

Design and Access Statement

Statutory Pre-Application Consultation

Change of Use from Agriculture to Tourism and Educational Land Based Facility at Colliers Holdings, Nelson, CF46 6PR

Clients: Rhys Davies & Rhian Matthews-Davies

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1.0 Summary of the Proposal

The application site measuring 4.3 ha lies in a semi urban area and is mainly previously developed farmyard, agricultural buildings, small vehicle compound and access road together with farmland outside the defined settlement limits. The site area lies along the valley floor and strategically adjacent to important movement corridors that run east -west, namely the vehicular A472 and National Cycle Route 47 (NCR 47).

The planning application builds on generally favourable pre application advice from the Council in 2019 (attached separately). Following on from the pre application advice further studies have led to the need to provide a new building on the site on the existing complex of farm buildings and to locate the car park on the site of the previously approved tipping area that has planning consent for a ménage. The planning application also excludes agricultural land that is in the applicant's ownership

The proposal seeks to diversify a farm use from agriculture to a tourism and educational land-based facility on land at Colliers Holdings, Caerphilly Road, Nelson. The proposed development meets the objectives of PPG Wales (Ed 10) and Local Development Plan policies in relation to diversification of farmland to tourism/educational use. In particular the tourism side of the business complements and support the non-statutory Ystrad Mynach Master Plan with its focus on locally generated tourism to match existing tourism and leisure experiences at Penallta Parc, Llancaiach Fawr Wern Woodland Park.

In relation to the site's setting in the Mynydd Eglwysilan Special Landscape Area (SLA), the proposal complies with the Council's pre application advice in ensuring that the development provides a strategic landscape response that tackles current visual issues and makes the most of opportunities to enhance the SA

2.0 Brief and Vision

Business Plan Objectives

The proposed site has been within the family for nearly 65 years and with the next generation coming through it is the right time for it to have a new purpose. As part of

good succession planning, the applicants feel the need as a family to diversify and to use the strengths, expertise and interests of the next generation.

The location is ideal to collaborate and enhance the Caerphilly County Borough Council Ystrad Mynach masterplan which aims to encourage much-needed tourism. The site has direct access to the high-quality NCN route and Penallta Parc and close proximity to Penallta Parc car park and on a bus route.

The current business working out of the proposed site employs one person, a family member. The project looks to employ at least 10 people plus family members and the aim is to continue as a family run business. The applicants hope to extend employment opportunities as the business grows and develops.

The applicants are a husband and wife team. Rhian Matthews- Davies is a veterinary surgeon and education has been a great contributor to my career. She would like to influence children and help them to enjoy nature, care for animals, learn outdoor life skills all while having fun in a safe environment. Rhys Davies is a third-generation farmer and has the passion, skill and drive to share his knowledge of traditional farming methods and the outdoors.

The business aims to combine traditional farming methods with modern technology. As well as organising demonstrations on animal husbandry, fencing, walling and shearing, we plan to incorporate social media on a daily basis. For example, the business will promote a live Facebook feed during lambing season which will be available 24-7 for followers, video clips during summer harvest, regular updates on how pumpkins grow ready for Halloween and footage of the life-cycle of egg to chicken etc.

The ambition is to become a training centre for the Princes trust and Agored Cymru providing training and education for all ages and abilities to maximise their potential. The applicants believe there is an opportunity to work and collaborate with the education department in Caerphilly County Borough Council with a growing focus on environmental issues and climate change.

The range of outdoor and indoor activities will be expected to attract around 200 visitors a day including school visit. To justify the significant investment involved in the project, purpose-built facilities are needed. The existing buildings are aged, in need of repair and not fit for the proposed purpose. The buildings and the setting detract from the special landscape area and do not optimise the potential of the NCN. The applicants are striving for a project/business that will be able to grow and mould with future needs of the community, expectations of visitors and general growth in avenues that arise over time.

3.0 Site and Context Analysis

Existing Site

The current agricultural site lies to the east of Nelson and is accessed via the A472 Caerphilly Rd via a metalled access road. The farm holding comprises approximately 20 acres of ground (8ha) including land to the north of the Matthews Butchers Shop, Farmhouse and Rowan Tree Pub. The agricultural land holding lies both north and south of the National Cycle Route (47) that is crossed by a stone bridge. Land to the south of the NCR running west from the existing animal barns was formerly the old town tip and this land has since been remediated and farmed.

Access from the NCR to the stone bridge is facilitated by a series of long raking steps to the northern side of the valley floor and this links up with the footpath on the old stone bridge. Along with open fields, the holding contains a large number of agricultural buildings adjacent to the National Cycle Route. The holding also contains an outdoor horse exercising area on made up ground to the south of the NCR.

To the east of the Rowan Tree Pub lies a large gas storage infrastructure facility. This site affects the visual quality of the area that is further impacted by pylons.

To the north east of the site and on the northern side of the National Cycle Route (47) lies the Council owned and managed Penallta Parc which is designated tourism and countryside designated area. This is supported by a large new vehicular entrance of the A472 with adjacent car park.

A mature stand of trees lies outside the landownership boundary north of the existing animal barns and forms part of a long linear group of scrub and woodland habitat along the railway corridor.

The site is constrained by significant underground and overhead utilities services with both a main gas pipe underground and overhead electricity lines found to the west of the existing animal barns that cross the site on a south east to north west axis.

4.0 Interpretation and Design Development

Landscape Strategy and Planting Plan

In line with the Council's pre application response, consultants **Mackley Davies Associates** have provided a strategic landownership response that tackles current visual issues and makes the most of opportunities to enhance the Special Landscape Area.

The **Mackley Davies Landscape Mitigation and Enhancement Plan** examines:

- The constraints and issues on the site;
- Opportunities;
- Landscape proposals;
- Long term aims and objectives;

In line with the Council's pre application advice the long term aims and objectives of the Landscape Strategy set out a clear landscape strategy for the site namely:

'The aim is to provide a welcoming, attractive, educational and fun environment for farm visitors, that will also benefit local biodiversity, and fit with the character of the Special Landscape Area and the sites semi- rural location.

Retention of trees and shrubs will provide a mature structural setting for the new building, car park, and external farm features. Existing hedges and hedgerow trees will be protected during construction phase work. Refer to the Tree Protection Plan for location of temporary protective fencing.

New planting is proposed to fit with the special landscape character of the area and the site, designed to soften the visual impact of the proposed building, car parking, operational areas and assimilate these into the landscape, to soften/screen the adjacent Gas Governor compound, to create new habitat in line with Ecological Assessment recommendations and the needs of visitors.

Species will be locally native and sourced from UK grown stock. The management regime for planting and grassland will create an attractive and safe environment for visitors but also optimise opportunities for biodiversity.'

The accompanying Landscape Plan supports the aims and objectives of the Landscape Strategy in a number of important areas including:

- Protecting existing trees in the landscape, important in their own right but also for screening, shading and biodiversity;
- Screening areas proposed for change like the car park and coach park
- Integrating the outdoor park area into the landscape setting through appropriate and sensitive use of boundary treatment, paths and materials; and
- Enhancing in landscaping terms the exposed bank underneath the existing pub, houses and shop through native tree planting.

Ecology

MPS Ecology are commissioned by the applicants to provide ecological advice in line with national and local planning guidance and ecological best practice. The attached **Ecological Assessment Report** provides ample evidence that the development would not significantly harm habitats or species of national or local importance and that through an **Ecological Management Plan** that mitigation would actually enhance biodiversity within the site.

The conclusions of the **MPS report** are detailed below:

'Ecological Constraints Impacts of the proposed development

5.1 Based on the proposed development layout (Appendix F) and detailed discussion with the

development team it is our understanding that works will result in the loss of small areas of bare ground, road verge woodland/ scrub and improved grassland. Demolition of the complex of barn buildings will also be undertaken along with the construction of a new structure in their place.

5.2 A desk study data search (via SEWBRc) has identified that the proposed development site overlaps with Nelson Bog SSSI. However, Phase 1 habitat survey has confirmed that this area does not support any habitats detailed on the citation for the SSSI (Nelson bog is designated for its range and diversity of mire communities). In addition, no development works are proposed within this part of site (See Appendix F). As result of these factors it has been concluded that proposed works will result in no impact on the SSSI.

5.3 Proposed development works will however reduce the available extents of bare ground (~0.2 ha) and improved grassland habitats (~0.25 ha) in the locality and county as a whole and result in the loss of a small extent of road side semi natural broad leaved woodland (~0.085 ha) due to vision splay requirements. However, these impacts are considered to be negligible in effect due to the limited extent and limited ecological value of the habitats in question.

Breeding Birds

5.4 It is our understanding that limited vegetation clearance will be required onsite as part of the proposed works. Where such works are required then further consideration of the potential presence of nesting birds will be required. Where practicable vegetation clearance works should be completed outside of the breeding bird season (March to August incl.) and where this is not possible then works should be preceded by a nesting bird check by a suitably qualified ecologist.

Bats

5.5 Due to the presence of suitable foraging habitat on site any proposed site lighting associated with the development/ construction phase should be designed/ oriented to avoid illuminating retained habitats.

5.6 In order to avoid disturbance, injury and killing bats which may be present within the structure during development, operations likely to affect suitable habitat (e.g. rafters, beams etc) should be limited to the period when bats are most likely to be absent from the site (1st Oct-1st April) as far as practicable. Removal of roof cladding and soffit/ bargeboard areas should be undertaken by hand.

Reptiles/ Amphibians

5.7 The proposed development site it is considered to have the potential to support small numbers of such species and as such further consideration is recommended prior to works. It is our recommendation that the details of such requirements are sought and provided as part of condition discharge. Measures likely to be required will include phased vegetation clearance.

Ecological Opportunities

5.8 The development offers significant opportunity for ecological enhancement given its location within in an area of significant ecological interest (e.g. bordered by 2 SINCS and part of a SSSI). Potential enhancement measures that may be adopted include:

- Erection of bat and bird boxes in woodland edge habitats on site,
- A reduction in grazing pressure in onsite woodland and field boundary areas of the

improved grassland fields,

- Construction of a pond,
- Construction of an artificial bat roost within the modified barn or nearby structure and/ or erection of a pole mounted bat house

5.9 Full details of the biodiversity enhancement measures to be adopted as part of the development will be agreed with the local authority ecologist post consent and set out in an appropriate ecological enhancement and management plan. It is our expectation that this could be guaranteed as part of an appropriately worded planning condition.'

Transport

The planning application is supported by a Transport Statement (TS) prepared by **Traffic and Transport Planning**. This notes that 'The proposal is to develop land known as Colliers Holdings which is located north of Route A472. The aim of the project will be to diversify from agriculture and develop an educational and tourism facility in the Nelson area building on the success of Penallta Parc. Sustainable access will be available from the National Cycle Route that runs through the site and the recently constructed segregated footway between Nelson and Ystrad Mynach. The range of outdoor and indoor activities will be expected to attract around 200 visitors a day including school visits'.

The TS recognises that the site lies in a sustainable location being located right next to the NCR 47 and 100 yards away from a bus stop near The Rowan Tree pub on the A472. A metalled pavement allows walking access to Nelson.

Important conclusions from the TS include:

7 Summary

7.1 This TA provides an appraisal of the transport and access impact of the proposal to provide a range of outdoor and indoor activities on Colliers Land north of Route A472.

7.2 The existing access has been assessed in terms of geometry and visibility as set out in TAN 18. Visibility splays of 2.4 x 120m which satisfy the measured wet weather speeds of 40mph will be provided in both directions from the access road. The road will be widened to 5.5m with a 2m footway constructed on the west side of the road. These will be designed to the Caerphilly Highways Standards. The improved access arrangement will be suitable in terms of geometry and visibility to accommodate the proposed development.

7.3 Assessment of the trips generated by the proposed development demonstrate that it will not generate significant volumes of traffic. The proposed development will generate a combined flow during the operating day (1000-1800) of between 130 and 160 combined vehicles (table 3). This

will be less than 1% of existing Route A472 flows which will have no material impact on the local highway network.

7.4 Parking for 38 cars and four disabled are proposed and an overflow parking area. Secure parking will be included for six cycles. A coach park with two spaces and a staff car park with nine spaces will be constructed.'

It will be noted from the overall site plan that the car park and coach park will be located in optimum locations to allow for safe movement between these and the main entrance to the facility. Provision will also be made to seek to improve the already existing access from the NCR 47 to the site for walkers and cyclists. These will be encouraged to use the café without needing to enter the main visitor attraction.

The scheme provides for safe and convenient movement through the entrance, building and into the wider outdoor site to enable access by all. Care has been taken to ensure that the proposed levels can accommodate safe wheelchair and buggy movements and this account for the curved paths throughout the site.

As noted elsewhere in the report tractor access has purposefully been given its own dedicated route to enable safer pedestrian movements in the site. Where the tractor route crosses the pedestrian path there will be appropriate warning signs and possibly alternative materials to draw attention to this. Although in reality, tractor or vehicular movements within the wider outside space will be limited to outside.

Staff car parking will be located in car park that will replace the existing compound just north of the A472 and to the east of the Rowan Tree Pub.

In terms of public rights of way, the Council's pre application advice contained the following advice:

'There is one Public Right of Way: Footpath 164 in the Parish of Gelligaer in the area of the proposed. Footpath 164 starts at GR ST 312289 195841 or thereabouts and travels in a generally Southerly direction terminating at the stream which forms the former Gelligaer UDC and Caerphilly UDC boundary (as can be seen on the attached plan SPA-19-0028-PROW.pdf).

The proposed will not affect the Public Right of Way, but the owner should be made aware of the existence of Footpath 164 in the Parish of Gelligaer, and the need to maintain public access and safety at all times.'

Land Drainage

Land Drainage

GWP Property Services have been commissioned to prepare an Indicative Drainage Design Foul & Surface Water Overarching Strategy. Subject to planning consent detailed pre application will be undertaken with relevant officers in the Council's Land Drainage department.

The conclusions from the overall strategy indicate the following:

‘5.0 Proposed SuDS compliant Surface Water Drainage Infrastructure

The development as designed proposes to meet the requirements of the Welsh Ministers Principles and Standards by discharging the site surface water in the following ways

5.1 Highway

There will be no change in surface water runoff destination for the existing site highway infrastructure

5.2 Car Parking

Surface water from the new car parking area will be discharged to ground within the curtilage of the development.

The new car parking area will be surfaced with a mixture of permeable and impermeable surface treatments.

Surface Water from the car parking impermeable area will be infiltrated to ground via the use of suitable designed Vegetated Swales.

Surface Water will also be discharged to the newly installed green infrastructure, tree pits and hedge rows as indicated on the landscaping plan

The developer will undertake infiltration testing as detailed in BRE365 (2016) to determine the site soil infiltration rate and the construction thickness of any permeable sub base required.

5.3 Coach Parking

Surface water from the new coach parking area will be discharged to ground within the curtilage of the development.

Surface Water from the coach parking area will be infiltrated to ground via the use of suitable designed vegetated Swales

Surface Water will also be discharged to the newly installed green infrastructure, tree pits and hedge rows as indicated on the landscaping plan

The developer will undertake infiltration testing as detailed in BRE365 (2016) to determine the site soil infiltration rate.

5.4 Building Impermeable Area

Surface water from the new building impermeable area will be discharged to ground within the curtilage of the development by means of infiltration.

Surface Water will also be discharged to the newly installed green infrastructure, tree pits and hedge rows as indicated on the landscaping plan

The developer will undertake infiltration testing as detailed in BRE365 (2016) to determine the site soil infiltration rate and the construction thickness of any permeable sub base required.

5.5 Amenity and Biodiversity

The development will include Swales, tree pits, rain gardens and landscaped areas as detailed on the landscaping plan

These will be planted with a biodiverse planting scheme

6.0 SuDS Design Consultation

Using appropriate SuDS compliant design and construction methods the developer will manage surface water within the development in line with the Principles and Standards as detailed in the Welsh Ministers Statutory requirements

The developer will consult with the Local Authority SAB by way of a Pre Application submission to agree a suitable drainage strategy for the development site.

7.0 Design Constraints

The indicative drainage design has been arrived at having regard to all information that is currently available.

The final drainage design may differ from the indicative design when consultation with the SAB and appropriate statutory bodies has been undertaken and a full final site specific drainage design has been agreed.

All works to the existing drainage and new site drainage will comply with current sewers for adoption edition 7, the Welsh Minister Statutory Standards and any other legislation that may apply at the time of construction.'

Flooding

Pre application advice indicated that ..'Part of the site falls within Zone C2 as defined in the Development Advice Maps attached to TAN15 albeit this does not affect any of the existing or proposed buildings on site'

GWP Property Services were commissioned to undertake an assessment of flooding risk and its conclusions are as follows...

'2.3 NRW Flood Maps

Examination of the NRW Flood maps indicate that a small area of the development site is located within Flood Zone 2 and Flood Zone 3.

Flood Zone 2 is defined as:

- *The extent of a flood from rivers or from the sea with up to a 0.1% (1 in 1000) chance of happening in any given year*

Flood Zone 3 is defined as:

- *The extent of a flood from rivers with a 1% (1 in 100) Chance or greater of happening in any given year.*

Examination of the NRW Flood maps indicate that a small area of the development site is affected by flooding from surface water and small watercourses.

2.4 Development within DAM zone C2

TAN 15 indicates that only less vulnerable development should be considered in zone C2 subject to the application of the justification test, including acceptability of consequences.

2.5 Development Category

TAN 15 indicates that less vulnerable developments are defined as:

General Industrial, Employment, Commercial and retail development, Transport and Utilities Infrastructure, Car Parks, Mineral Extraction site and associated processing facilities.(excluding waste disposal sites)

The proposed development falls within the less vulnerable category.

3.0 Development Design

3.1 Site Layout and Finished Levels

The development has been designed having regard to the maximum extent of flood levels as indicated on the NRW flood maps.

The maximum flood extent has been taken from the NRW flood maps and has been overlain to the site Topographical survey and the site layout and Landscaping plan

The final development layout produced been having regard to this information

A copy of the final site layout and landscaping plan is attached (Appendix D)

3.2 Flooding From Rivers

The maximum extent of river flooding affecting the site is shown as a solid red line on the final site Layout and Landscaping plan.

As this plan shows the proposed development does not encroach into the red line area.

The maximum river flood depth is 148.90mAOD

The lowest point on the site infrastructure is 149.50mAOD

The Finished Floor Level of the Farm Building is 155.60 mAOD

The level of the Car Parking is 155.00 mAOD

Having regard to the above information the lowest point on the new development is 600mm above the extent of the 1% (1 in 100) year Flood Level

3.3 Surface Water Flooding

The maximum extent of surface water flooding affecting the site is shown as a broken red line on the final site Layout and Landscaping plan.

As this plan shows the proposed development does extend into the broken red line area.

The maximum surface water flood depth within the broken red line area is 149.00mAOD

The lowest point on the site infrastructure within the zone affected by surface water flooding is 149.50mAOD

The Finished Floor Level of the isolation building is 151.00 mAOD

Having regard to the above information the lowest point on the new development is 500mm above the maximum surface water flooding level

3.4 On site Surface Water Discharge

Surface water from the impermeable areas of the development will be discharged within the curtilage of the development by a SuDS drainage scheme.

There will be increase in the surface water discharge from the development site

4.0 Summary

This flood Consequences Assessment is provide as support for a planning application for the Change of Use from Agriculture to Tourism and Educational Land Based Facility

Having regard to all available data the FCA demonstrates that:

The development is flood free for the 1% (1 in 100) year event.

The development is flood free from surface water.

The development is not located in a historic flood area.

There is no increase in the surface water run-off from the development site

The development will have no adverse effects on the neighbouring properties or surrounding area'

Coal Mining Risk Assessment

The site is extensive and some of the site is classed as being within a Development High Risk Area. This fact has been communicated to the applicant's agent recently by the L.P.A. in consultation with the Coal Authority. Much of the change of use does not require a C.M.R.A. Part of the proposal involves the construction of a new steel framed building but this may actually fall outside the Development High Risk Area. The reason for the high-risk classification is the possible presence of a shallow coal seam under the site, and hence the possibility of shallow coal workings under the site. There is also a mine entrance within the site boundary. With such a classification the C.A. become statutory consultees for the application and a C.M.R.A. needs to be produced to validate the application.

Richard Davies BSc. (Hons), MSc., F.G.S. of Rhondda Geotechnical Services

has been commissioned as the competent person to prepare a C.M.R.A. of the proposed development site. The purpose of any C.M.R.A. is to provide the L.P.A. with information on possible coal mining and an assessment of its impact on the ground stability of the site in order to satisfy the L.P.A. that the site is, or can be made safe and stable in line with national guidelines. This has been done in line with the template and recommendations of the C.A. document Guidance for Welsh L.P.A.s (version 4, 2017).

The **Geotechnical Report** concludes that:

'4. MITIGATION STRATEGY

It is not proposed to offer any engineering or location-based mitigation measures with regard to the proposed new building. The reason for this is that there is no possibility of ground instability caused by the old coal workings beneath the site, due to their depth.

With regard to the access widening, the obvious answer would be to approach Transco with a view to purchasing a narrow strip of their land. This would then avoid the need to excavate anywhere near the old level. Even if this does not prove possible, it seems unlikely a modest widening on the western side of the access would impinge on the level. However it may be prudent to carry out the works under a C.A. permit as a precaution. A very strict watching brief will be

applied to the works anyway due to the presence of the high pressure gas main. Because of this the works will, of necessity be shallow. The depth of the gas main is currently unknown, but the depth of the road widening works will only be that of standard highway construction i.e. less than one metre. Therefore it is extremely unlikely that the works would intersect Coal Authority property.

5. CONCLUSION

The High Development Risk status of the site is based entirely on the fact that the site is underlain by workings in the Mynyddislwyn seam and that they are at a dangerously shallow level. The presence of the workings is a documented fact and is not in dispute. What is contested by this risk assessment is the actual depth of the Mynyddislwyn seam, and hence the workings.

This risk assessment has presented abundant evidence from comprehensive research that there is no risk to ground stability posed by coal mining legacy issues at the site. In particular, the risk from shallow recorded workings close to, or under the proposed development has been thoroughly examined and discounted. The workings do indeed exist, but they are much deeper than the C.A. data places them. The C.A. data on the Mynyddislwyn seam depth cannot be based on direct evidence i.e. surveyed mine levels. The reason for this is that none exists. This fact has been confirmed By Darren Moody (Information Manager for South Wales). Instead the depths have been inferred at some time in the past by N.C.B. or British Coal surveyors. The original source material on which these calculations were based is no longer extant, or even recorded in the C.A. database. Logically these levels must have been arrived at using the same data as was presented in Section 3.

It is difficult to see how the figures in the Consultant's Report were arrived at. Even the seam depth data on the Interactive Viewer puts the Mynyddislwyn seam at 55m b.g.l. It is not the purpose of this risk assessment to speculate on how the frequent errors in C.A. Data come about. Rather it is to present a reasoned analysis of the available facts. It may be there is a margin of error inherent in the estimates of seam depths presented in the preceding Section 3. Nevertheless given the dip direction, the measured position of the seam in the shaft of Gelligaer Colliery and the downthrow of the Llanfabon Fault it would be physically impossible for the Mynyddislwyn seam (and the workings in it) to be present at shallow depth beneath the site. The conceptual section in Figure 13 makes this abundantly clear.

Therefore, it is the author's opinion that there is no need for the site to be classified as Development High Risk, and no reason for the Coal Authority to object to planning permission being granted for the proposed development.'

Environmental Health

Pre application advice indicated that Env Health have no objections to the proposed development indicating that:

'Environmental Health have no objections in principle to the proposals outlined in the attached. If an application was to be submitted, Environmental Health would be likely to recommend the following conditions:

CON1 – Site investigation Report; CON2 – Soil Import Testing ;CON3 – Contamination Validation Report

And potentially: HRS02 – Hours of Operation; ILL01/02 – Illumination/Lighting ;ODO01 – Odour Control; SIT03 – Control of Dust During Construction; SIT04 – Control of Noise During Construction; STB1 – Control of Animal Waste ;WAS01 – Facilities for Waste Management.

The applicant should also liaise closely with environmental health to ensure health and safety and food safety requirements are adequately addressed from the outset'.

5.0 The Proposal

Character

The detailed proposals are shown on the accompanying **STP architectural drawings** and the landscape and tree planting plans prepared by **Mackley Davies Associates**.

The existing ugly fenced vehicle car compound would be significantly improved with new boundary treatment including the removal of the industrial palisade fencing and replacement with a stone wall and planting. The entrance would be relocated to the north to again improve vehicular movements.

A new modern agriculturally styled building would replace the existing complex of buildings on the western side of the access road. The option of retaining the existing farm buildings were examined but advice from surveyors indicated that the single skinned farm buildings along with the existence of asbestos along with their eaves and head height meant that this was impracticable and uneconomic. Indeed, given the significant investment required in the venture and the need for longevity of internal and external materials – a new building is essential to ensure building, heating and security needs. Indeed given the new challenge of health and safety considerations which were always present with concerns about E.coli, but now significantly heightened by Covid, then internal surfaces plus the need for stringent washing requirements mean that new facilities are required for any public and customer facing industry such as this.

The floor levels in the existing farm buildings lie below the access road and in heavy rain often flood. This is a further reason why it was impracticable and uneconomic to seek to work with the existing buildings.

The footprint of the proposed building measures 40 x 31m and with the sloping site and with the need to maintain a level floor area to enable safe access for all, the height of the eaves and ridge varies.

The building is mainly single storey with a part mezzanine over the ground floor play and party zone area. The ground floor area would comprise:

- Entrance area
- Café
- Kitchen and Staff Room
- Café and Play and Party and Play Zone
- Toilets
- Storage
- Vets Store
- 17 animal pens and access corridor

In terms of internal floor area which measures 1485 sq m the areas can be divided as follows:

Ground Floor

Animal Care and Display – 550 sq m

Storage – 84 sq m

Office, staff, toilets and reception – 173 sq m

Adult café – 100 sqm

Child Play, Cafe and Party Zone – 398 sq m

Rear Lobby – 12 sqm

Total GF – 1317 sq m

Mezzanine Level

Child Play and Party Area – 168 sq m

Total Area of Building = 1485 sq m

In more detail the ground floor uses would comprise:

- Soft play zone for children;
- Sensory room for toddlers and autistic children, hope to hold separate group

sessions for autistic children during the week;

- Interactive wall panels to assist learning;

- Cafe selling locally sourced produce, home-made food. The cafe will have two separate sections, one for walkers off Penallta Parc and the other for farm park customers. Indoor and outdoor sitting area for walkers

This building would provide modern toilets and washing facilities, ensure a secure building for child safety (no child will be able to leave without the correct supervising adult that brought them). Having suitable indoor capacity will allow tourism and visitors all yr round regardless of the weather.

The indoor animal pens will provide the following opportunities such as:

- House animals in separate pens - goats, sheep, calves, pigs, donkeys and alpacas;
- Sheep – Will synchronise 10 ewes to lamb every week from February through to April, will have cameras with a live-feed to Facebook for any followers. Children will be able to feed pet lambs;
- Calves – Purchase from the neighbouring dairy farm at 10 days old, will keep until weaned. Will allow children to feed calves at certain times of the day and learn where milk comes from!;
- Goats and Alpaca's – Children will be able to feed goats and alpacas. Will learn husbandry skills;
- Pigs – Hopefully have a breeding sow with piglets, will supply the family butchers with pork;
- Donkeys – Children will be able to feed and groom the donkeys;
- Hand washing facilities on entry and exit route (one-way system around the shed).

Other proposed events in the animal area include:

- small pet handling/grooming area;
- Guinea pigs and rabbits available for children to hold, groom and learn about husbandry;
- An area designated to the life cycle of a chicken, will have an incubator to hatch chicks, live chicks and chickens to handle;

The scale and mass of the buildings complements other large agricultural outbuildings in the locality and the pitched roof and use of fenestration and materials breaks up the elevations and provides visual relief and interest. The materials of metal profile roof cladding, stained vertical timber cladding, rendered masonry panels and metal windows are representative of agricultural outbuildings in the locality and will not look out of place or create visual harm.

The retention of the oak trees and long linear group of scrub and woodland habitat alongside the railway and NCR would help the integration of the new build into the existing landscape of the area. As will the retention of the large oak tree that helps provide shade to the play area and screens part of the south facing elevation from the access road and higher-level views from the A472.

To the south of the proposed building would be located a play area, picnic area and low-level trim trail that could take advantage of the southerly aspect and link well with the internal café and play zone. A curving pedestrian and wheelchair friendly bound footpath would allow access from the main building to the wider external site comprising six animal pens, duck pond and tractor ride area. Future proposals within the area of the tractor ride could potentially include further animal pens, meadow and wetland habitat.

External areas of the tourist/educational facility would provide for uses including:

- Large chicken run with several breeds of chickens;
- Egg boxes around the edges of the hutches to allow children to collect the eggs, eggs to be handed back in to reception;
- Farm walk trail – separated into paddocks with walk ways in between, several hand washing stations;
- Paddocks would contain donkeys, ponies, goats, sheep and alpacas;
- Wooded fenced area for a duck pond, able to feed the ducks;
- Provide small little push along tractors for toddlers; and
- tractor rides and extra grazing paddocks for the animals or areas for meadows or wetlands.

6.0 Access and Movement

It is proposed that the existing access road to the farm buildings would have a widened and realigned junction with the A472 in order to provide safe highway movements into and out of the site (**see attached Transport Statement prepared by Transport and Traffic**). The access track running south to north would be widened and contain a safe pedestrian route running alongside the highway surface.

As indicated earlier, the development allows for a car park and coach park in a convenient location close to the pedestrian entrance to the farm park. The A car park is proposed to the east of the access road and opposite the proposed main entrance that would be located on the eastern elevation. A coach parking area (necessary for visiting school and organised leisure trips) would lie to the south of the car park. These uses would sit on an area of man-made ground previously consented for a horse ménage. Enhanced tree planting is proposed in this area to help blend the use into the landscape of the SLA. A dedicated cycle storage area would be provided that would take advantage of the opportunity to encourage sustainable access by cycles along the National Cycle Route (47).

Movement into and through the building would be DDA compliant and in conformity with Part M of the building regulations. The external play area and external routes have sweeping curves and geometry to allow for access to all and especially people with disabilities and parents/guardians pushing buggies.

A new tractor route would be created on the western side of the access road to ensure that farm machinery could access the site safely and not have to mix with

customers and walkers/cyclists in the honeypot around the customer entrance and new building/play area/café area.

A tractor route would curve from the eastern side of the building and would allow safe and segregated access. This access is required to bring in animal feed and necessary materials and take out manure and used hay. The tractor route would also link to a small wooden isolation barn that is necessary should any animal fall ill with a suspected infectious diseases. A silage clamp area would also be located at this north west part of the site.

7.0 Environmental Sustainability

As described in more detail earlier in this DAS, implementation of the **Mackley Davies Proposed Landscape Plan** and **Planting Plan** will ensure that the external areas will support the provision of a welcoming, attractive, educational and fun environment for farm visitors. The proposals will also benefit local biodiversity and fit in with the character of the SLA and the sites semi-rural location.

Retention of trees and shrubs will provide a mature structural setting for the new building, car park, and external farm features. Existing hedges and hedgerow trees will be protected during construction phase work.

New planting is proposed to fit with the special landscape character of the area and the site, designed to soften the visual impact of the proposed building, car parking, operational areas and assimilate these into the landscape, to soften/screen the adjacent Gas Governor compound, to create new habitat in line with Ecological Assessment recommendations and the needs of visitors.

Species will be locally native and sourced from UK grown stock. The management regime for planting and grassland will create an attractive and safe environment for visitors but also optimise opportunities for biodiversity.

The MPS Ecology Report highlights that the development would not damage habitats or species. For example, section 5.3 of the report's conclusions states that the small loss of habitat is 'considered to be negligible in effect due to the limited extent and limited ecological value of the habitats in question'. The report as emphasised earlier examines ecological opportunities and mitigation which should, along with the landscaping proposals, lead to a net increase in biodiversity interest on the site.

8.0 Community Safety

The proposal will not lead to any significantly enhanced risk of an increase in community safety concerns among the general public. The proposal will implement Secure by Design type proposals in terms of natural and man-made defences at the site's most vulnerable points which are likely to be in terms of unauthorised access from the NCR 47 route. However, this is a business risk rather than a community safety issue. The applicants will ensure that CCTV and use of private security will be

provided and will take advice from the police and other sources to adopt best security practice.

The site is overlooked by existing dwelling and commercial premises that provide some surveillance from a higher vantage point.

9.0 Response to Planning Policy

National Policy

The most applicable national policy guidance is considered as

- Planning Policy Wales;
- Technical Advice Note 5: Nature Conservation and Planning (2009);
- Technical Advice Note 6: Planning for Sustainable Rural Communities (2010);
- Technical Advice Note 7: Outdoor Advertisement Control (1996);
- Technical Advice Note 8: Renewable Energy (2005);
- Technical Advice Note 12: Design (2016);
- Technical Advice Note 13: Tourism (1997);
- Technical Advice Note 15: Development and Flood Risk (2004);
- Technical Advice Note 18: Transport (2007).

While all of the above documents will contain some guidance that relates to this development, the most pertinent advice will be contained within TAN's 5 and 6.

LDP Policies

The relevant policies of the Caerphilly County Borough Local Development Plan (LDP) Adopted 2010 are as follows:

SP2 (Development Strategy – Development in the Northern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place Making), SP8 (Minerals Safeguarding), SP10 (Conservation of Natural Heritage), SP11 (Countryside Recreation), SP20 (Road Hierarchy), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW15 (General Locational Constraints) CW19 (Locational Constraints – Rural Development and Diversification).

Supplementary Planning Guidance

The relevant supplementary planning guidance applicable to the development is: provided:

LDP4: Trees and Development,

LDP5: Car Parking Standards,

LDP6: Building Better Places to Live

LDP10: Buildings in the Countryside.

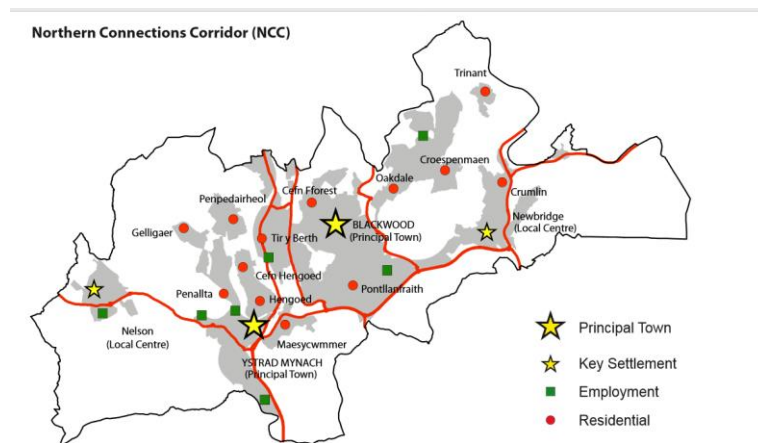
General

The aim of the project is to diversify from agriculture and to develop a further educational and tourism facility in the Nelson area building on the success of Penallta Parc and given the high level of sustainable access offered by the NCR 47 that runs alongside the site plus the recent development of a segregated footway between Nelson and Ystrad Mynach. The site also lies less than a ten-minute walk away from a bus stop to the west in Nelson.

In strategy planning terms the site lies in the countryside and in the northern connection's corridor area. The concept of an additional tourism, educational, leisure offer builds on the area's existing locations at Llancaiach Fawr, Penallta Parc and Wern Woodland Park. Indeed, the Local Development Plan sees specific potential in the Nelson area for tourism development as indicated by Para 3.88 below

3.88 The national cycle route (47) runs through Nelson adjacent to the Wern Woodland Park and links the area to Penallta Community Park. Together these facilities provide a very attractive rural backdrop to Nelson. Wern Woodland Park also provides a valuable link for visitors to the area to a range of small shops and services within the historic village centre. Given the range of heritage and visitor attractions in the vicinity including Llancaiach Fawr living history museum, Nelson could have significant tourism potential.

Strategic Location of Proposed Development adjacent to Nelson



Site located in the countryside where However, there is support for tourism developments that are suitable in a countryside location.

The proposed development in its accessible location by foot and cycle, would help deliver the Council's strategic planning objectives of sustainable development in the Northern Connections Corridor area of the LDP. While the principle of non-agricultural development on the site would normally be unacceptable in accordance with Policies SP3 and SP5 of the LDP, the promotion of tourism developments in countryside locations as advocated by CW15 should in the planning balance be given significant weight. It should also be noted that planning consent has previously been granted for an extension to the existing agricultural buildings and part of the proposed

development is to be sited on a plateau that was granted consent for a consent for a horse exercising area that was created using tipped material that has drastically altered the contours of the land.

LDP CW1

Development proposals that are likely to generate a significant number of trips will only be permitted provided:

A Walking and cycling are modes of travel which have been actively encouraged for short trips to and within the development and to nearby services and facilities, including public transport nodes, through the provision of appropriate infrastructure

B Provision has been made for ease of cycling, including secure bike storage and cyclist facilities

C It has been demonstrated that where a significant number of freight trips will be generated, the least environmentally damaging route will be utilised

D The use of Green Travel Plans has been encouraged, where appropriate

The development is located immediately adjacent to the NCR 47 and can be accessed via a segregated footpath that runs between Nelson and Ystrad Mynach. The site lies adjacent to Penallta Parc offering the potential of combined trips. The site lies under a ten-minute walk from the nearest bus stop in Nelson. For those people who chose to travel by car or for children who have no option other than to come by coach, adequate access/egress arrangements and car parking provision exist. The development therefore complies with CW1

LDP Policy CW2

Development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:

A There is no unacceptable impact on the amenity of adjacent properties or land

B The proposal would not result in overdevelopment of the site and / or its surroundings

C The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use

D Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development

The change of use would not have any unacceptable impacts on the nearest properties that are located over 100-150 m to the south and on higher land adjacent to the main road. The building and car park footprint in terms of the overall agricultural unit is very small and most of the proposed building plot area is already developed by older farm buildings and by a site of tipped land. Use of the land and buildings for tourism and education would be suitable and would not adversely impact on surrounding land uses. In this way the development meets the criteria in LDP Policy CW2.

LDP Policy CW3

Development proposals must satisfy the following highways requirements:

A The proposal has regard for the safe, effective, and efficient use of the transportation network

B The proposal ensures that new access roads within development proposals are designed to a standard that:

i Promotes the interests of pedestrians, cyclists and public transport before that of the private car, and

ii Safely and effectively accommodates the scale and nature of traffic, which those roads are intended to serve

C Parking, appropriate servicing and operational space have been provided in accordance with the CSS Wales Parking Standards 2008

D Where access onto a highway is required the proposal takes account of the restrictions relevant to the class of road as designated in the road hierarchy ensuring movements and speeds are controlled through appropriate design, in order to ensure highway safety and amenity

A comprehensive Transport Statement accompanies the application and indicates that:

- visibility splays commensurate with the recorded speed survey are achievable;
- the access from the junction into the site is shown to be widened with a pedestrian footway alongside. Provision is made to link to the wider site and the NCR 47 route.
- the proposed junction can accommodate the levels of vehicular movements that the site will attract and it is noted that the TS shows that no right-hand holding lane is required. In this regard it is noted that the new junction into Penallta Park from the A472 to the east of this site was not required to have a right-hand turning lane.
- Parking throughout the development is provided in line with LDP5 Car Parking Standards;

The car park and coach park have been designed based on anticipated daily figures as recorded in the Transport Statement.

LDP Policy CW15 – Tourism

Development proposals will be considered against the following criteria, where they apply:

A Development proposals will not be permitted if they prejudice the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use

B Within settlement boundaries proposals for all types of development accord with the role and function of the settlement within which they are located, and

C Outside settlement boundaries proposals will not be permitted unless the proposed development is either:

i Associated with either agriculture, forestry or the winning and working of minerals or

ii For the conversion, rehabilitation or replacement of rural buildings and dwellings, or

iii For recreation, leisure and tourism proposals that are suitable in a countryside location or

iv Associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere or

v Associated with the reclamation / treatment of derelict or contaminated land

The proposal is considered to comply with Criterion C of Policy CW15 of the LDP as it constitutes a tourism proposal that is suitable in principle in a countryside location. This Design and Access Statement indicates that in landscape and highway terms, the proposal is acceptable, especially given that the proposed site is already occupied by built development and that the surrounding countryside has already been heavily altered by consenting tipping and change in the landscape character. It is also the case that in terms of landscape detractors, the site is visually heavily degraded by the presence of the Gas Governor Station and infrastructure, overhead lines and unsightly palisade fenced compound next to the A472. The business case and opportunities also describe the need to diversify and alter the economic imperative of the land going forward. In terms of the economy of the local area it will also be important for the Council to consider the material considerations of extra employment and further economic benefits in line with TAN 23.

LDP Policy CW19

Locational Constraints - Rural Development and Diversification

Rural Development and Diversification schemes will be permitted where:

A They are consistent in scale and compatible with their rural location, including the retention and enhancement of existing natural heritage features

B That where buildings are required to deliver the scheme, existing buildings are reused where possible, or the new buildings relate to an existing group of buildings

C They will be complementary to, and not prejudice, the operation of the existing business

The building footprint, while larger, is in the same location as existing built development. The scale of the building is considered appropriate in its valley floor setting with the size dictated by proposed indoor uses. The proposed development retains and enhances the local landscape including tree planting, boundary

treatment and significant improvements in the visual amenity of the site at the entrance from the A472 where the palisade fence will be replaced by a stone wall. The existing buildings cannot be used due to the age and their unsuitability for modern visitor purposes with especially tourism uses demanding high standards of hygiene and comfort. Materials for car parking, boundary treatments and the building respect the local area and are suitable for countryside locations.

LE3

Protection of Country Parks Country Parks that contribute to the Valleys Regional Park are protected at the following locations:

LE3.4 Parc Penallta, Ystrad Mynach

LE3.5 Penyfan Pond, Croespenmaen

The proposed development will be located immediately adjacent to Penallta Parc will help increase the critical mass of countryside-based activities in the Nelson area. The protection and enhancement of the rural landscape character and countryside use will assist in the long-term protection of Penallta Parc. In this way the development helps promote Policy LE3.

TM1

TOURISM Tourism Proposals Sites are allocated for tourism related activities at:

TM1.3 Llancaiach Fawr and environs, Nelson TM1.4 Maesycwmmwr Mill, Maesycwmmwr TM1.5 Rhymney Riverside Walk, Rhymney - Cefn Mably TM1.6 Monmouthshire and Brecon Canal, Crumlin Arm

3.142 Tourism is a significant contributor to the County Borough's economy, with attractions such as Llancaiach Fawr Manor House forming part of a network of historic buildings and landscapes. Continuing their success is a prime objective of any tourism strategy, and developing other attractions is an effective means of promoting regeneration and increasing economic activity in specific locations.

The proposal would add to the existing tourism infrastructure of the area in a manner that would be appropriate to the existing scale of buildings. Use as tourism and education would support the County Borough's economy and build on the Council's desire to see more tourism in the Nelson area. The development would therefore support Policy TM1

NH1

Special Landscape Areas (SLAs) Special Landscape Areas are identified and will be protected at the following locations: NH1.2 Gelligaer Common NH1.3 Mynydd Eglwysilan

3.101 Two Special Landscape Areas have been identified in the NCC area. These areas will be protected from any development that would harm their distinctive features or characteristics. The policy is not designed to preclude development. However, an applicant will need to demonstrate that any development proposal will not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA.

As described in earlier sections and especially under the Landscape headings the design and setting of the proposal is advised by the policies applicable to the designation of the area within NH1.3 Mynydd Eglwysilan Special Landscape Area which is a locally important area of visual and sensory value and provides a wider landscape setting and context for the settlements of Nelson, Ystrad Mynach and is also in close proximity to Parc Penallta.

The development seeks to improve the visual image of the area that was described in the Council's pre application response in the following way:

'Having attended accessible areas adjacent to the site I also note that the site currently presents poor visual amenity from both the cycle track and Parc Penallta due to existing large agricultural / industrial sheds, associated farm infrastructure, poorly managed soft and fenced boundaries as well as regraded / built up land.'

The new building and car park would be located on previously developed land and would lie in the valley bottom and well located in relation to the present site of the farm buildings. The surface of the car park can be designed so as to fit in with the tones and appearance of the locality and the landscaping plan and planting plan shows how the buildings and wider park area can be successfully accommodated into the landscaping. The area already contains a large number of visual detractors in relation to the gas storage area and pylons. The development would not harm the visual landscape quality of the area and would comply with Policy NH1.

In line with pre application advice the proposal seeks to improve the existing landscape quality and preserves the landscape character by maintaining an essential soft landscape approach, that improves integration and visual screening along with biodiversity of the site. **Mackley Davies** has produced an overall **landscape strategy** and **landscape master plan** which is accompanied by **full soft landscape detail plans** along with **management and maintenance plans and schedules**. Again, in line with pre application advice, the landscaping strategy and plan focus on trees and hedgerow retention and comprehensive proposals for new native woodland and tree planting.