

PETITION IN SUPPORT

COMMITTEE DATE: 18/03/2020

APPLICATION No. **19/03285/MNR** APPLICATION DATE: 02/01/2020

ED: **PENTYRCH**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Spragg

LOCATION: LAND ADJACENT TO TY NEWYDD, HEOL GOCH,
PENTYRCH, CARDIFF, CF15 9NA

PROPOSAL: REGENERATE DERELICT LAND / BROWNFIELD SITE
INTO A RURAL ENTERPRISE ACCOMMODATING 6NO.
GLAMPING PODS AND A FARM SHOP

RECOMMENDATION : That planning permission be **REFUSED** for the following reasons:

1. The application site lies outside defined settlement boundaries, where it is intended that new development be strictly controlled, and the proposed development by virtue of its scale, design, location and proposed use is considered inappropriate in this location, as it is not required for agriculture or forestry or any other rural enterprise, contrary to Policies KP3 (B) and EN1 of the Cardiff Local Development Plan 2006 – 2026.
2. The proposal would prejudice the open nature of the land and would cause unacceptable harm to the Garth Hill and Pentyrch Ridges Special Landscape Area and countryside character of the area and would fail to fulfil any of the criteria for justification of development within a green wedge that are set out in paragraphs 3.69 to 3.74 of Planning Policy Wales contrary to Policies KP3 (A), EN1 and EN3 of the Cardiff Local Development Plan 2006 – 2026.
3. The proposal may give rise to unacceptable noise levels which may cause unacceptable harm to the amenity of adjacent occupiers, contrary to Policy KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.
4. Insufficient information has been submitted to fully assess the impact of the proposal in terms of transport, ecology, trees and drainage issues, contrary to Policies T5, EN7, EN8 and EN10 and EN14 of the Cardiff Local Development Plan 2006-2026.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Planning permission is sought for a rural enterprise comprising six glamping pods and a farm shop and associated parking at Land adjacent to Ty Newydd, Heol Goch, Pentyrch.
- 1.2 For the avoidance of doubt, the application site is considered to be the red line boundary marked as 'Proposed Garth Meadows' only as shown on the OS base 1:1250. The email from the applicant on the 22nd December 2019, confirms the site perimeter is outlined in red. The remainder of the site it outlined blue and does not form part of this application.

- 1.3 The proposal includes:-
- (i) Six glamping pods erected on separate concrete bases (6mx3mx3m). These will be cedar clad with rectangular floor plans and a curved roof, separated by laurel hedging. The pods will include an open plan, kitchen, dining and lounge/sleeping area with en-suite shower room. A pedestrian access is proposed to main parking area/farm shop.
 - (ii) A farm shop (6mx2mx2.6m) on a concrete base, selling local, seasonal produce and hot and cold drinks which will also be used as a check in desk/reception to support glamping users. This would comprise a timber clad, converted steel container. Opening hours are generally proposed Sunday-Thursday 9am to 4pm and Friday to Saturday 8am-5pm (as set out in the Guest Policy) but during quieter periods may only be open for limited periods. An outdoor seating area is also indicated.
 - (iii) Car parking area and pedestrian walkways.
 - (iv) Bin and bike storage.
 - (v) A photograph shows entrance gates but no scaled drawings have been submitted or exact position has been identified. An existing vehicle access point exists off the adjacent highway on Main Road.
- 1.4 The applicant has submitted a Planning Statement and Guest Policy which includes reference to:-
- (i) The proposal being a rural enterprise business to support their livelihood.
 - (ii) Provision of a high quality, year round eco-tourism/holiday accommodation which is pet friendly.
 - (iii) Good connections to public transport and cycle paths into Cardiff.
 - (iv) The local community benefitting from the farm shop, which would sell local, seasonal produce and hot and cold drinks.
 - (v) Vehicle access via Main Road and will be restricted to guests and subject to a traffic management plan, preventing access at peak times. A maximum of one space per pod and 6 vehicles for the site is proposed.
 - (vi) Proposes to employ 2 full-time and 6 part-time staff. Staff will be expected to park within the confines of Ty Newydd Farm, which is accessed via Heol Goch.
 - (vii) The proposal supports the Cardiff Tourism Strategy which highlights the need for tourism, shortage of beds and would also provide accommodation for local animal hospital. Highlights demand for this type of accommodation.
 - (viii) Planning Policy Context.
 - (ix) Additional information was also submitted to confirm pedestrian access to the farm shop will be via the existing gate.
- 1.5 A confidential Business Plan was also submitted with regard to the application but the applicant requested this information was not to be available within the public domain.
- 1.6 The application description refers to derelict/brownfield land. Although it is noted that St Peter's Church occupied part of the site many years ago. The site was former woodland and is not considered to constitute brownfield land.

2. **DESCRIPTION OF THE SITE**

- 2.1 The application site forms part of a larger 3 hectare holding which runs alongside Heol Goch. The application site is located in a parcel of land at the junction of Main Road and Heol Goch, Gwaelod y Garth with two residential properties Ty Newydd and Cwmllydrew and a wooded area and Nant Cwmllydrew (SINC) bounding the site. The site boundary also comprises a hedgerow.

- 2.2 Cardiff Beech Woods Special Area of Conservation (SAC) and Garth Wood Site of Special Scientific Interest (SSSI) are located to the south of the proposed development site.
- 2.3 The application site is located outside of the settlement boundary, within the Green Wedge and forms part of the Garth Hill and Pentyrch Ridges Special Landscape Area (SLA).

3. **PLANNING HISTORY**

Application No : 06/01799/W
Proposal : UPGRADE EXISTING VEHICULAR ACCESS ON MAIN ROAD, GWAELOD Y GARTH
Decision : PER
Decision Date : 19/10/2006

Application No : 19/00227/MNR
Proposal : A CONCRETE SLAB WILL BE SUPPLIED TO SUPPORT A STEEL FRAMED AGRICULTURAL BUILDING SITED ON AGRICULTURAL LAND ADJACENT TO TYNEWYDD FARM HOUSE. SOAK AWAY DRAINAGE WILL BE IMPLEMENTED FOR RAINWATER ON PRIVATE LAND

Application No : Certificate of Lawful Development
Decision : WITHDRAWN
Decision Date : 11/03/2019

Application No : 19/01431/MNR
Proposal : STEEL FRAMED AGRICULTURAL BARN TO SUPPORT THE STORAGE AND SECURITY OF TOOLS AND MACHINERY USED TO MAINTAIN THE FARM AND LIVERY
Decision : REFUSED
Decision Date : 16/07/2019

Application No : 19/01752/MNR
Proposal : ERECTION OF STABLE BLOCK INCORPORATING TACK ROOM AND WASH ROOM TO SUPPORT ADJOINING Paddock / DONKEY SANCTUARY
Decision : REFUSED
Decision Date : 17/10/2019

Application No : 19/02944/DCH
Proposal : PROPOSED NEW CROSSOVER LOCATION FURTHER ALONG HEOL GOCH TO 'TY NEWYDD' AND 'CWMLLWYDREW'
Decision : WITHDRAWN
Decision Date : 05/12/2019

Application No : 19/03150/MNR
Proposal : RELOCATE EXISTING ACCESS ROAD TO THE PROPERTIES 'TYNEWYDD AND CWMLLWYDREW'
Decision : REFUSED
Decision Date : 28/02/2020

4. **POLICIES OF PARTICULAR RELEVANCE**

National Planning Policy

- Planning Policy Wales (10th Ed) 2018
- Technical Advice Note 6: Planning for Sustainable Rural Communities
- Technical Advice Note 12: Design
- Development Management Manual

Cardiff Local Development Plan 2006-2026 (2016)

- Policy KP3 (A) (Green Wedge)
- Policy KP3 (B) (Settlement Boundaries)
- Policy KP5: (Good Quality and Sustainable Design)
- Policy KP15: (Climate Change)
- Policy T5: (Managing Transport Impacts)
- Policy EN1: (Countryside Protection)
- Policy EN3: (Landscape Protection)
- Policy EN7: (Priority Habitats and Species)
- Policy EN8: (Trees, Woodlands and Hedgerows)
- Policy EN10: (Water Sensitive Design)
- Policy EN13: (Air, Noise, Light Pollution and Land Contamination)
- Policy EN14: (Flood Risk)
- Policy EN16: (Green Infrastructure)
- Policy M7: (Limestone Protection Area)

Supplementary Planning Guidance (SPG)

- Managing Transportation Impacts (Incorporating Parking Standards) SPG 2018
- Green Infrastructure SPG 2017
- Trees and Development TGN
- Waste Collection and Storage Facilities (2016)

5. **INTERNAL CONSULTEES RESPONSES**

5.1 **The Council's Tree Officer:**

No topographical survey has been submitted with the application and therefore the Council's Tree Officer cannot confirm whether there are trees within or bounding the site which are a material consideration in determining the application. Furthermore, a Tree Preservation Order applies that includes a sycamore that maybe impacted. The location plans illustratively depict vegetation, though it is unclear whether this is existing, proposed or both. A tree assessment is required in accordance with the Trees and Development TGN unless satisfactory evidence is provided to demonstrate that this is not required. It is advised that upfront landscaping details are also required to include, scaled planting plan, plant schedule, topsoil and subsoil specification based on a soil assessment in accordance with the Soils and Development TGN, tree pit section (as appropriate), planting and aftercare methodology and implementation programme.

5.2 **Operational Manager Waste:**

The proposed bin storage is considered acceptable. A commercial contract is required

for the collection and disposal of all commercial waste, via a registered waste carrier. Waste Collection and Storage Facilities SPG provides further relevant information.

5.3 Operational Manager Traffic and Transportation:

A number of concerns are raised.

It is proposed that all users of the site (those staying within the cabins) have a single car parking space per cabin. It is also proposed that the access to the site will only be via the proposed gates off Main Road. Access / egress could only be obtained between 10am and 12 noon and between 2pm and 4pm. All customers would be expected to access the site during their stay by cycle or on-foot, whilst making use of the bus and rail service.

The extent of the proposed internal roads is unclear. Clarification of the internal layout and links to the abutting properties is required, especially given the proposed restrictive vehicular access to / from the site.

Concern over how the proposed farm shop will cater for deliveries. The farm shop would offer services to the wider community in addition to the residents of the cabins. It is indicated that the customers would be expected to walk / cycle to the shop. No on-site parking is to be provided or would the users be expected to access the site via the Heol Goch access.

The application appears reliant upon the availability of local transport links. The local bus service does not appear convenient for tourists, as it goes between the site and ASDA during the week, apart from a commuter service to Cardiff at 7.40am. The railway offers a much greater source of destinations throughout the day, however, the walking route would not be considered commodious during the winter period, nor after dark.

Greater clarity is required on the access arrangements to the site for customers (cabins & shop), delivery of goods to the shop and staff (cleaners etc.) before being in a position to support the application. In addition transport require proposals to deter inconsiderate and/or inappropriate parking outside the site. Confirmation of the adequacy of the walking routes from the site needs to be provided. Details of the stated existing cycle routes needs to be provided.

Therefore, additional information regarding transport issues will be required to provide considered advice and it is suggested any appropriate conditions and/or appropriate S106 requirements may be required.

5.4 Operational Manager, Shared Regulatory Services (Pollution Control - Noise)

No objections are raised subject to recommendations in relation to the control of on-site noise as outlined in the Guest Policy (Noise and Nuisance). This could be amended with regard to the control of speakers/music. It is also advised that the applicant should include details on their website so that local residents can report any issues directly to them, limiting the demand on the Council service and allowing the community to communicate effectively.

5.5 The Operational Manager, Shared Regulatory Services (Pollution Control - Contaminated Land)

It is suggested that an informative statement relating to Contamination and Unstable

Land be attached to any consent, in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

5.6 County Ecologist

The site currently supports semi-natural vegetation which could support protected species which would most likely be significantly affected by the proposed works.

An ecological impact assessment should be submitted in support of the application which includes a preliminary ecological appraisal, identifying the main habitats on site and the likely protected or priority species present. Subsequently, surveys should be undertaken for these species and an assessment of likely impact based upon the results of those surveys should be included in the EclA, together with proposals to mitigate any significant impact.

Considering aerial photographs of the site, it likely that surveys will be needed for reptiles, and possibly also dormice and bats. Nesting birds will also need to be considered, but surveys of these are not normally required.

In addition, the impacts upon the Nant Cwmllydrew SINC will also need to be assessed.

5.7 Operational Manager Flood and Coastal Risk Management (Drainage)

Advises that insufficient information has been submitted to demonstrate compliance with EN10 and EN14. SAB approval may be required if the construction area for the Farm Shop/Car Park exceeds 100 square metres. Further clarification would be required.

Discussions are currently taking place with the landowner / applicant in regards to future access to maintain the inlet for Nant Cwmllydrew. If the scheme is achieved, this will lower the flood risk to the proposed area and no objection would be raised on flood risk grounds from the inlet.

5.8 Operational Manager Parks Services

No comments have been received.

6. EXTERNAL CONSULTEES RESPONSES

6.1 Dwr Cymru Welsh Water (DCWW):

Requests an advisory note be attached to any consent to ensure that the applicant makes contact to establish the location and status of the sewer and to ensure that there is no detriment to existing residents, the environment or Dwr Cymru Welsh Water's asset. Under the Water Industry Act 1991 DCWW has rights of access to its apparatus at all times.

6.2 South Wales Police:

No objection to the above proposals but recommend (i) glamping pods doors are fitted with secure locks which comply with British Standards, (ii) any communal facilities including parking area are appropriately lit and (iii) that there is sufficient vision for vehicles entering or leaving the site and there is no hazard as result of close proximity

to the bus stop. Any proposal should satisfy the authority in this case.

6.3 Pentyrch Community Council:

Objects on the grounds that it would increase vehicle traffic on a congested and dangerous junction.

The site lies outside the Gwaelod y Garth Settlement Boundary, and the proposed development by virtue of its scale, design, location and proposed use is inappropriate as it is not required for the purposes of agriculture or forestry, or any other rural enterprise, contrary to Policies KP3(B) and EN1 of the Cardiff Local Development Plan.

The site is located within the Green Wedge LDP Policy KP3(A) and also within the Special Landscape Area LDP Policy EN3. The proposal would prejudice the open nature of the land and would be inappropriate in the setting. The site lies adjacent to the SINC known as Nant Cwmllydrew.

The proposal does not seem to fulfil any of the criteria for justification of development within a green wedge as set out in paragraphs 3.71 to 3.74 of Planning Policy Wales contrary to Policies KP3(B) and EN1.

6.4 Natural Resources Wales (NRW):

No objection has been raised to the proposed development as submitted but the following advice is provided.

Protected Sites:

Cardiff Beech Woods Special Area of Conservation (SAC) and Garth Wood Site of Special Scientific Interest (SSSI) are located to the south of the proposed development site. All works at the site must be carried out in a manner that will minimise the risk of pollution, including suspended solids entering nearby watercourses, which lead to the SAC and SSSI. The Applicant should follow the guidance in Guidance for Pollution Prevention 5: Works and maintenance in or near water and Pollution Prevention Guide 6: Working at construction and demolition sites.

European Protected Species:

NRW advise that the advice of the Council's in-house ecologist is sought to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required. The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016.

NRW advise the applicant that, in addition to planning permission, it is the applicant's responsibility to ensure they secure all other permits/consents/licences relevant to their development.

6.5 Glamorgan Gwent Archaeological Trust:

Confirms that the proposal will require archaeological mitigation. Information in the Historic Environment Record, curated by the Trust shows that St Peter's Church was sited within the proposed application area and a review of historic mapping also shows features associated with Pentyrch Ironworks and its associated minerals extraction and transport system. It is therefore possible that archaeological remains may exist

with the proposed application area. Whilst it is unlikely that archaeological features would be of significance to prevent any development, it is still possible for remains to be encountered and as such will require mitigation should planning permission be granted.

7. **REPRESENTATIONS**

7.1 Objections have been received from the owner/occupiers of:

22 Heol-y-Nant, Gwaelod-y-Garth
3 Vine Cottages, Main Road, Gwaelod-y-Garth
Wood Cottage, Georgetown, Gwaelod-y-Garth
32 Heol-y-Nant, Gwaelod-y-Garth
Georgetown, Gwaelod-y-Garth (2 representations)
Ty Canol, 5 Georgetown, Gwaelod-y-Garth
Cwmllwydrew, Gwaelod-y-Garth
The Old Level, School Lane, Gwaelod-y-Garth
Llys yr Awel, Georgetown, Gwaelod-y-Garth

Issues raised are summarised as follows:

- Concerns raised over why it is called brownfield land/derelict land. St Peters Church did not occupy whole site. It was at the road side with a narrow fenced garden with woodland beyond. Land derelict as it was purposefully made that way. Should be woodland. No evidence of commercial/industrial use.
- References to felling of Ancient Beech Woodland in 2004 on this land and Ombudsman case. Photographs submitted. Re-planting or re-wilding proposal to remedy the original destruction of woodland supported. Would also help reduce the effect of carbon emissions.
- Amenity issues, including noise levels (guests/corporate team building) and air pollution from cooking associated with campsite use and its proximity to houses.
- Concern the site may be used for further development to C3 use and Gwaelod-y-Garth is not considered an area for development in the Local Development Plan which would be out of character.
- Concerns over proximity of pods to two busy main roads and maybe limited return custom due to noise issues and queries mitigation.
- Layout and separation of operations confusing. Glamping pods and farm shop which is gated off. How will cars access site. A farm shop should be available to the local community. The site could be split to allow community access.
- Parking/traffic/safety/delivery concerns. Not suitable for 6 glamping pods and for the public to make use of farm shop. On street parking is almost at breaking point, questions where cars will be parked for proposal and for visitors, if restricted at certain times. More parking should be considered on site. Road very busy, including buses /school bus stop, additional traffic would add pressure, difficult to navigate, congestion peaks morning and afternoon. Reference to recent accident. Hazardous walking in the area, no pavement in sections. Pavement damage given existing pressure for parking in area. Difficult to enforce access closure times for the proposal for guests. Guests will find restrictions hard to manage. Concern over how the traffic management will operate in practice. Times do not recognise congestion periods. Position of bus stops in Appendix C and H queried. Queries over how public would walk to farm shop or where they would park given proposed restrictions.

- Query over new access road proposal (19/03150/DCH) and relationship to this application in terms of access.
- Drainage and flood concerns so that it is safe for development and wider area. Flood report should be done. Sinkhole appeared recently in land opposite the site. Where will soakaway be positioned and could it enter stream. Nant Cwmllydrew flooded a house in December 2019. Where will sewage/foul water be disposed of. No provision for toilet/washing facilities in shop/café.
- Farm shop/rural enterprise would be welcomed if better designed and if C3 use restricted in the future.
- Concerns over inaccuracies of the application relating to site description.
- Ty-newydd has never been a farm/livery/small holding/agricultural holding or farm complex and therefore the proposal cannot be farm diversification. References in Guest Policy to working farm/farm machinery suggest this is a fully functioning business. Farm diversification/rural enterprise queried. Residential property not a business. Only horse grazing in the bottom field no evidence of a livery.
- Concern over clearance work which took place May 2019 and existing hard core base on site.
- Queries that Ty Newydd was original farm house. History of area referenced. St Peter's Church did not occupy the whole of the site. Ty Newydd was a superior house and estate on land owned by Lord Dynevor and leased to the Brooker-Blackmore regime which ran the ironworks and collieries.
- Reference to paddock to be allocated as donkey sanctuary in 2020.
- Glamping maybe better situated in another of the applicant's fields. Reference to Well Being of Future Generations Act.
- Queries applicant claims relating to respect for Biodiversity of the site. Given woodland felled, hardcore in place, altered levels and hedges, tree removed during nesting period, protected species (e.g. slow worms) ignored. Earthworks have cleared fauna/machinery for weed killing likely to have destroyed any reptiles. Nant Cwmllydrew is a Site of Nature Conservation Importance, plus SAC, SSSI – borders site. Buffer Zones should be respected for Water Courses. Kingfishers nesting on stream. Queries if site would have been a SAC (Cardiff Beech Woods). Trees one of most importance resources for wildlife, to reduce flooding and to clean the air.
- Café/Farm Shop will cause problems with access/disturbance for neighbours. Farm shop already exists at Pugh's Garden Centre. Difficult to see who would use café other than glamping guests and where farm produce will be sourced.
- In appropriate/unsuitable site – entrance to semi-rural village, linear geography, access issues, not a peaceful location, cold climate, frost-no winter sun, high noise and air pollution. Not an area where visitors can enjoy peace and quiet.
- Terms and conditions in Guest Policy noted but difficult to see how this will be enforced day-to-day in relation to noise/air pollution,
- Proposal may work in another location, not at Ty Newydd.
- Concern over reference to further scope for diversification projects in the future. Would add complications to already over-stretched village.
- Previous applications rightfully refused.
- Incorrect descriptions, no mention of food and drink or concrete bases for pods/farm shop.
- To staff the business 365 days a year 10 hours a day is ambitious.
- No neighbours consulted. Signage only posted on 15th January 2020.
- Would the application be invalid if a significant number of people disagree with statements?

- How will electricity be supplied?
- Queries limited bus services/cycle path access.
- Concern over grey aggregate used for road service, no vegetation has naturally regenerated compared to steep bank.
- Inaccuracies in submitted document, misleading photos. Garage no longer exists, bus stop in wrong location Appendix C, Appendix D does not reflect plan submitted, Appendix E shows destruction taking place – A large machine to clear weeds? Appendix F does not show the farm shop/café or Ty Newydd. No vehicle access to Tynewydd from Heol Goch only Main Road.
- Queries how the proposal benefit the village/villagers?

7.2 Support has been received from the occupiers of the following :

12 Heol Berry, Gwaelod-y-Garth
 Ty Newydd, Heol Gogh, Pentyrch
 33 St Ambrose Road, Heath
 Greentrees, Main Road, Gwaloed y Garth (2 representations)
 41 St Ambrose Road, Heath
 59 St Benedict Crescent, Heath
 24 Nant Fawr Road, Cyncoed

Comments are summarised below.

- Proposal will significantly enhance the waste ground. Land has been derelict for a long time.
- Support new revenue and employment in the immediate area which would outweigh any detrimental effect sustainable development would cause.
- Benefit pet owner's holidaying in the area, which would promote local business.
- Farm shop would offer the community a link to local farm produce, where there is currently no shop that offers basic items. Nearest basic items shop is in TaffsWell.
- Coincides with rural sustainability, employment, ecotourism, farm diversification and regeneration of derelict land.
- Tourism is responsible for over 6.2 billion to Welsh GDP and over 172,000 jobs. Small diversification projects need to be supported to ensure these figures grow.
- Glamping planned for visual integrity, safety for guest/local residents and to keep parking and any traffic away from local roads. There are no traffic issues on Main Road, therefore access restrictions will further safeguard and maintain congestion.
- Well screened to offer privacy.
- Sustainable location, well served by public transport links and cycle/walking routes. Local area haven for local walks, cycle rides, scenery.
- Proposal would support government and industry guidelines.
- Applicant's investment and proposal would support local businesses and bring new life to area and benefit the local community, short and local term.
- Cardiff needs to collaborate with and encourage local small businesses to provide interesting, sustainable holiday accommodation, currently lacking in line with wellbeing goals in The Well-being and Future Generations (Wales) Act 2015 and RIBA 2015/19 Ethics and Sustainable Development Commission which highlights the need to contribute to the creation of sustainable and inclusive global economy that delivers lasting benefits to all people, communities and markets.

- If not granted permission, Cardiff will be left void of family-orientated, pet-friendly accommodation and invite further development and traffic issues throughout.
- Excellent idea. Innovative.
- Supports Eco diversity and will transform overgrown derelict land.
- Green space will create an environment that will visually and physiologically engage guests, staff and even community.
- Will offer employment and new revenue.
- Currently privately owned with no access to the public.
- Will boost economy and support diversification. Understands difficulties faced by small holders wishing to work with their land. Lack of government support within rural communities, projects like this are a life line for people wishing to maintain a sustainable livelihood.
- Cardiff planners have a responsibility to support rural diversification to help regenerate derelict/unused land.
- Applicant intends to support charitable cause with profits from the business.

7.3 An online generated petition of support has been received. There are 75 names associated with the petition, 39 are from people in Cardiff but full addresses are not provided and 36 people are from outside Cardiff's boundary.

7.4 A petition of support for the proposal with 52 signatures has been submitted.

7.5 The application was advertised by way of a site notice.

7.6 The local ward member has been consulted and no comments have been received.

8. **ANALYSIS**

8.1 The application site lies outside the settlement boundary, within the Green Wedge and the Garth Hill and Pentyrch Ridge Special Landscape Area as defined on the Proposals Map of the adopted Cardiff Local Development Plan.

8.2 The main considerations in the assessment of this application are whether the proposal for a rural enterprise including 6 glamping pods and farm shop can be justified in this location, the impact of the proposal on the character and appearance of the area and in particular on the Green Wedge and its impact on neighbouring amenity.

8.3 Consideration has been given to local and national policies as referenced above, in particular KP3(A) which seeks to protect the Green Wedge from inappropriate development which would prejudice the open nature of the land. Specific guidance on the consideration of planning applications within the Green Wedge is set out in PPW paragraphs 3.69 – 3.74.

8.4 Paragraph 3.69 of PPW states that 'When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Substantial weight should be attached to any harmful impact which a development would have on the purpose of the Green Belt or Green Wedge designation'.

8.5 Paragraph 3.70 (PPW) states that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the

Green Belt or green wedge.

- 8.6 Paragraph 3.71(PPW) sets out the purposes whereby new buildings in the Green Wedge would not be considered inappropriate.
- 8.7 The construction of new buildings in a Green Belt or Green Wedge is inappropriate unless it is for the following purposes:
- justified rural enterprise needs;
 - essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or Green Wedge and which do not conflict with the purpose of including land within it;
 - limited extension, alteration or replacement of existing dwellings;
 - small scale diversification within farm complexes where this is run as part of the farm business.
- 8.8 Paragraph 3.74 – Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or Green Wedge and do not conflict with the purposes of the designation.
- 8.9 Policy KP3 (B) and Policy EN1 seek to ensure that development in the countryside outside the defined settlement boundaries will not normally be permitted unless it is justified for agricultural or forestry purposes or other rural enterprises. Proposals should demonstrate that the use is appropriate in the countryside, respects the landscape character and quality and biodiversity of the site and surrounding area and where it is appropriate in scale and design.
- 8.10 Policy EN3 aims to ensure that features of the landscape that contribute to its character, value, distinctiveness, sense of place and quality, are protected from inappropriate development. Particular priority is given to Special Landscape Areas (SLAs).
- 8.11 In terms of impact on the landscape proposals should demonstrate that no unacceptable harm is caused to the character and quality of the landscape and setting of the city. Paragraph 5.85 of the LDP sets out the criteria on which unacceptable harm to the landscape value of an area is assessed and these criteria are listed below:-
- The impact of the proposed development on key features of the landscape in terms of physical character, vegetation, habitats, land use and settlement patterns, visual character, historical character and cultural associations;
 - The need for the proposed development in relation to its impact;
 - Availability of alternative locations; and
 - The ability to provide appropriate mitigation measures.
- 8.12 There will be a presumption against urban expansion or other development within SLAs that would cause unacceptable harm to the character and quality of the SLA.
- 8.13 Paragraph 5.86 of the LDP states that where possible, development will be expected to maintain and strengthen positive attributes of the landscape and seek to mitigate or remove, rather than compound negative influence.
- 8.14 Para 5.75 of the LDP states, “Any new development in the countryside should be designed and located to minimise their impact, usually within existing clusters of buildings or farm complexes and/or close to infrastructure and public transport. The use of outdoor space associated with development including hard and soft landscaping, means of access, car parking and the treatment of boundaries can all have significant detrimental impacts on the character and quality of the countryside

and will therefore be strictly controlled”.

- 8.15 The application site is within the Garth Hill and Pentyrch Ridges Special Landscape Area (SLA) which is an area characterised by a distinctive ‘ridge and valleys’ landscape which contrasts with the steep uplands of Garth Hill to the north and the more gently undulating lowland landscape to the south. This area forms part of the backdrop of encircling hills to the north of Cardiff and is therefore an important component of the wider landscape setting of the city. The sparse pattern of settlement and remote secluded character are considered to be positive characteristics of this area. The continued pressure for development and resultant degradation of settlement fringe land are considered to negatively impact on this area.
- 8.16 As set out above the construction of new buildings in the Green Wedge is considered to be inappropriate development unless one of the listed exceptions applies. It is noted that justified rural enterprise needs and small scale diversification are listed and the applicant has made reference to this in the submission.
- 8.17 It is also noted that glamping pods and farm shops are usually accommodated within the countryside and often considered to be an appropriate use, although not all locations are considered acceptable.
- 8.18 In this location, the proposal is not considered to meet the exceptions set out in PPW in respect of the Green Wedge. Although outside the settlement boundary, the proposed business is considered to be located within the urban-fringe and although the applicant owns a wider holding, which appears to be used for stabling/horse grazing, this proposal is not considered to be a ‘justified rural enterprise need’ or on land which forms part of a farm or is in agricultural use. Policy advice contained in PPW and TAN 6 in respect of the rural economy is considered to apply to more rural areas, where there is a need to sustain rural communities and working farms rather than this location, which lies on the edge of a city, and therefore carries limited material weight in respect of the proposal in this instance.
- 8.19 Although a Business Plan was provided, insufficient evidence has been submitted that the wider landownership constitutes a farm or that the proposal can be justified in terms of a rural enterprise need or diversification scheme. In addition, it is not considered essential for outdoor recreation.
- 8.20 On consideration of the above, given the location of the application site, and the scale and positioning of the development, the proposal is considered to prejudice the openness of the Green Wedge and conflict with the purposes of including land within it, which is to strategically manage the future built up form of Cardiff and to protect the distinctive, prominent and well known green backdrop to the city which forms the strategically important setting to the city.
- 8.21 The proposal would involve the construction of 6 glamping pods, a farm shop and associated parking and entrance gates introducing development to this parcel of land which would negatively impact on the nature and integrity of the landscape, changing its character and visual appearance. Assessed against the guidance above it is considered that the scale and location of the proposal would have an unacceptable impact on the Special Landscape Area and the character of the countryside in this location. Therefore, it is considered that in this case there is no justification for the proposal in this location to outweigh harm to the character and quality of the countryside and the Green Wedge.
- 8.22 No specific scaled drawings have been submitted in terms of the entrance gates and

their location, although the design has been indicated in the Planning Statement and suggests it will be located off Main Road, at the existing entrance to the site. There is insufficient information to fully assess this part of the proposal, although there are concerns these are likely to negatively impact on the character of the area.

- 8.23 Consideration has been given to advice from Pollution Control in respect of noise. In planning terms, it is considered that noise may be generated by users of the proposed glamping pods that may give rise to unacceptable disturbance which has the potential to impact on the amenity of neighbours living in close proximity to the application site and would be difficult to control by condition, contrary to KP5 and EN13 of the Cardiff Local Development Plan 2006-26.
- 8.24 It is noted that the supporting information makes reference to a paddock being allocated for a donkey sanctuary in spring 2020. A recent application for a Stable/Donkey Sanctuary (pp 19/001752/MNR) has been refused and there are no current proposals under assessment.
- 8.25 Insufficient information has been submitted to fully assess the impact of the proposal in terms of transport, drainage, trees and ecology as referenced in section 5.
- 8.26 In regards to comments made by neighbours which are not covered above, the following should be noted:
- Each application is treated on its merit, therefore concerns over future development are not material in this instance.
 - The hardcore base maybe a matter for further investigation.
 - Adjoining neighbours were consulted on the 8th January 2020 and 3 site notices placed near the site.
- 8.27 Other Legal Considerations

Crime and Disorder Act 1998 – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

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 determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

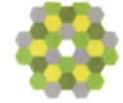
Well-Being of Future Generations Act 2016 – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement.

9. **CONCLUSION**

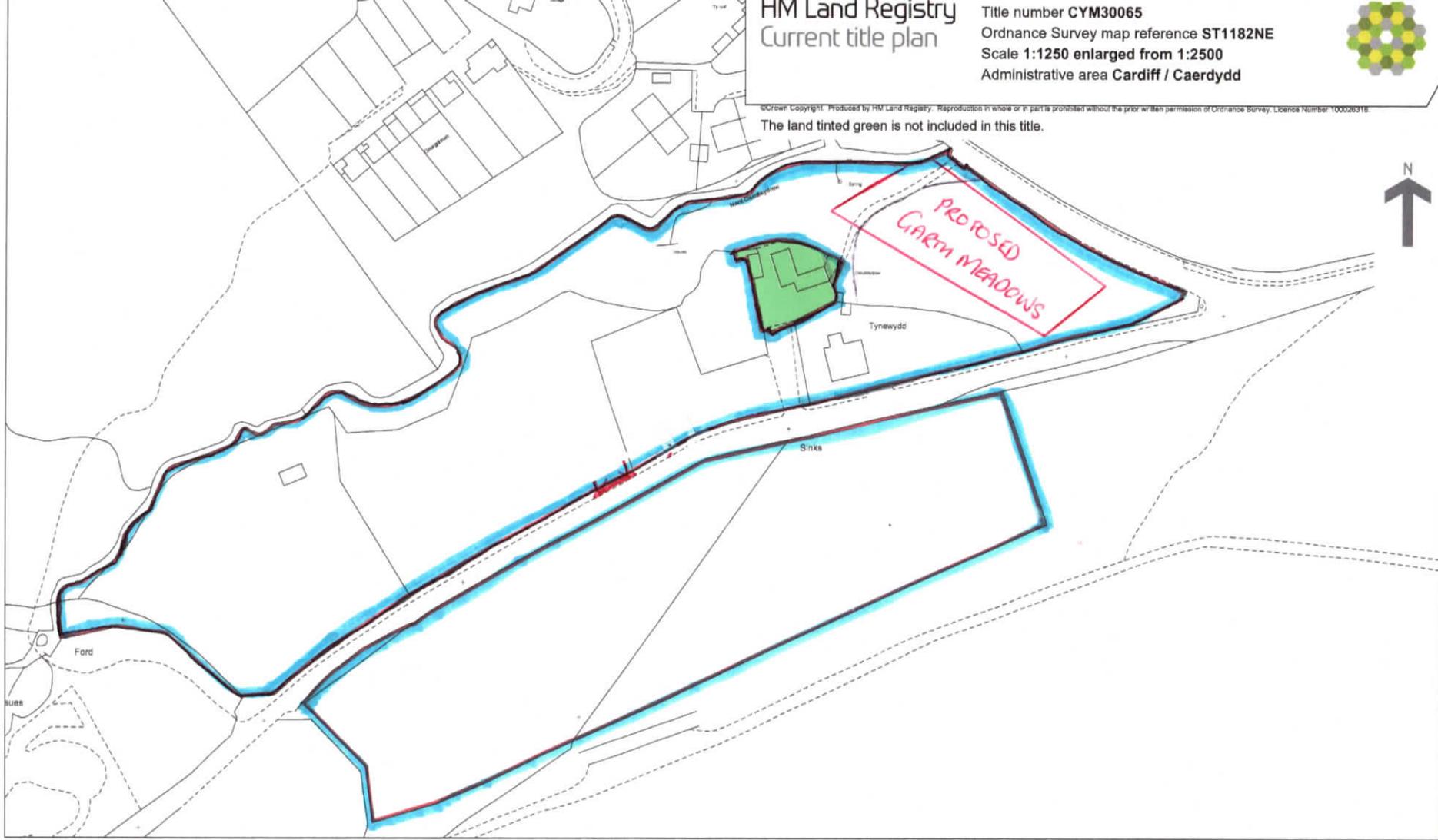
- 9.1 In conclusion, the proposal is considered to be contrary to local and national planning policies which seek to protect the landscape and the countryside outside settlement boundaries, particularly within the designated Green Wedge, from inappropriate development and may also cause unacceptable harm to the amenity of neighbouring occupiers. Insufficient information has been submitted to fully assess the impact of the proposal in relation to transport, trees, ecology and drainage. It is therefore recommended that planning permission be refused for the reasons set out above.

HM Land Registry
Current title plan

Title number CYM30065
Ordnance Survey map reference ST1182NE
Scale 1:1250 enlarged from 1:2500
Administrative area Cardiff / Caerdydd



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The land tinted green is not included in this title.



Ty Newydd, Heol Goch, CF15 9NA



Ty Newydd
 Heol Goch,
 Pentyrch,
 Cardiff,
 CF15 9NA

OS MasterMap 1250/2500/10000 scale
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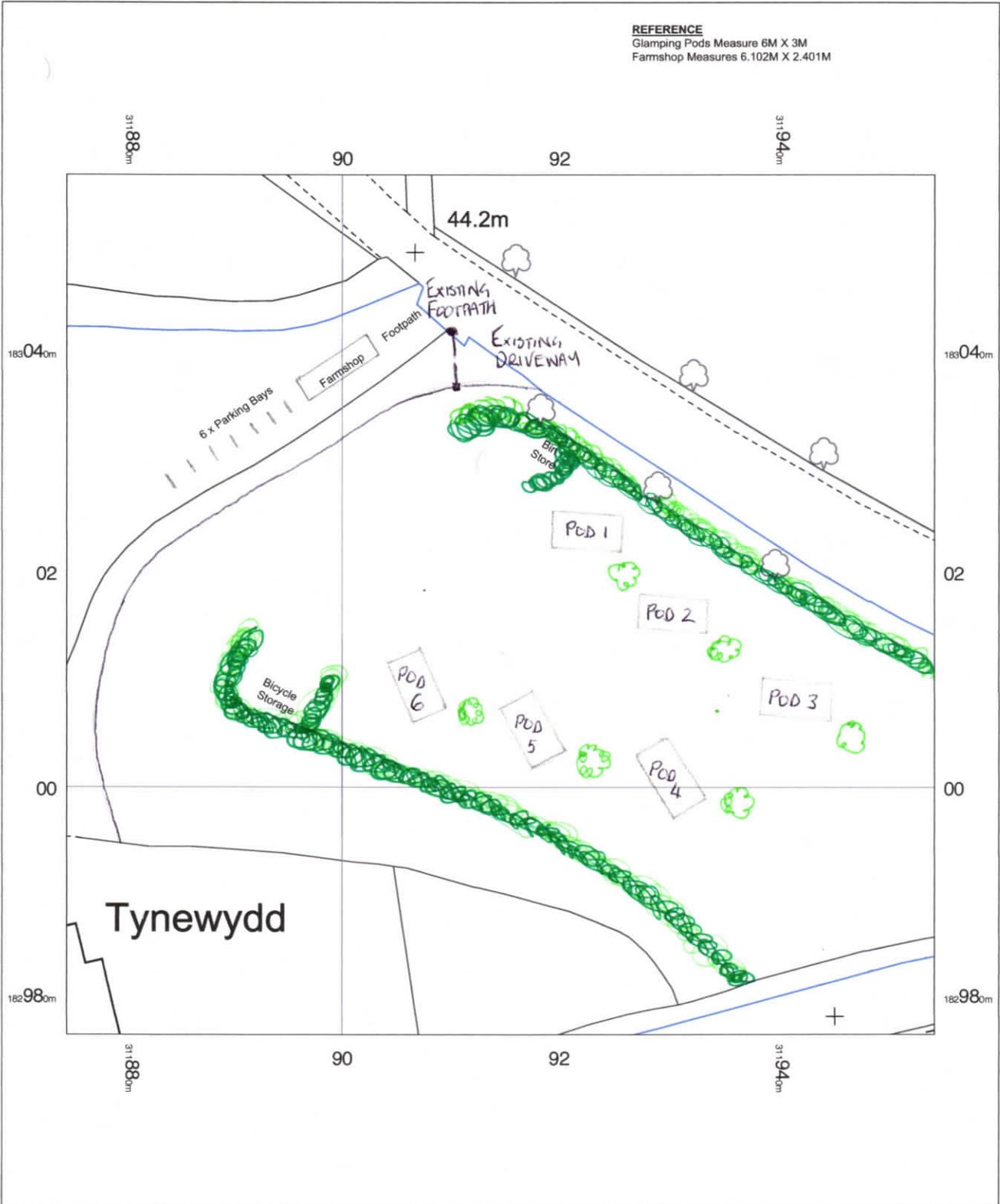


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REFERENCE
Glamping Pods Measure 6M X 3M
Farmshop Measures 6.102M X 2.401M



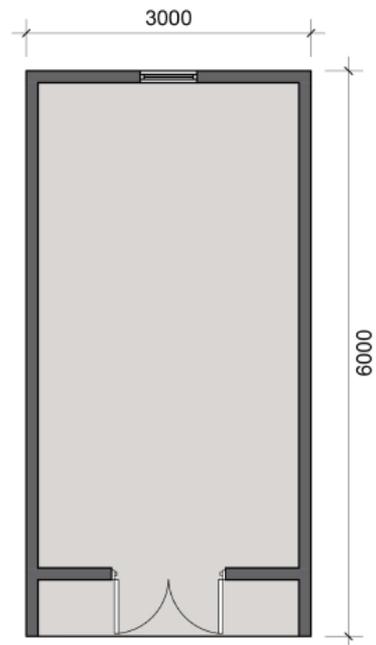
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Heol Goch,
Pentyrch,
Cardiff,
CF15 9NA

OS MasterMap 1250/2500/10000 scale
Friday, June 14, 2019, ID: MPMBW-00806998
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POD DESIGN



THE MAXIMUS

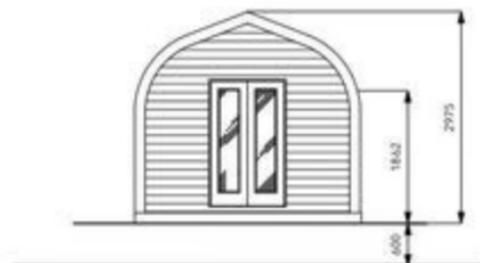
The Maximus pod gives a real sense of space with 18sq m of space and extra room height at 3m. Perfect to upgrade with full en-suite and kitchen facilities, making this a fantastic and versatile pod.

DIMENSIONS

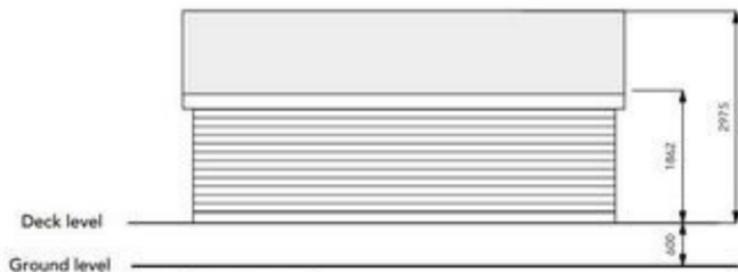
Height 3.0m

Width 3.0m

Length 6.0m



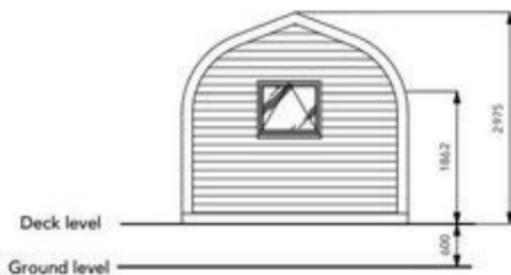
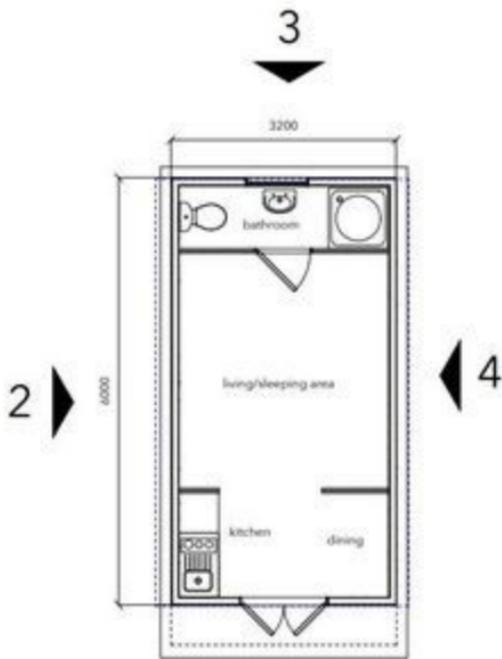
Elevation 1



Deck level

Ground level

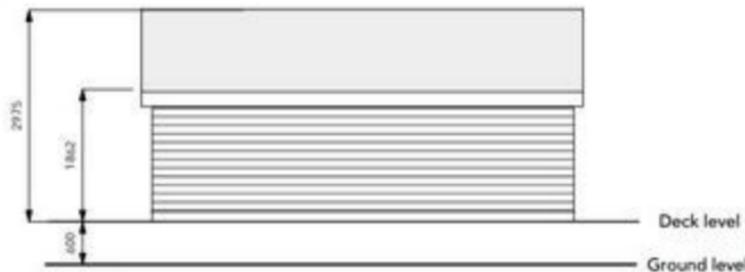
Elevation 2



Deck level

Ground level

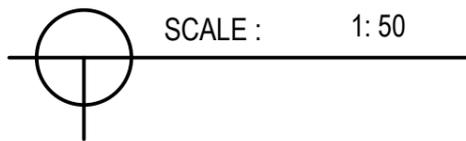
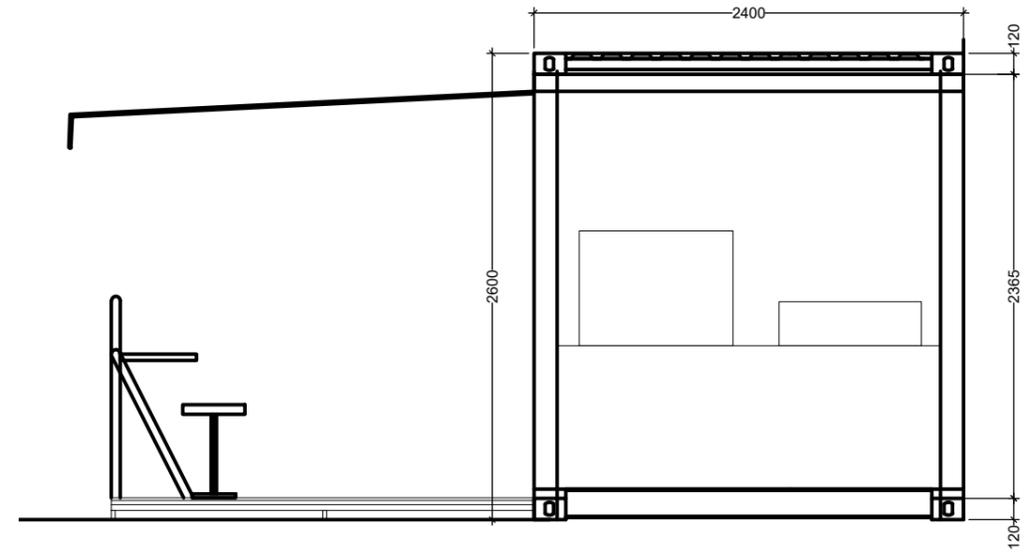
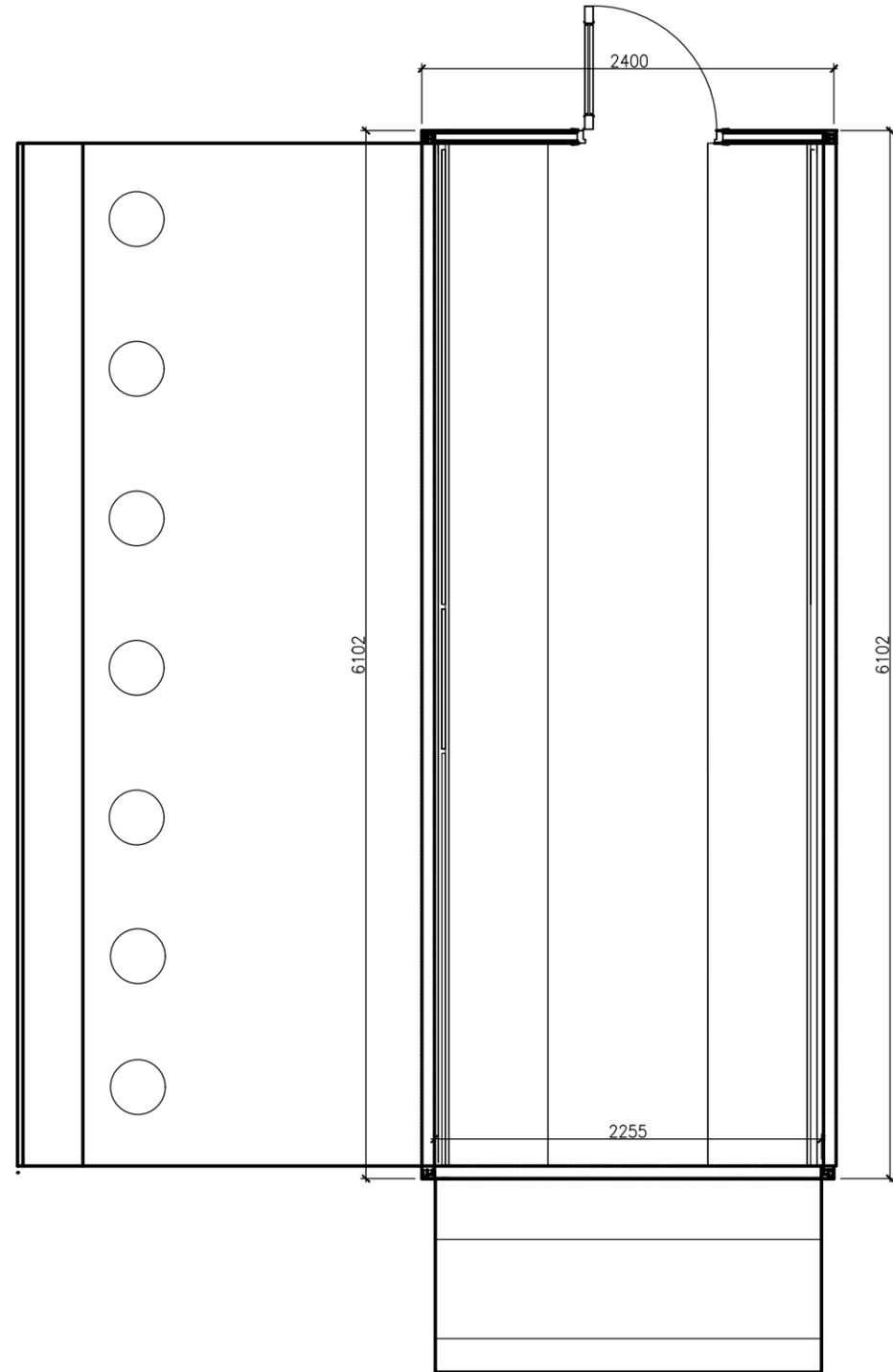
Elevation 3



Deck level

Ground level

PLAN A - Garth Meadows Farm SHOP





CONTAINER CONVERSION
DESIGN & BUILD

PROJECT
Garth Meadows

DRAWING TITLE
PLAN AND ELEVATIONS

DRAWINGS

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www.containerconversiondb.co.uk

1:100 / 1:50