

Pwyllgor / Committee

Rhif y Cais / Application Reference	A210221
Derbyniwyd / Received	04-03-2021
Y Bwriad / Proposal	Change of use of land for the stationing of up to 6 no. glamping tents, 1 no. activity tent with associated ancillary facilities and carparking.
Lleoliad Safle / Site Location	Pantygorlan, Ystumtuen, SY23 3AE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Townsend & Miss Taylor, Pantygorlan, Ystumtuen, Aberystwyth, Ceredigion, SY23 3AE
Asiant / Agent	Miss Lindsey Wright (Arcadia Planning & Development), Inghams Farm Nettlestead Road, Little Blakenham, IP8 4LR

Y SAFLE A HANES PERTHNASOL / THE SITE AND RELEVANT PLANNING HISTORY

The application site is part of an established woodland in the ownership of the immediate adjoining property of Pantygorlan which is primarily some 1km to the north of the main group of houses collectively known as Ystumtuen. Pantygorlan is a smallholding and the woodland which is the subject of the application is approx 1.4 hectares. A few ponds have been constructed within the woodland area. The area in question is included within the Northern Uplands Special Landscape Area.

Access to Pantygorlan is derived via a track which then links with the County road linking the A44 trunk road to the north and Ystumtuen. This access is shared with the nearest neighbouring property of Pant y Rhedyn.

There is no previous planning history in relation to the application site, however planning permission was granted in 2008 for the reinstatement of the disused dwelling of Pantygorlan.

MANYLION Y DATBLYGIAD / DETAILS OF DEVELOPMENT

The application is in full and seeks planning permission for the change of use of land for the stationing of up to 6 glamping yurts and 1 activity yurt with associated ancillary facilities and car parking.

The proposed glamping yurts are to be of a maximum size of 5 metres in diameter with the larger activity yurt to be approximately 12 metres in diameter and which will be looking to host a programme of yoga classes for visitors to the site. The proposal also seeks permission for ancillary toilets and shower facilities, to accompany each yurt. Each block will provide composting toilet and shower facilities to occupiers of the yurts. These sheds will be approximately 1 metre x 2 metres in area and will be mobile in nature. The yurts will be sporadically located around the application site and linked via existing footpaths. It is proposed that the glamping yurts will be erected and stationed in place at the site for up to 6 months of a year.

An area to the south of the existing dwellinghouse will be utilised for vehicle parking.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL / RELEVANT PLANNING POLICIES AND GUIDANCE

Mae'r polisiau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:: / These Local Development Plan policies are applicable in the determination of this application:

DM06 High Quality Design and Placemaking

DM12 Utility Infrastructure

DM13 Sustainable Drainage Systems

DM14 Nature Conservation and Ecological Connectivity

DM15 Local Biodiversity Conservation

DM17 General Landscape

DM18 Special Landscape Areas (SLAs)

DM22 General Environmental Protection and Enhancement

LU14 Countywide Tourism Accommodation Sites: Static and Touring Caravans| Camping pitches| Cabins and Chalets.

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

OTHER MATERIAL CONSIDERATIONS / YSTYRIAETHAU PERTHNASOL ERAILL

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. Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty 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, over and above any other person.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-Being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

YMATEBION YMGYNGHORI / CONSULTATION RESPONSES

Natural Resources Wales - Do not object the application subject to conditions.

Ceredigion Highways - Do not object subject to conditions.

Ceredigion Drainage - Do not have any adverse comments to the proposal.

CC Blaenrheidol CC - No objection.

Ceredigion Public Protection - Recommend refusal of application on grounds that there is insufficient information provided to address concerns relating to the safeguarding of the local water supply in the area and in relation to the means of dealing with foul waste disposal.

One letter of support has been submitted for the following reasons:-

- Development will fit in sympathetically with its surroundings and not have a detrimental impact;
- Play a part in strengthening community.

Ten letters of objection submitted on following grounds:-

- Concern over noise and light pollution;
- Traffic concerns;
- Detrimental impact on SSSI;
- Detrimental impact on wildlife;
- Impact on private water supplies;
- Devaluation of nearby properties;
- Loss of privacy / amenities to neighbouring properties;
- Proposal not suitable for Ystumtuen.

CASGLIAD / CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

As stated, consent is sought for the provision of six glamping tents and 1 activity tent in association with a proposed yoga retreat at this site in an area of open countryside some 1km away from the main group of properties collectively known as Ystumtuen. For the purposes of the LDP the application site is defined as being within an 'other location'. Policy S04 of the LDP notes the following:

3. In the case of economic development is:

- a. proposed on an allocated site as set out in the Settlement Group Statements and shown on the Proposals Map; or*
- b. a site that has not been allocated and either:*
 - i. of a 'small scale' meeting a specific local need; or*
 - ii. accords with TAN 6 requirements in terms of a rural enterprise.*

AND

In all Cases

4. In terms of its physical location, regardless of development type:

- a. In a 'Linked Settlement' it is located within or immediately adjacent to the substantive built form; or*
- b. In 'Other Locations' it either accords with the requirements of TAN 6 or in terms of affordable housing it is located immediately adjacent to existing groups of dwellings in line with the intentions of Para 9.2.22 of PPW and TAN 2, Para 10.13.*

As it is in an open countryside location and as Ystumtuen is not a linked settlement the only qualifying factor would be if the proposal represents an element of farm diversification under TAN6.

Policy LU14 of LDP which deals with Countywide Tourism Accommodation Sites: Static and Touring Caravans| Camping pitches| Cabins and Chalets states:

2. Outside of the Coastal Area:

- a. New sites for touring caravans, camping and cabin accommodation will be permitted provided that:*
 - i. Where possible it supports strategic tourism nodes;*
 - ii. It supports the role and function of the settlement within which it is proposed (or otherwise nearest settlement), where possible, by providing additional facilities that are available for use by the community;*
 - iii. Facilities offered via the site do not affect the vitality of services which already exist within the nearest settlement; and*
 - iv. Tourism Needs and Development Impact Assessment is submitted as part of the application process.*

Supporting text of paragraph 7.90 goes on to say that 'Smaller sites, which perhaps only cater for 5 pitches and offer basic facilities, can be accommodated in Linked Settlements or adjacent to farmsteads where suitably screened.' Therefore, it is possible that tourist attractions such as holiday pods can be supported subject to there being justification under farm diversification.

Although Pantygorlan does enjoy some land it is not considered to be a working farm and therefore does not represent farm diversification. For the proposal to be supported under farm diversification, there would need to be a working farm. However, this is not the case. Consequently, it is considered that the proposal is contrary to LDP Policies S04 and LU14 along with TAN 6.

Additionally, there are a few properties nearby and concern has been expressed regarding the possible impact of the development on the local water supply in the area and also on the intended means of foul water disposal arrangements. The

Ceredigion Public Protection Section have indicated the potential depletion of the overall quantity of portable water for nearby residential dwellings as a result of the development. They state that at maximum capacity the proposed development may have up to 36 temporary residents at any time which indicates a potential of an additional daily demand of 5,400 litres per day. This would create substantial loading onto the existing water table.

The provision of foul waste disposal is via composting toilet. It is unclear where wastewater will be flowed and directed to. Wastewater must be controlled at all times to prevent pollution to the environment. Ceredigion Public Protection Service indicate that insufficient information has been provided to elucidate the proposal for the disposal of wastewater.

With regard to other material considerations no objections were received to the proposal from a highway perspective. It is also considered that from an amenity perspective that the site is fair distance from nearby neighbouring properties and well screened in a woodland area. If approved conditions would be imposed in relation to noise and lighting control at the site. It is considered that there would not be any objections from an ecological perspective and its proximity to the Bryn Bras SSSI can be mitigated against. Nevertheless, these issues do not outweigh the policy objection to the proposal.

As the site is in an open countryside location not adjoining any linked settlements and that Pantygeulan is not considered to qualify in terms farm diversification it is the opinion that the proposal is contrary to policies S04 and LU14. In addition, as there are concerns over water supply and foul water disposal arrangements it is considered that the proposal would also be in conflict with policy DM22 of the LDP and Circular 008/2018.

Delegated Powers

The Local Member, Cllr Rh Davies authorised the application to be determined under delegated authority to the LPA and not requested the application be considered by the Development Control Committee.

ARGYMHELLIAD / RECOMMENDATION:

To REFUSE the application on grounds of being contrary to policies S04 and LU14 of the LDP. At present it is considered that the proposal could also have a detrimental impact on private water supply in the area and there is also concerns regarding foul waste disposal. It is therefore also in conflict with policy DM22 of the LDP and Circular 008/2018.