposing the improvements that policy NSA 5 requires in order to make the site sustainable. Planning Policy Wales Edition 10 states that sustainable places are the goal of the planning system. The LDP also seeks sustainable development and Policy AW 2 supports this goal by ensuring that developments are in sustainable locations. The policy contains criteria which define where these places are and it is therefore necessary to assess this development against this policy.

Criterion 1 requires that the site is within the settlement boundary. The amended location of the glamping pods meets this criterion.

Criterion 2 seeks to ensure development would not conflict with surrounding uses. There is some concern that the construction of the glamping pods may appear incongruous in the landscape as opposed to the creation of a planned built form of the whole of strategic site.

Criterion 3 and 4: the site should have good accessibility by a range of sustainable transport modes and have good access to key services and facilities. At present the site is considered car dependant. It is acknowledged that there is a bus service which runs to the edge of the site on Brook Street, however the route does not extend into the site nor does the site benefit from a complete network of pedestrian footways or street lighting, this means that safe access on foot cannot be achieved at present to public transport. The glamping pods have been re-located and are now closer to Blaenrhondda and the public highway of Caroline Street. Whilst the criterion have not necessarily been met, it is however recognised that the nature of this type of development is that they are sited in more isolated places.

Criterion 5 states the site should not in a C2 Flood zone. The site is not within this flood zone and therefore this is met.

Criterion 6 states that new development must support the roles and functions of the Principal Towns, Key Settlements and Small Settlements. The tourism development could provide some economic support to the nearby Key Settlement of Treorchy and Small Settlement of Treherbert.

Criterion 7 states that the development must support the roles and functions of the Strategic site. The proposal as submitted does not necessarily support the roles and functions of the strategic site as it is piecemeal development and not comprehensively planned. It does not deliver the regeneration benefits sought from the site. However, as stated above, the future of the strategic site in this location is questioned, and if the site could deliver an overall tourism/outdoor pursuit's scheme then this may help deliver benefits for the local area.

Criterion 8: are well related to existing water, sewerage, waste, electrical, gas and telecommunications infrastructure and improvements to such services will be provided where necessary. The information submitted with the application identifies that utility infrastructure may not be available on the site at the moment.

Given the above, it is considered at present this development meets some of the criterion of Policy AW 2 of the Local Development Plan, but not all. It is also considered that the proposal does not meet all the placemaking principles of PPW and would not completely comply with the National Sustainable Placemaking Outcomes.

Notwithstanding the above, the amended position of the glamping pods reduces the visual and isolated impact that was more clearly evident with the original proposed location. They would now be in the settlement boundary and closer to the proposed temporary farm house and settlement of Blaenrhondda.

Furthermore, Planning Policy Wales paragraph 5.5 views tourism as vital to economic prosperity. It's seen as important for employment and can help regeneration of an area. It states that the planning system should, "encourage tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities".

The submitted proposal and 'indicative masterplan' envisages the wider site could be developed into a farm enterprise and a more significant tourism/outdoor pursuit's attraction in the future. Members are advised that if this was a farm diversification proposal on an established farm, then in sustainability terms, the proposal would be more acceptable. As such, a temporary permission is recommended, in line with the recommendation for the temporary farm house. This would allow the opportunity for the farming and rural enterprise to grow, and potentially become established within a three year time period.

Therefore, on balance, the principle of a temporary permission is considered acceptable, subject to an assessment of the other material planning considerations detailed below:

Impact on the character and appearance of the area

It is recognised the site is a former colliery, and that the landscape has been partly restored to a semi-natural state. Whilst the applicant argues it is a 'brownfield' site, it is considered the restoration and recovery of the land is enough to however be considered as a 'greenfield' site in accordance with the definition of previously developed land identified in Planning Policy Wales (Page 38).

The applicant has submitted a Landscape and Visual Appraisal report. This uses the LANDMAP information produced by NRW and details the areas Visual and Sensory aspect as High, its Landscape Habitats as High, its Historic Landscape as Outstanding, its Geological Landscape as Outstanding and its Cultural Landscape as High. It is noted that the appraisal identifies the descriptions cover a wide area and these may not apply to the setting of some of the site.

The original location of the glamping pods was in an area identified as being within a Special Landscape Area (SLA) and was also adjacent and considered within the setting of a Regional Important Geological Site (RIGS) important for its geology which Policy AW 8 protects. The amended location of the glamping pods is however not within the SLA and is considered to reduce the impact on the setting of the RIGS.

Furthermore, in assessing the visual impact of the new location, it is noted this is now within the settlement boundary, albeit it is noted there is little development in the surroundings and it is visually within the open countryside. Notwithstanding this, it is closer to the site of the temporary farmhouse and would also be seen against the wooded hillside behind. As such, this siting has a less visual impact on the open countryside than the previously proposed location. Whilst the site is also identified as part of the Rhondda Historic Landscape area designated by Cadw, due to the small scale of the development, there would however not be a significant impact on this designation.

In addition, a landscaping scheme of native species planting has been proposed to help screen the glamping pods and storage building. It could be argued that in time the development may be well screened and that the impacts on the setting of the surrounding high quality open rural landscape may be reduced to an acceptable level.

Lighting would also be an issue to take in to account due to the open nature of the site. It is noted however that the development is currently in the settlement boundary and strategic site area where significant development in relation to that allocation would have a far greater impact than that being proposed. Paragraph 6.8.1 of PPW states 'There is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to: protect the natural and historic environment including wildlife and retain dark skies where appropriate'. Whilst no lighting has been proposed, it is however considered the development is likely to introduce lighting that could be to the detriment of some of the qualities stated above. The Council's Countryside Section consider a sympathetic lighting scheme may be acceptable. Therefore a condition requiring such details is considered necessary if permission is granted.

In summing up, the amended location of the glamping pods would have a lesser visual impact on the surroundings than that originally proposed. A landscaping scheme is proposed that would help screen the development from some longer views and a sensitive lighting scheme can be obtained by condition. Therefore, it is considered the development would be acceptable in these terms.

Ecology

The glamping pods (and temporary farm house) would be located on land that was part of the former Fernhill Colliery. The land has partly been restored and some vegetation has recovered. It is adjacent to the Mynydd Blaenrhondda and Mynydd Ty-isaf Fawr Site of Importance for Nature Conservation (SINC) and relatively close to the Rhondda Fawr SINC.

An ecological appraisal has been submitted, which details the mobile home would result in the loss of some land that is considered to have low botanical diversity and the ecological value is considered negligible. The original glamping pod position would result in the loss of some 1000m² of dry heath vegetation and a similar area of semi-improved grassland. This is similar for the new siting of the glamping pods. The report identifies that dry heath is a habitat that is listed in Section 7 of the Environment (Wales) Act 2016 and regards it as being of 'principal importance' for the purpose of maintaining and enhancing that biodiversity.

Section 6 of the Environment (Wales) Act 2016 places a legal obligation on public bodies in Wales to 'maintain and enhance biodiversity' whilst carrying out their functions. The report details that given the status of this dry heath as a habitat of importance that some compensatory dry heath habitat should be created. Members are advised that this is considered necessary and details of this can be required by a suitably worded condition.

The report further highlights the site has reptiles and a suitable mitigation strategy is required, that it has potential for breeding birds and a suitable mitigation strategy is required and that bats are present nearby and a suitable lighting scheme would be required. In addition it details a sensitive lighting scheme would be required. The Council's Ecologist accepts the findings of the report and highlights the need for the mitigation strategies to be implemented for the proposal to be acceptable. Members are advised that this is considered necessary and details of this can be required by a suitably worded condition.

Contamination

The glamping pods would be located on the former site of the Fernhill Colliery. A Land Quality Assessment has been submitted, however the Council's Public Health Section has detailed that further clarification of testing and any mitigation that is necessary is required as the amended location of the glamping pods has not been taken into account in the reports submitted. Due to the potential health and safety risk this is necessary and should be required by a suitably worded condition prior to any works being carried out.

Surface Water Drainage and Tip Safety.

The Council's Flood Risk Management Section commented (based on the original submission) that the site is situated within a reclaimed tip and the site location is shown

to encompass a range of surface water flood risk conveyance routes that affect the wider site location. This area is also identified within RCT's Flood Risk Management Plan (specifically Investigation area RCT0104). As such the wider project and proposed development will need to take full account of the inherent pluvial flood risk associated to the site. They do not object and detail a condition requiring details of how flood risk and surface water drainage will be taken into account is required.

Following receipt of the amended location of the glamping pods a further response has been requested, however at the time of writing this report no further comments have been received. As the amended location is still within the former colliery site it is presumed the comments are the same.

Members are advised that a Sustainable Drainage Application will also be required, which is separate from the planning process. Whilst this is so and normally the requirement should not be duplicated, it is considered that it would be prudent for the reasons highlighted above that these details should be provided as part of the planning application and prior to works commencing. Details of this can be obtained by a suitably worded condition.

Foul drainage

It is proposed to deal with foul drainage by a private treatment plant. It is noted Circular WGC 008/2018 requires that drainage should normally be to a public sewer unless it is not practical or financially prohibitive. The development proposed is for a temporary permission and the nearest public sewer is some distance. No objection has been raised by Natural Resources Wales subject to the relevant permits being required. Whilst a more comprehensive development of the strategic area should be required to drain to the public sewer, in this instance, due to the small scale and temporary proposal and financial implications it is considered that a private treatment facility would be acceptable for the temporary period.

Impact on residential amenity

The site is located some distance from nearby residential dwellings. There would be some increase of coming and goings along Blaenrhondda Road, however this would not be significant. Therefore in these terms the application would be considered acceptable.

Access

There are concerns that the proposal would not be accessible by a range of sustainable transport modes. An inevitable consequence of being located away from settlements is that there would most likely be a greater requirement for vehicular travel by the family, visitors and for deliveries. Access is via sub-standard roads and an objector raises the issue of increased traffic. Whilst this is noted, the development is small in scale and would not increase traffic significantly and no objection has been raised by the Transportation Section.

Summary

The development meets most of the criterion of policy AW 2 to determine if this is a sustainable location. The amended location of the glamping pods is less isolated than

the original location and this lessens the original concerns. However, if this was part of an established farm diversification then it would be more acceptable. As this is the intention of the applicant, a temporary period to allow the farm and rural enterprise to develop, is in principle acceptable. The amended location is also more acceptable with regard the visual impact. There will be some ecological impact, however mitigation measures are necessary to compensate and details can be obtained by condition. Further details are required with regard contamination and surface water drainage and these can be required by condition. All other material planning considerations are acceptable.

Other issues

Other Public Health Comments

The Council's Public Health & Protection Section have raised no objections to the proposal, however, a number of conditions have been suggested in relation hours of operation, noise during construction, waste, dust, soil importation and private water supplies. Whilst these comments are appreciated, it is considered that issues relating to these matters can be more efficiently controlled by other legislation and the suggested conditions are not considered necessary. An appropriate informative note would be sufficient in this instance.

Public Right of Way

Public footpaths traverse the wider site area that is indicated by the applicant would be used for farming. No current public rights of way affect the site for the temporary dwelling and glamping pods. Therefore this issue is considered acceptable.

Coal Resource and Risks from Former Coal Mining Works

The siting of the temporary dwelling and glamping pods are not within a high risk area for former coal mining works. No objection has been raised by the Coal Authority.

The site is also in a mineral safeguarding area (Coal) and Policy AW 14 of the LDP requires such areas to be protected and if the development went ahead it could sterilise some of this land. However, due to the small scale of development and the current political climate of reducing fossil fuel consumption, it is not considered this issue would warrant a refusal reason.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

If permanent planning permission for a dwelling is applied for, that application would be for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's

Residential Charging Zones, where a £nil charge is currently applicable and therefore no CIL would be payable.

Conclusion

It is considered that the application demonstrates that the principle of a temporary rural enterprise dwelling would be acceptable and that in other planning considerations it would also be acceptable. The glamping pods would provide a tourism benefit and in time could form part of an established farm and rural enterprise. The amended location of the glamping pods has lessened the concerns with regard to sustainability and the visual impact. The application is therefore recommended for a temporary permission.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance with the approved plans nos:
 - Site Location Plan (received 16th March 2020)
 - hdw/ph/gp.001e - Glamping Pods Proposed floor plan & elevations and proposed block plan (received 10th March 2020)
 - Landscape plan.dwg aug 2019 issue B-MDA (received 3rd September 2019)
 - hdw/ph/ab.002a - Temporary Farmhouse Proposed Site Plan, Elevations and Floor Plan (received 13th August 2019)

and documents received by the Local Planning Authority on 6th February 2019, 13th August 2019, 6th November 2019, 7th November 2019, 14th November 2019 and 23rd January 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

2. The temporary dwelling, glamping pods, storage building and any associated paraphernalia associated with its use shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 1st June 2023.

Reason: This planning permission is for a temporary period only in order to enable the establishment of a rural enterprise and in the interests of visual amenity in accordance with Planning Policy Wales TAN 6: Planning for Sustainable Rural Communities and Policy AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

3. The occupancy of the farmhouse dwelling shall be restricted to those:

- a. solely or mainly working or last working on a rural enterprise in the locality where there is/was a defined functional need; or if it can be demonstrated that there are no such eligible occupiers, to those;
- b. who would be eligible for consideration for affordable housing under the local authority's housing policies: or if it can be demonstrated that there are no persons eligible for occupation under either (a) and (b);
- c. widows, widowers or civil partners of the above and any resident dependants.

Reason: The site is not in an area intended for general development. Permission is granted solely because the dwelling is required to house a person or persons employed or last employed in a rural enterprise. A dwelling in this location would normally be contrary to Policy AW 2 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The glamping pods hereby approved shall only be occupied as holiday units and no unit shall be occupied by any individual, family or group for more than a continuous period of two months in any calendar year. 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: The site is unacceptable for general residential use by reason of its unsustainable location, in accordance with Policy AW 2 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed on the site unless details including its location, size, design and intensity have been

submitted to and approved in writing by the Local Planning Authority. The lighting installed shall be carried out and retained in accordance with the approved details.

Reason: To prevent light pollution and to afford protection to animal species in accordance with policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall commence until all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The development hereby approved shall not be brought in to beneficial use until approved drainage arrangements have been implemented on site.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

8. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

- a) A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
- b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
- c) A written method statement for the remediation of contamination affecting the site

Reason: In the interest of Health and Safety in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan

9. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme set out in condition 8 have been implemented and a

suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

10. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

11. Notwithstanding the submitted details, building operations shall not be commenced until samples of the finishing materials proposed to be used for the temporary farmhouse, glamping pods and storage building (including colour) have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

12. Notwithstanding the submitted details no development shall take place until a wildlife / habitat protection plan has been submitted to and approved in writing by the local planning authority. The wildlife / habitat protection plan shall include:
 - a) The creation/translocation of a minimum of 1200m² of compensatory dry heath habitat to a suitable nearby location.
 - b) A mitigation strategy for reptiles.
 - c) A method statement related to nesting bird habitat or if clearance is undertaken in the period March 1st to August 31st a nesting bird survey shall be carried out and submitted.
 - d) A site lighting scheme

The protection plan shall then be implemented in accordance with the timings

detailed in the approved wildlife / habitat protection plan.

Reason: To afford protection to animal and plant species in accordance with Policies AW 5 and AW 8 of the Rhondda Cynon Taf Local Development Plan