



## **PLANNING & DEVELOPMENT COMMITTEE**

**25 NOVEMBER 2021**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/1380/10 (KL)  
**APPLICANT:** Staycations Cymru  
**DEVELOPMENT:** Glamping pods for holiday let (amended plans rec. 26/01/2021) (Foul Drainage Arrangement Plan rec. 30/07/21)  
**LOCATION:** PENCAEDRAIN FARM, DINAS TERRACE TO COED WERNHIR, RHIGOS, ABERDARE, SA11 5NF  
**DATE REGISTERED:** 17/12/2020  
**ELECTORAL DIVISION:** Rhigos

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**RECOMMENDATION:** Approve

**REASONS:** The proposal is in keeping with Policies CS1 and AW5 of the Rhondda Cynon Taf Local Development Plan and with National Policy in that the proposal to use the land for holiday leisure/tourism purposes by the siting of 10 glamping pods is considered to be acceptable and compatible with the surrounding countryside. Furthermore, the overall scheme is considered acceptable in terms of its impact upon the character and appearance of the area, residential amenity of the nearest dwellings, highway safety and upon the adjacent European designations, the Coedydd Nedd a Melte Special Area of Conservation (SAC) and the Dyffynnoed Nedd a Mellte a Moel Penderyn Site of Special Scientific Interest (SSSI).

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

#### **APPLICATION DETAILS**

Full planning permission is sought for the siting of 10 glamping pods for holiday let on a parcel of land at Pencaedrain Farm, Rhigos.

The glamping pods would be arranged in two linear rows across the site on either side of a new self-draining track from the proposed access point at the western side of the

site. Each pod would measure 4 metres in width by 4.8 metres in depth with a domed roof that would measure 2.5 metres in height. They would be accessed via double doors to their front elevations which would open out onto a small balcony area measuring 4 metres in width by 1.5 metres in depth. Externally, the pods would be finished with a Britmet slate roof (colour 'moss green') whilst the front and rear elevations would be finished with timber panelling.

The accommodation within each pod would consist of a living/sleeping area and a small WC/shower room. Each pod would be connected to a septic tank at the western end of the site.

In addition to the standard application forms and plans, the application is accompanied by the following:

- Planning Statement
- Fact file
- Septic Tank details
- Foul Drainage Plan

## **SITE APPRAISAL**

The application site is located approximately 0.86km to the north of Cefn Rhigos. It is positioned between a single-track road leading to Pencaedrain Farm and the A465, the trunk road between the villages of Hirwaun and Glynneath. The site itself is relatively flat in ground profile however, the topography of the surrounding area typically falls away from the A465 at the south of the site to the Afon Mellte some distance to the north.

The site is situated in a countryside location and it must be noted that the Coedydd Nedd a Melte Special Area of Conservation (SAC) is located immediately to the north. The SAC has been designated for the mixed woodland on base-rich soils associated with rocky slopes and for western acidic oak woodland. The site is underpinned by Dyffrynnoed Nedd a Mellta a Moel Penderyn Site of Special Scientific Interest (SSSI) which is notified for a range of biological and geological features, but it is the bulk of the oak and ash woodland which comprises the SAC interests.

The nearest neighbouring properties are Pencaedrain Farmhouse, approximately 300 metres to the east, Ynys-Cambwll, approximately 0.50km to the west, and Coed-y-Rhaidyr and Dinas Road, approximately 250m to the north (both streets outside of RCT's boundary).

## **PLANNING HISTORY**

The following applications are considered to be relevant to this application site:

17/1208	Pencaedrain Farm, Rhigos	Proposed use of land for the siting of glamping pods for holiday let	Granted 22/02/18
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## **PUBLICITY**

The application has been advertised by erecting site notices in the vicinity of the site. No representations have been received.

## **CONSULTATION**

**Countryside, Ecology and Landscape:** No objection, subject to condition to secure a management plan to control both the initial set up and the operation of the site.

**Flood Risk Management:** No objection or condition recommended.

**Highways and Transportation:** No objection, subject to condition to secure details of 3 no. passing bays along access lane.

**Natural Resources Wales:** No objection, subject to condition to secure a Construction Environmental Management Plan.

**Public Health and Protection:** No objection, subject to conditions relating to hours of operation, noise, dust and waste during construction.

**Welsh Water:** Recommends consultation with NRW and Building Regulations due to the use of a septic tank. No other adverse comments received.

**Western Power Distribution:** Advises that a separate application to Western Power Distribution will be required for a new connection or service alteration.

No other consultation responses have been received.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site lies outside of the defined settlement boundary and close to the boundary with the Brecon Beacons National Park. The site is not allocated for any specific purpose and does not fall within any designation however, the Coed Nedd a Mellte Special Area of Conservation (SAC) and the Dyffrynnoed Nedd a Mellta a Moel Penderyn Site of Special Scientific Interest (SSSI) lies immediately to the north. The following policies are considered to be relevant in the determination of this application:

**Policy CS1 (Development in the North):** places an emphasis on building strong, sustainable communities. This will be achieved by encouraging a strong, diverse economy which supports traditional employment and promotes new forms of employment in the leisure and tourism sectors.

**Policy AW2 (Sustainable Locations):** promotes development in sustainable locations.

**Policy AW5 (New Development):** sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6 (Design and Placemaking):** sets out the criteria for new development in terms of design and place-making.

**Policy AW8 (Protection and Enhancement of the Natural Environment):** requires Rhondda Cynon Taf's distinctive natural heritage be preserved and enhanced by protecting it from inappropriate development.

**Policy AW10 (Environmental Protection and Public Health):** states that development proposals will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity due to noise pollution or any other identified risk to the environment, local amenity and public health and safety.

## **Supplementary Planning Guidance**

Design and Placemaking

Nature Conservation

Access Circulation and Parking

## **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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Furthermore, given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 13: Tourism;

PPW Technical Advice Note 18: Transport;

## **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 proposal effectively consists of two elements, the first being the change of use of the land from agricultural woodland to holiday leisure/tourism and the second being the siting of 10 no. glamping pods.

With respect to the change of use of the land, the key consideration in determining this element of the application is the compatibility of the proposed use with surrounding land uses. The key considerations in determining the construction of the glamping pods are the impact of the development on the character and appearance of the site and surrounding area, the operation of the pods upon the adjacent woodland and Special Area of Conservation (SAC) site and the impact of the scheme upon highway safety in the vicinity of the site. The amenity of neighbouring residents is a further consideration.

### **Principle of the proposed development**

The application site consists of a parcel of land that is located outside of the defined settlement boundary, in open countryside, and close to the boundary with Brecon Beacons National Park. Whilst development outside defined settlement boundaries would ordinarily be contrary to the sustainability objectives of Policy AW2, national policy does not hold this as a barrier to development associated with tourism, particularly as rural areas are typically associated with this kind of use. National policy is supportive of sustainable tourism proposals in rural areas on account of the fact that it contributes to a healthy, diverse economy. It notes that diversification of rural enterprises can strengthen the rural economy and bring additional employment and prosperity to rural communities. However, it does caution that proposals need to be sympathetic in nature and scale to the local environment. As such, careful consideration must be given to the layout of the proposal and design of the structures so as to ensure that they do not impinge on the character and appearance of the area/countryside, particularly its landscape, biodiversity and local amenity value. These matters are considered in greater detail in subsequent sections of the report.

It must also be noted that a similar proposal gained planning permission in 2018 (planning ref. 17/1208) which was also for a number of glamping pods to be erected at the site. The previously approved application was for a different layout with pods being arranged in a single linear row and only 9 of the 10 pods proposed providing holiday accommodation. The tenth pod provided a shared bathroom facility. The current application has been submitted following the Covid Pandemic to provide 10

no. self-contained units to ensure that, in the event that restrictions are imposed again, that the business will be able to continue to operate. As a result of the additional facilities, the pods are slightly larger in floor area (increase of 8 square metres). In light of the previous application, it is considered that the use of the site for tourism purposes has already been established. The previously approved application is still extant and so could provide a fall-back position, should the current application be refused.

It is considered that the proposal would be supported by Policy CS1 of the Rhondda Cynon Taf Local Development plan which encourages a strong, diverse economy and promotes new forms of employment in the leisure and tourism sectors and Chapter 5 of Planning Policy Wales (Edition 11). As such, there is no policy objection to the principle of tourism-related development in this location and the principle of the development is considered to be acceptable, subject to an assessment of other material planning considerations set out below.

### **Character and Appearance**

The glamping pods themselves are relatively modest structures with an overall height of 2.5 metres and an internal floor area of 19.2 square metres. They would have a domed roof structure with elevations clad in timber panelling. Whilst the pods would inevitably be a visible change to the site, it is not considered that they would affect the visual amenity of the surrounding area. Given their location and the topography of surrounding land, the pods would largely be screened from view of the nearest main road and distant views of the site would be obscured by the dense woodland that surrounds the site.

It is noted that the site is located in close proximity to the boundary of Brecon Beacons National Park however, due to the topography of the site and the surrounding woodland, it is not considered that the development would have an adverse impact upon the national park. No comments had been received from Brecon Beacons National Park following the consultation exercise.

As such, it is not considered that the design or siting of the proposed pods would result in a visual intrusion in the landscape that would be harmful to the application site, the wider setting of the surrounding woodland or the adjacent Brecon Beacons National Park. The proposal would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

### **Access and highway safety**

The application has been subject to assessment by the Council's Highways and Transportation section and no objection has been raised. The comments note that the application site is accessed via a single width access track and some concern is raised with regards to the narrow width of the track, the additional use of a bridge (maintained by RCT) along the access track and the lack of passing bays. It is considered that the proposal could result in up-to 20 additional trips per day, thereby increasing the potential for reversing movements along the access track which is not illuminated and lacking in positive surface water drainage. However, it is noted that there is potential for the applicant (who is in control of the land) to provide for a number of localised

passing bays at strategic locations to overcome this concern and, as such, a condition has been recommended in this regard.

In terms of parking, details submitted with the application indicate that 10 no. off-street car parking spaces would be provided within the site and whilst no details have been included to demonstrate the parking layout, it is considered that there is ample space within the site to provide the number of spaces proposed. The number of car parking spaces proposed is considered to be acceptable (1 space per pod).

In light of the comments received from the Council's Highways and Transportation section, the proposal is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Impact on SAC & SSSI**

The application site is located immediately adjacent to the Coedydd Nedd a Mellte Special Area of Conservation (SAC) and the Dyffynnoed Nedd a Mellte a Moel Penderyn Site of Special Scientific Interest (SSSI). The site is not served by a public sewer and the proposed pods would therefore be connected to a septic tank which would be located towards the western end of the site. Consultation with NRW and the Council's ecologist initially raised concerns with regards to the potential impact of the septic tank on the SAC/SSSI in that the details submitted with the application were insufficient to properly assess the impact. However, further information was submitted by the applicant which adequately addressed the initial concerns raised. The most recent comments from NRW note that in addition to the information submitted by the applicant, a permit application has been made to them, during which it was considered that the potential risks to the SAC/SSSI would be acceptable, should a permit be issued for the site. As such, the previous concerns and objections have been withdrawn however, a condition is recommended for a Construction Environmental Management Plan (CEMP) to be submitted prior to commencement of development to ensure that any construction that takes place on the site does not adversely affect the features of the SAC and SSSI. This approach is supported by the Council's Ecologist who recommends additional conditions for a landscaping scheme to remedy some of the habitat loss that has recently occurred on the site and for a site operational management plan to include issues such as site lighting, campfires, sewage, litter etc.).

Overall, given the response from NRW, it is not considered that the scheme would have an adverse impact upon the ecology at the site or the adjacent SAC/SSSI and the application would therefore comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

### **Impact on residential amenity and privacy**

The site is situated in a typically rural location and the nearest neighbouring properties are located some distance away with properties in Dinas Road and Coed y Rhiadyr being located approximately 250 metres to the north. Given the separation distances involved and the topography of the intervening landscape and dense woodland, the development would broadly be screened from these properties.

As such, it is not considered that the development would result in any loss of amenity or privacy to neighbouring residents and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Other Issues:**

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

### **Drainage**

#### Surface Water Drainage

Consultation has been undertaken with the Council's Flood Risk Management team and the comments received indicate that no objection is raised to the proposal. It is commented that the proposal would encompass works of over 100m<sup>2</sup> and a separate application would need to be made for Sustainable Drainage Approval prior to commencement of works however, it is also recommended that a drainage condition be added to any grant of planning consent.

#### Foul Drainage

The application site is not served by the public foul sewer and the glamping pods would therefore be connected to a septic tank which would be located to the western end of the site. This would be subject to a separate Environmental Permit and it is noted that NRW have not raised any concern in this respect.

In light of the comments from Flood Risk Management and NRW, the application is considered to be comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

### **Community Infrastructure Levy (CIL) Liability**

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 liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

### **Conclusion**

Having taken account of all of the issues outlined above, it is considered that the submission represents a holiday leisure/ tourism use that is compatible with the rural setting of the site. Furthermore, the scale and appearance of the glamping pods themselves are considered acceptable and it is not considered that the proposal would have an adverse impact upon the character and appearance of the site and surrounding area or upon residential amenity. The access to the site could also be



made acceptable through the provision of a series of passing bays along the access track (secured by condition) and the proposal is acceptable in terms of its impact upon highway safety. It is also considered that any impacts upon landscape and ecology, arising from the operation of the use could be adequately managed by the use of an appropriately worded condition. Therefore, the proposal is recommended for approval, subject to the conditions specified below.

**RECOMMENDATION: Grant**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans and documents unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location Plan (rec. 4<sup>th</sup> December 2020)
- Proposed Floor Plan (rec. 4<sup>th</sup> December 2020)
- Proposed Elevations (rec. 4<sup>th</sup> December 2020)
- Gravity Outlet Details (rec. 15<sup>th</sup> January 2021)
- Sewage Treat Plant Details (rec. 15<sup>th</sup> January 2021)
- Site Layout Plan (rec. 26<sup>th</sup> January 2021)
- Foul Drainage Plan (rec. 7<sup>th</sup> July 2021)

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

3. The proposed development 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.

Reason: The site is unacceptable for general residential use by reason of its unsustainable location, outside of settlement limits in accordance with Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the details shown on the submitted plans, development shall not commence until details of 3no passing bays along the access lane have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use.

Reason: In the interests of highway safety and free flow of traffic and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to commencement of development, details of a site operational management plan for the 'glamping facility' hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The management plan should include;
- A figure/plan which relates the location of the site to the adjacent Special Area of Conservation.
  - Details of measures to ensure that construction and operation of the Glamping facility does not impact on the adjacent SAC; to include issues such as site lighting, drainage, camp fires, fire wood collection, sewage, litter and access and use of the adjacent SAC by campers using the Glamping facility (to include information provided to Glampers)
  - Details of annual management plan progress reporting to the Local Planning Authority.

Thereafter, the development shall be constructed and operated in accordance with the approved management plan.

Reason: To enhance and afford protection to the adjacent designated Special Area of Conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping for the site. This shall include details of:
- Remedial tree management works and tree protection measures within the Glamping site
  - Landscaping details for the Glamping site to include measures to provide ecological compensation for the areas of woodland cleared to create the Glamping plateau.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation

of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five 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, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- Construction methods: details of materials, how waste generated will be managed;
  - General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing area) and any watercourse or surface drain;
  - Biodiversity Management: details of tree and hedgerow protection, invasive species management, species and habitats protection, avoidance and mitigation measures;
  - CEMP Masterplan: details of the extent and phasing of development, location of landscape and environmental resources,
  - Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works, details of dust control measures, measures to control light spill and the conservation of dark skies;
  - Resource Management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, waste water and energy use;
  - Traffic Management: details of site deliveries, plant on site, wheel wash facilities;
  - Pollution Prevention: demonstrate how relevant Guidance for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
  - Details of the persons and bodies responsible for activities associated the CEMP and emergency contact details.

The development shall be constructed and operated in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any construction on the site does not adversely affect the features of the SAC and SSSI, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.