

OFFICER REPORT

Application Number: P2025/0683

Site Address: Gilfach Yr Haidd Farm Access Lane To Gilfach Yr Haidd Farm Ystalyfera SA9 2BE
Change of use of the site from agricultural to One Planet Development subject to the OPD Management Plan (2108 m2). Including:

Proposal:

- Siting of an off-grid low impact dwelling
- Erection of two polytunnels
- Erection of a processing shed
- Erection of a log store / solar mount
- Drainage works
- Provision of a hardstanding and access track (retrospective)
- Siting of two containers (retrospective) with roof cover between.

Applicant: Mr Simon Cometson

Agent: Mr Bill Knight

Ward: Cwmllynfell & Ystalyfera

Application Type: Full Plans

Valid Date: 27th October 2025

Statutory Expiry Date: 21st December 2025

Ext. of Time / PPA date:

Publicity Expiry Date: 28th November 2025

RECOMMENDATION - Refused

SITE AND CONTEXT

The application site comprises an area of approximately 34 acres (13ha) of agricultural land located some 0.5km east of the settlement of Ystalyfera in the upper Swansea valley. The site lies on the eastern edge of Special Landscape Area SLA1 (EN2/1) Mynydd y Garth.

The land has a predominantly east facing aspect. Access is obtained via a private access lane which is also a registered Public Right of Way footpath (150.Lgk) to the north-east of the site. A second Public Right of Way footpath (137.Lgk) traverses the site in a south-westerly direction, rising steeply from its junction with 150.Lgk and largely following a ridgeline through the application site before falling again. Surrounding land use is predominantly agricultural with scattered farm steads. The closest of these are Gilfach-yr-Haidd Farm (to the north-west), Gilfach Goch Farm (to the north), Ty Gwyn Bach (to the east) and Pant-y-Gwanyd Farm (to the south).

The application site is subject to a current planning enforcement investigation (E2024/0267) with some, but not all, of the unauthorised works included within this application.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for a One Planet Development ('OPD') comprising the change of use of 2108m² of agricultural land together with:

- Siting of an off-grid low impact dwelling
- Erection of two polytunnels
- Erection of a processing shed
- Erection of a log store / solar mount
- Drainage works
- Provision of a hardstanding and access track (retrospective)
- Siting of two containers (retrospective) with roof cover between.

The application is accompanied by a suite of supporting documents, including:

- Planning Statement
- OPD Appraisal
- OPD Management Plan
- Preliminary Ecological Appraisal
- Green Infrastructure Statement
- Landscape & Visual Assessment
- Coal Mining Risk Assessment

NEGOTIATIONS

Following an initial assessment of the submitted application, the applicant's agent was asked to provide additional information in respect of land ownership, access rights and surface water drainage.

PLANNING HISTORY

The application site has the following relevant planning history: -

- P2024/0786 Proposed One Planet Development ('OPD') application to include a single storey dwelling erected under the caravan act, ancillary buildings, proposed woodland planting area and horticultural areas.
Returned to Applicant 03.01.2025

CONSULTATIONS

Highways: Objection.

Drainage: SAB approval required.

Lead Local Flood Authority: Objection.

PRoW Officer: Footpaths 137.Lgk & 150.Lgk either enter or skirt the application site.

Active Travel Officer: No comments

Biodiversity: No objection.

Tree Officer: No reply received.

Contaminated Land: No reply received.

LDP/Policy: No reply received.

Heneb: No objection.

NRW: No comments.

Mining Remediation Authority: No objection.

DCWW: If no connection to the public water supply is required, no objection. The public water supply system currently has insufficient capacity to serve the development without detriment to existing customers.

LQAS: No Agricultural Land Classification system data but likely the site is Grade 4 and paragraphs 3.58 and 3.59 of PPW12 (BMVAL) will not apply.

REPRESENTATIONS

The local Ward Councillors and Ystalyfera Community Council were notified on 30 October 2025. No comments have been received from either.

The neighbouring properties were consulted on 30 October 2025.

A site notice was also displayed on 5 November 2025.

The application was also advertised in the press (development affecting a Public Right of Way) on 1 November 2025.

In response, to date 4 no. representations have been received, with the issues raised summarised as follows: -

- Works have already been undertaken without permission
- Applicant has no legal rights to access over privately owned land
- Works have changed and increased groundwater runoff to the village
- The development is promoted as a low impact, carbon neutral, environmentally friendly project however since the applicants have owned the land there has been a large loss of trees and wildlife habitat
- Proposals will lead to degradation of land, soil erosion and release of carbon
- Poultry and pig production is the least climate friendly form of meat
- Based on disregarding of rules to date there is little expectation the applicant will comply with any conditions applied if permission is given
- Against people buying up grazing land that has been used for hundreds of years and changing the use
- Access is single lane with sharp bends so would need warning signs or lights to accommodate increased traffic
- The increase in traffic will impact on pedestrians walking the mountain road
- Additional noise and disturbance, odour and vermin
- Misuse of the registered farm name leading to unsolicited communications
- Misleading information in the Landscape and Visual Assessment document
- They have brought a caravan onto the site but have no planning permission to live in it
- Water supply and quantity inaccuracies in the documents
- There have been incidences of the applicants' dog chasing livestock and fouling on existing tracks
- Business plan contains no handling equipment, isolation or biosecurity measures
- The figures they have allowed for vet fees are unrealistic and they omit essential costs such as handling equipment, accountancy services and legal fees. Their financial forecasts are unrealistic
- Development will impact our privacy and residential amenity
- There is ongoing legal action in respect of cutting off our water supply and illegally channelling water over our property
- The applicants have caused distress within the community and we dispute the claims made in the submission that the plans have been met with enthusiasm

- The proposal fails to meet all the standards required for a OPD

REPORT

National Planning Policy:

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 its sustainable development (or wellbeing) objectives. 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 set out below, 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.

The Environment (Wales) Act 2016 places a duty on the Council to maintain and enhance biodiversity, promote the resilience of ecosystems and increase their ability to adapt to events such as the impacts of climate change.

The Historic Environment (Wales) Act 2023 enhances the protection and sustainable management of the wider historic environment for the cultural, social, economic and environmental benefit of future generations.

Future Wales: The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

Future Wales sets out where Welsh Government wants the nation to be in 20 years' time by identifying 11 Outcomes which it says can be achieved ***if the planning system is focused on the long-term and provides quality development in the right places for the right reasons*** [author's emphasis]. The 11 Outcomes are inter-related and inter-dependent, and will improve places and well-being across Wales. The 11 Outcomes are: 'A Wales where people live.....'

- 1 and work in connected, inclusive and healthy places;
- 2 in vibrant rural places with access to homes, jobs and services;
- 3 in distinctive regions that tackle health and socio-economic inequality through sustainable growth;
- 4 in places with a thriving Welsh Language;
- 5 and work in towns and cities which are a focus and springboard for sustainable growth;
- 6 in places where prosperity, innovation and culture and promoted;
- 7 in places where travel is sustainable;
- 8 In places with world-class digital infrastructure;

9 *In places that sustainably manage their natural resources and reduce pollution;*
10 ...*in places with biodiverse, resilient and connected ecosystems; and*
11 ...*in places which are decarbonised and climate-resilient.'*

The following policies are of particular relevance to the assessment of this application:

Policy 4 – Supporting Rural Communities

Policy 5 – Supporting the Rural Economy

Policy 9 – Resilient Ecological Networks and Green Infrastructure

[Planning Policy Wales \(Edition 12, February 2024\)](#) outlines the Welsh Government's commitment to the importance of 'places' and 'place-making', the importance of using previously developed land wherever possible in preference to greenfield sites, and the recognition of the health and wellbeing related benefits by creating a sense of place and improving social cohesion. PPW 12 confirms that the environmental components of places are intrinsically linked to the quality of the built and natural environment and contribute to the health and wellbeing of the people who live, work and play there. It emphasises the importance of creating sustainable communities and reducing reliance on the private car as part of a package of measures to reduce the country's carbon footprint and help tackle the climate emergency.

The following guidance is of particular relevance in the assessment of this planning application:

2.17 In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver developments that address the national sustainable placemaking outcomes.

2.7 Placemaking in development decisions happens at all levels and involves considerations at a global scale, including the climate emergency, down to the very local level, such as considering the amenity impact on neighbouring properties and people.

3.12 Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate.

3.60 Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements

may be acceptable, in particular where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

4.2.39 One Planet Development (OPD) is development that through its low impact either enhances or does not significantly diminish environmental quality. OPD may take a number of forms and can either be single homes, co-operative communities or larger settlements. They may be located within or adjacent to existing settlements, or be situated in the open countryside.

4.2.40 OPD located in the open countryside should provide for the minimum needs of the inhabitants in terms of income, food, energy and waste assimilation over a period of no more than five years from the commencement of work on the site. This should be evidenced by a management plan produced by a competent person(s). Where this cannot be demonstrated, proposals should be considered against policies which seek to control development in the open countryside. Planning authorities should follow the guidance in TAN 6 with regard to the requirements of OPD and associated management plans.

PPW 12 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- **Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and associated One Planet Development Practice Guidance (October 2012)**

The Practice Guidance sets out (at para.1.9) the set of essential characteristics which OPD in the open countryside must have. These are that OPD must:

- Have a light touch on the environment – positively enhancing the environment wherever possible through activities on the site.
- Be land-based – the development must provide for the minimum needs of residents in terms of food, income and energy and waste assimilation in no more than five years.
- Have a low ecological footprint – the development must have an initial ecological footprint of 2.4 global hectares per person or less with a clear potential to move to 1.88 global hectares per person over time. – these are the Ecological Footprint Analysis benchmarks for all One Planet Developments over time.
- Have very low carbon buildings – these are stringent requirements, requiring that buildings are low in carbon in both construction and use.
- Be defined and controlled by a binding management plan which is reviewed and updated every five years.

- Be bound by a clear statement that the development will be the sole residence for the proposed occupants.

Both TAN 6 (at para.4.16.1) and the Practice Guidance (at para. 1.14) state that planning applications for land based OPD in the open countryside need to be supported by robust evidence contained in a Management Plan, produced by a competent person(s).

The Practice Guidance provides detailed advice on the structure and content of Management Plans and advises (at para. 2.19) that the structure of the Management Plan should ensure that the planning authority has a clear and justified account of the proposals allowing determination of whether the planning application should be approved. Further (at para. 2.20) that a good Management Plan should be rich in information on the points set out in para. 2.19:

- The overall character of the development
- Whether all essential criteria for OPD have been met
- Whether the proposals pass the EFA test
- The effect that the proposals are having on 'other footprints'
- An itemised 5-year programme for delivery of the Management Plan
- A clearly identified programme of monitoring

With reference to the last point, the Practice Guidance further elaborates (at para. 2.21) that if the Management Plan does not adequately address monitoring and control then it is deficient and the requirements of One Planet Development are not met.

Local Planning Policy:

The Local Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- | | |
|---------------|---|
| • Policy SP1 | Climate Change |
| • Policy SP2 | Health |
| • Policy SP3 | Sustainable Communities |
| • Policy SP4 | Infrastructure |
| • Policy SP6 | Development in the Valleys Strategy Area |
| • Policy SP14 | The Countryside and the Undeveloped Coast |
| • Policy SP15 | Biodiversity and Geodiversity |
| • Policy SP16 | Environmental Protection |
| • Policy SP20 | Transport Network |
| • Policy SP21 | Built Environment and Historic Heritage |
| • Policy SP22 | Welsh Language |

Topic Based Policies

- Policy SC1 Settlement limits
- Policy I1 Infrastructure
- Policy EN2 Special Landscape Areas
- Policy EN6 Important Biodiversity and Geodiversity Sites
- Policy EN7 Important Natural Features
- Policy EN8 Pollution and Land Stability
- Policy RE2 Renewable & Low Carbon Energy in New Development
- Policy TR2 Design and Access of New Development
- Policy BE1 Design
- Policy WL1 Development in Language Sensitive Areas

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- Planning Obligations (October 2016)
- Parking Standards (October 2016)
- Landscape and Seascape (May 2018)
- Biodiversity and Geodiversity (May 2018)
- Open Space & Greenspace (July 2017)
- Renewable and Low Carbon Energy (July 2017)
- Pollution (October 2016)
- Design (July 2017)
- Development and the Welsh Language (July 2017)

The Placemaking Charter, of which Neath Port Talbot Council are a signatory sets out the following principles:

People and community

The local community are involved in the development of proposals. The needs, aspirations, health and well-being of all people are considered at the outset. Proposals are shaped to help to meet these needs as well as create, integrate, protect and/or enhance a sense of community and promote equality.

Location

Places grow and develop in a way that uses land efficiently, supports and enhances existing places and is well connected. The location of housing, employment and leisure and other facilities are planned to help reduce the need to travel.

Movement

Walking, cycling and public transport are prioritised to provide a choice of transport modes and avoid dependence on private vehicles. Well designed and safe active travel routes connect to the wider active travel and public transport network and public transport stations and stops are positively integrated.

Mix of uses

Places have a range of purposes which provide opportunities for community development, local business growth and access jobs, services and facilities via walking, cycling or public transport. Development density and a mix of uses and tenures helps to support a diverse community and vibrant public realm.

Public realm

Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people.

Identity

The positive, distinctive qualities of existing places are valued and respected. The unique features and opportunities of a location including heritage, culture, language, built and natural physical attributes are identified and responded to.

Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) Screening

The application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations. As such the application has not been screened in accordance with the requirements of Schedule 3 of the Regulations.

The proposed development is not located within a zone of influence for any Special Area of Conservation (SAC), Candidate Special Area of Conservation (CSAC) or Ramsar sites and as such it is considered that an Appropriate Assessment as set down within the Conservation of Habitats and Species Regulations 2017 is not required.

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on visual amenity, landscape, highway safety, drainage, biodiversity/ecology and other material planning considerations.

Principle of Development

In seeking to address the causes of climate change, Strategic LDP Policy SP1 identifies the importance of cohesive and efficient settlement patterns, sustainable travel patterns and reduced reliance on the private car. This is expanded upon by Strategic LDP Policy SP3 which outlines how the delivery of sustainable healthy and cohesive communities and the conservation of the countryside will be promoted by, amongst other things, defining settlement limits and resisting inappropriate development outside of those

settlement limits. The settlement limits identified in the LDP therefore provide clarity on where development should be directed and there is a presumption in favour of sustainable new development within those settlements. Conversely, outside of settlement limits, development is only permitted under very specific circumstances. The application site is located outside of settlement limits and is therefore treated as open countryside for the purpose of planning control.

To assist in delivery of these strategic aims, Topic LDP Policy SC1 identifies 12 development types which may be permitted outside settlement limits and in all cases requires that they be of an appropriate scale and form. These development types include “7. *It is an appropriate ‘One Planet Development’*” with supporting paragraph 3.0.18 going on to explain that “*‘One Planet Development’ refers to development that through its low impact either enhances or does not significantly diminish environmental quality. This is fully defined in Planning Policy Wales, which also sets out the limited circumstances under which such developments may be permitted in the open countryside.*”

Accordingly the development as described is acceptable in principle, subject to compliance with strict national planning policy requirements in respect of One Planet Developments. This assessment therefore reflects the specific and stringent planning policy requirements of PPW 12, TAN 6 and the OPD Practice Guidance and is structured as follows:

- The Management Plan
 - a) Scope and Content
 - b) Business and Improvement Plan
 - c) Land Based Activity
 - d) Land Management
 - e) Energy and Water
 - f) Waste
 - g) Zero Carbon Buildings
 - h) Community Impact Assessment
 - i) Transport Assessment and Travel Plan
- Ecological Footprint Analysis
- Phasing, Monitoring and Exit Strategy

THE MANAGEMENT PLAN

The submitted Management Plan relates to the whole of the land to be occupied and managed for One Planet Development purposes, i.e. the land within both the red-edge and blue-edge as set out on the plans accompanying the planning application. Turning first to the requirement that a OPD planning application must be accompanied by a Management Plan produced by ‘a competent person(s)’. In this case, the Management Plan has been prepared by the applicants with the assistance of their agent,

TerraPerma. The Introductory section provides details of the applicants' backgrounds, experience and qualifications as follows:

- i. A former Royal Marine (serving from 1979-1986) who until very recently was a renewable energy plumbing and heating engineer with over 20 years' experience. He was raised on livestock farms, first in Llantrisant and subsequently in Maesycwmmmer and also ran the whole farm for a number of months following the death of his father.
- ii. A former Local Government employee (Mid Glamorgan County Council and Caerphilly County Borough Council), who was a teaching assistant in a local Primary School (in Machen, Caerphilly) and who also ran the Machen Rainbows Group.

The applicants state that they have been preparing for many years in the form of research, training, acquiring the necessary skills and knowledge, and preparing themselves financially. The Management Plan states that the applicants have backgrounds originating in farming and smallholding and have worked at times in various capacities on farms, smallholdings and market gardens and attained some relevant qualifications. Broader experiences are stated to include roles in volunteer programmes, environmental education and environmental projects, including projects and activity locally. Areas of knowledge are stated to range over permaculture design, eco-building, rural resource management, biodiversity, conservation planning and sustainability. Attendance at One Planet Living training programmes is also indicated.

Assistance in the preparation of the Management Plan, in this case, has been provided by TerraPerma, planning sustainability and agricultural consultants, who have also provided an independent appraisal of the proposals and a landscape assessment. The principals of TerraPerma are James Shorten and Bill Knight and their qualifications, knowledge and experience are set out in paragraphs 2.1.2 – 2.1.4 of the Appraisal document. They have had direct involvement in OPD and rural sustainable development research and practice for many years and were involved, as described in the Appraisal, in the development of the OPD Guidance and the design of the Ecological Footprint Assessment calculator.

In addition to the supplementary documents provided by TerraPerma, the Management Plan is also supported by a number of other Appendices, including specialist reports and advice from other appropriate sources, including the SAP company Ltd, who provided an energy assessment of the dwelling and Acer Ecology who carried out the PEA survey and advised on ecological issues. Local farmers are stated to have provided advice about costs and incomes and experience of managing the land locally. It is also stated to have built upon the feedback received from Neath and Port Talbot Council via the pre-application process, although this is confined to a single pre-application written exchange in 2022 of generic details of a proposed OPD and the applicable planning policy framework, as opposed to any detailed pre-application discussions around the acceptability of the proposed land management arrangements.

It is, however, accepted that the submitted Management Plan has been prepared by 'a competent person(s)'.

a) Scope and Content

The structure of the Management Plan contains sections on each of the topics required by para. 4.16.1 of TAN 6. It begins with an introductory section, containing a Summary, Baseline and Design/Strategy as advised in the OPD Guidance. In broad terms the Summary indicates that:

- The land is currently poor quality semi-improved grassland and defunct hedges and the intention is to transform it into a rich biodiverse landscape which has the capacity to produce an abundance of produce for the applicants as well as for the wider community.
- The applicants intend to comply with the aims and objectives of One Planet Development policy.
- A low-impact dwelling is proposed in compliance with the Caravan Act and OPD policy and guidance. It is also proposed to build a processing shed, polytunnel, a barn cover between existing containers and a solar/log store. These are intended to use locally sourced building materials and as much recycled/upcycled materials as possible to attain a carbon neutral footprint.
- The applicants intend to grow as much of their own foodstuffs as possible building on their experience of food growing in their previous property. A land-based business plan is described in section 7 of the submitted Management Plan and accompanying Appendix E.
- Management of the land has already commenced to restore biodiversity, including planting trees, replanting/thickening and managing hedgerows and managing grassland. The intention is to maintain existing wildlife corridors and create new corridors to improve habitats and biodiversity.

The OPD Practice Guidance indicates that all OPD proposals need to be set within a Baseline setting out the context of the site's location and current conditions. This is to provide a benchmark against which to judge whether the development benefits and enhances the land and biodiversity over time. In this case, the Baseline is stated to be based on the land as purchased by the applicants prior to any OPD-related activities taking place and includes details of:

- i. The location and description of the land, including physical features and access.
- ii. Baseline ecological information.
- iii. Baseline Landscape information.
- iv. Baseline Heritage features.
- v. Baseline Transport impacts.
- vi. Context/Adjacent land uses.
- vii. Tenure.

viii. Existing on-site services.

The Baseline covers those matters set out in the Practice Guidance (at paras. 3.3 to 3.8). The Baseline includes aerial photographs and maps and also draws on relevant data from official sources of information, including Landmap, Archwilio, Statutory Designations. Further details on particular aspects are provided in supplementary documents.

The baseline ecological information set out in the Preliminary Ecological Assessment (PEA), supplied as Appendix B, is particularly important as it requires sufficient information to enable judgements to be made in later years as to whether or not the OPD activities have lead to protection and enhancement of biodiversity as planning policy and the OPD Guidance requires. This issue is considered in more detail in the biodiversity/ecology section later on in this report. It is important to note, however, that works have taken place on the application site since the land was acquired by the applicants, however these are not detailed within the Baseline state. These developments, which include the felling of a number of trees, the formation of a new access, the laying of hardcore, siting of containers and a caravan, are subject to a separate planning enforcement investigation with further action held in abeyance pending on the outcome of this OPD planning application.

Para. 3.12 of the OPD Guidance sets out what the design and strategy section of the Management Plan should contain:

- i. Overall distribution of land uses and activities and how they link and interrelate.
- ii. No of households, the ability of the site to sustain them and the need for them to work the site or otherwise contribute to the running of the site.
- iii. Mechanisms for the overall management of the site – activities and responsibilities.
- iv. Mechanisms relating to interest in the land where more than one family (not relevant in this case).
- v. The outline programme for the development of the site (also to be picked up later in the Management Plan).

It is confirmed that the land is required to support a household of two people, namely the applicant and his wife. A permaculture philosophy is intended to be employed to ensure that the interrelations between elements and activities on the land so that they support each other and maximise beneficial relationships.

Management of the woodlands, hedges and pastures is intended to improve their quality and ecological value. The strategy includes the thickening and replacement of hedges and planting of trees to increase shelter. Examples are given of activities including their purpose and interrelationships. These cover uses of manure from human and animal waste and composting for fertilizer, willow planting, hedge and woodland management, the contribution of livestock (chickens, turkeys, pigs) for food and land improvement

The land use elements and buildings are itemised (including areas of land to be occupied in most cases) and the siting, design and construction principles and materials to be used for each of the buildings are described. The principles adopted to design the site layout are described and a 'Land Management' plan has also been submitted. The Guidance advises that the Design/Strategy section of the Management Plan should include the outline programme for the development of the site. However, this has not been included here. Instead, there is cross-reference to section 13 of the Management Plan which contains a detailed implementation programme. Consequently, it is not considered that the absence of an outline programme in this section is a critical deficiency and it is concluded that the outline programme sufficiently complies with the Practice Guidance in this regard.

b) Business and Improvement Plan

The Business and Improvement Plan is essentially the core of the overall Management Plan and comprises a number of elements as set out in the following sections.

It sets out the integrated system by which people and the land will combine to make a reduction in environmental impact possible. It therefore provides the fundamental justification for the proposed development.

It should describe how people living on the site are able to reduce their environmental impact by meeting their everyday needs from the site while at the same time enhancing the environmental capital of the site by their activities.

The Practice Guidance states that there has to be a proven relationship between the two within a broader system for the management of the site as a whole.

c) Land Based Activity

TAN 6 requires firstly that land use activities on the site should be able to provide directly for the minimum needs of its occupants in no more than five years in terms of income and food and that the Management Plan should quantify how these minimum needs can be met directly from the site; Secondly, that the need to live on site is justified and the number of occupants has a clear relationship to (a) the site's ability to sustain them, (b) the smooth running of the venture, and (c) the return that is gained. Finally, TAN 6 requires that the site should be the sole residence of the occupants. In this case the Management Plan includes a statement that the site will be their sole residence.

The objectives for this component in the Practice Guidance enlarge on these requirements, including the basis of the need to live on site, why the site should be the sole residence of the occupants and why the number of occupants should be directly related to the ability of the site to meet their minimum income and food needs.

The land-based activities, which can be in the form of produce grown and/or reared on the site (including processing) should generate a modest income that meets the minimum food

and income needs. In this assessment, income cannot be included where it is derived from the site or elsewhere unrelated to land based activities and cannot include unearned income. Produce grown and reared must be the results of the labour of the occupants and not that of any hired hands.

The essential criteria are that:

- i. Minimum food needs are met from produce grown and/or reared on the site or purchased with income derived from other products grown or reared on the site;
- ii. Basic domestic needs are met from income derived from produce grown and reared on the site (inc. processing and adding value) and other income streams derived from the productive and regenerative capacity of the site (such as from training and education courses or consultancy directly linked to land based activities on the site. These latter activities should be clearly subsidiary to the primary activity of growing and rearing produce;
- iii. The number of occupants is directly related to the ability of the site to support their minimum food and income needs and the number of people needed to run the site effectively;

The contributory criteria are that:

- i. The land based enterprise provides food and other products to local markets, reducing local footprints;
- ii. Facilities for processing products are made available to other local producers;
- iii. Training/courses/consultancy are offered as components of the land based enterprise to share best practice;

In this case, the land-based business activities contributing to the occupants' income needs are set out in detail in the Land Based Business Plan submitted as Appendix E. To summarise, the proposed OPD business is, somewhat unusually for OPD applications, primarily livestock based (cattle, pigs and turkeys for meat sales and chickens for egg production) plus beekeeping for honey produce and some surplus fruit and vegetable sales providing a small additional income.

The details set out in Appendix E indicate that in the fifth year of the development period the numbers of animals contributing to sales are estimated to be:

Pigs – 30 – based on selling five crops of six pigs
Turkeys – 50 – Christmas turkeys
Chickens – 45 – for sale of eggs
Cattle – 6 – six cattle in herd

The details set out in Appendix E also indicate that, in the case of cattle and pigs, the animals, once reared, are to be taken off-site to a local abattoir to be slaughtered and

butchered, including some processing for sausages, and then packed, labelled and stored at the abattoir prior to sale to the customer. At the time of sale, the intention is that the meat products would be collected by the occupants from the abattoir and delivered direct to the customer the same day (although there is also mention of the use of couriers and this is considered in more detail within the Traffic Assessment and Travel Plan section of this report).

The application documents also includes an Appraisal, carried out by Terraperma, of the proposal in relation to the Welsh Government's One Planet Development policy and guidance requirements. However, there are a number of concerns with regard to the proposed off-site part of the cattle and pig business streams in this regard. TAN 6 (at para. 4.16.1) refers to requirements in terms of income etc. being obtained directly from the site. The OPD Practice Guidance (at para. 3.19) refers to land-based activities on site generating a modest income for occupants and that these land-based activities can be in the form of produce grown or reared on the site (including the processing of such produce). Para. 3.28 refers to meeting income needs through sales of produce from the site (which may involve processing and added value). The explanatory Box 4 on p21 of the Practice Guidance, labelled "Processing and Added Value" refers specifically to on-site processing. Examples of on-site processing are given together with the benefits which it can bring. These include the utilisation of low carbon methods of production with hand labour (artisan production) replacing automated production methods, thereby raising the overall environmental performance of the development.

The main concern relates to the business element where the proposed use of an off-site abattoir for the commercial slaughter, butchering, processing, packing and storage of meat products for eventual sale and delivery by the occupants, which is inconsistent with the OPD Practice Guidance on processing and added value. There are transport concerns with this arrangement too, which are assessed in a later section of this report. In the case of large animals such as pigs and cattle, it would seem inevitable that slaughter and processing needs to be carried out in suitable premises which are likely to be only available off-site. In this regard, it is likely that a single large animal sent for slaughter and processing occasionally would be more than sufficient to meet domestic needs, given the carcass weights stated in the Business Plan.

In contrast to cattle and pigs, the applicants propose that they will obtain the necessary qualifications, training, licencing and approvals to carry out the slaughter and dressing of turkeys on site and that the turkeys would be packaged and delivered from the site to local customers on the same day. This activity would take place on site within the proposed processing shed (this is considered further in the later sections of this report dealing with Energy, Water and Waste).

The use of off-site labour at the abattoir for processing and added value as part of the business might is inconsistent with para 3.21 of the Practice Guidance which states that produce grown and reared on the site (that meets the minimum food and basic income

needs of the occupants) must be the result of the labours of the occupants of the site and not that of hired hands. As the produce is the meat processed, packed and stored by the abattoir, this might suggest that the income from these income streams ought not to be allowable in the minimum needs calculation albeit the Practice Guidance is not explicitly clear on this point, nor does it anywhere provide any specific guidance on the processing and added value aspect in the case of animals reared on the site which are processed off-site by other parties. Neither of these issues is addressed in the applicants' submissions or the Appraisal supplied by Terraperma.

A further issue is that of animal feed which is discussed at length in the submitted Appraisal. This arises due to the OPD Practice Guidance that food and income have to be derived from the land-based resources of the site and the productive and regenerative capacity of the site. At the end of the Appraisal is a note produced by the principals, James Shorten and Bill Knight, and dated April 2016 which considers the issue that for some animals, e.g. chickens, it is necessary to supplement the nutrition available directly from the land by buying in commercially produced animal feed. As the note acknowledges, the acceptability (or otherwise) of buying in feed for livestock is not directly addressed in the OPD Practice Guidance. The note attempts to define in what circumstances and in what proportion the import of livestock feed could be accepted without the ethos and principles of One Planet Development in the open countryside being breached.

The note reviews the Practice Guidance requirements for meeting food and income needs from the site and accepts that though the Practice Guidance does not directly specify that growing and rearing on the site should be based on the productive and regenerative capacity of the site, it is clearly intended that this should be the case. Then the note proposes a mechanism for accounting for feed costs in a similar way to how the Practice Guidance assesses meeting the needs of the occupants – proposing that 65% of the food needs of livestock should be obtained from the site or from the proceeds of other products grown or reared on site. Principles set out in the note are that:

- 65% of livestock food needs should be met from the productive and regenerative capacity of the site, as indicated above, with the proportion met directly from the site justified in the Management Plan. Feed cannot be bought from other income streams as this would break the link of all minimum needs being met from the site.
- It should not be possible for an OPD in the open countryside to include larger scale livestock enterprises where a high proportion of food is imported feed paid for from income which is not derived from the productive and regenerative capacity of the site.
- OPDs should be exemplars able to demonstrate how they will implement innovative and cutting edge systems of production, with suitable stocking levels and nutrient cycling such that the proportional imported feed requirements are low and reduce over time and feeds from the site is maximised.
- Exactly what is feasible and possible will vary from site to site and the nature of OPD activities undertaken.

In the absence of any mechanism in the Practice Guidance to account for this issue, the note is not an unreasonable solution to the imported feed issue for assessment of the land-based criteria. The Management Plan includes table 2 which sets out the total animal feed costs to be used in the minimum financial needs calculation. It is assumed that these costs are derived from the total costs of animal feed applying an apportionment between the proportion of produce to be sold by the business and the proportion to be consumed by the occupants, however the calculations for each business stream have not been provided, including the apportionment assumptions, which is necessary not only to support the figures presented but also to assist the assessment of the Ecological Footprint Analysis. This is considered in more detail in that section of this report.

Unfortunately there is insufficient in-house expertise to assess the soundness of the proposed livestock business proposals and, were the development found to be acceptable in all other respects, a further assessment of the Business Plan, financial projections and supplementary appraisal documentation from an independent agricultural adviser with expertise of the livestock business would be sourced to scrutinise the plausibility of the Business Plan and the robustness of the scenario testing of the applicants' proposals, yields, costs and income data set out in Appendix E and the Appraisal. This would include consideration of the information provided by the applicants on production levels and costs, including imported feed, the assumptions relating to the proportions of nutrition available for animals from the land as opposed to imported feed, the pricing of products, abattoir processing and storage costs and profit and the labour estimates as well as the market and customer strategy. Third party representation received have questioned the validity and accuracy of the financial forecasts provided in this regard.

In respect of satisfying the first essential criterion, meeting food needs, the proposed Business and Improvement Plan sets out in table 1 the applicants current food consumption, which is all based on purchased food with no production from the land, as at present. Table 2 then sets out the applicants estimated food consumption at year 5 distinguishing between the costs of food purchased and the equivalent costs or value of food produced. There appears to be some irregularities in the figures provided, and the year 5 value of food needs more accurate figures which are derived from the annual food cost figure. This table also includes the year 5 animal feed calculation and, as outlined above, further details of this is required to assess the underlying data and assumptions.

On the basis of the available evidence, it cannot be concluded that compliance with essential criterion i) is met.

Turning to the second essential criterion, relating to basic needs and income, the income generated by land-based activity is primarily proposed to be achieved from profits from the pork and beef elements of the business. As outlined above, given the reliance on off-site support, it is questionable whether or not the income from these streams does qualify to be included in the income streams which can be applied to the

basic domestic needs calculation. Otherwise, the Management Plan sets out in summary form in table 3 an estimate of the Minimum Needs for the items defined in the Practice Guidance and which also includes estimates of the animal feed and production costs and the fruit and veg production costs – which are assumed to be based on an unspecified apportionment of the total costs attributed to domestic consumption in each case. Further clarification is required to the underlying data and calculations for the apportionments for each income stream. As outlined above, there also queries about the accuracy of the data in table 2 which links to the additional food figure in the minimum needs calculation.

On the basis of the available evidence, it cannot be concluded that compliance with essential criterion ii) is met.

The final essential criterion relates to the number of occupants and the ability of the site to support their minimum income and food needs and the need to run the site effectively. Section 5 of the Management Plan confirms that the OPD is intended to provide for the needs of one family of two adults and that the labour for the enterprise and wider land management will be provided by the applicants. Tables set out the estimates of the daily, weekly and monthly time allocations for a range of tasks which are required for daily, spring and summer and seasonal purposes. The estimate is stated to amount to around 3,300 hours per year which, on average, would require the occupants to spend 63.5 hours per week on land-based tasks. Subject to a satisfactory assessment that the Business Plan estimates are sufficiently robust and plausible, there appears to be sufficient evidence that the number of occupants is directly related to the ability of the site to support their minimum food and income needs and that the time demands of running the site effectively can be supported by the two occupants.

On the basis of the available evidence, it is concluded that compliance with essential criterion iii) is met.

The proposals also include elements which go towards meeting the contributory criteria, including:

- Distributing food and other products to local markets (within a 20 mile radius); and
- Offering courses and guided tours to share OPD practice.

However, as detailed in the later monitoring section of this report, it is considered that the proposed monitoring form does not set out the data requirements in respect of the contributory criteria.

d) Land Management:

This assessment needs to distinguish between essential and contributory criteria, as defined above (para. 2.7 of the Practice Guidance). TAN 6 requires the preparation of a baseline assessment of biodiversity and landscape character with clear management proposals to

enhance features of importance. The OPD Practice Guidance, in summary, states that OPD in the open countryside should have the objective of conserving, managing and, wherever possible, enhancing environmental quality, not only on the site but also potentially bringing benefits to the wider landscape.

Objectives for biodiversity, cultural heritage and landscape should be integral to the management of the whole site forming part of a sustainable land management system that provides food and other products while also benefitting other aspects of the environment. Components are expected to include conservation of existing features of biodiversity, cultural and landscape importance (which should have been recorded in the baseline) and extension where this fits in with the overall plan. In considering the addition of new features it will be important to take into account views to and from the site, helping blend the site with its surroundings and using a natural local vernacular style thus strengthening local landscape character. The key considerations for biodiversity, cultural heritage and landscape are set out in paras. 3.45-3.47 of the Practice Guidance.

The essential criteria to be assessed are set out in para 3.51 and are as follows:

- All existing semi-natural and other important habitats on the site are conserved and enhanced through appropriate traditional management;
- All cultural heritage features (e.g. archaeology) on the site are conserved and enhanced through appropriate management;
- The landscape of the site is enhanced by the addition and traditional management of characteristic or once characteristic local landscape features that, amongst other things, may be used to screen and filter views to built elements of the proposals and to provide shelter and screening to horticultural areas;
- Buildings and other structures and access tracks are located where they can be recessed into the landscape and do not stand out in views from public vantage points;

The contributory criteria are set out in para. 3.52 and are as follows:

- Existing semi-natural habitats are extended or once characteristic habitats are recreated, ideally creating wildlife corridors across the site, linking to other habitats across the site;
- Populations of once characteristic farmland birds of the local area are increased through appropriate habitat creation;
- Soil organic matter is increased;
- Populations of pollinating insects are increased;

Neither TAN 6 nor the OPD Practice Guidance take account of more recent Welsh Government legislation and planning policy in respect of green infrastructure, landscape, biodiversity and ecology. The extent to which the proposals comply with this more recent planning policy and advice is assessed in subsequent sections of this report.

e) Energy and Water

TAN 6 requires quantification of how the inhabitants' requirements for energy can be obtained directly from the site and also indicates that there is the potential to have wider community benefits through the export of any surplus electricity to the grid. The Practice Guidance also points out that while TAN 6 only deals with energy, water is a natural resource that also requires careful management.

The objective is that the use of both energy and water is minimised and that these resources are re-used wherever possible. The energy needs of the inhabitants should come from the site. This should also be the case for water, unless it can be demonstrated that there is a more environmentally sustainable alternative.

The Practice Guidance advises that because energy and water are consumed by both domestic and other activities, they should be accounted for separately. The first priority is minimisation of energy and water use by reducing demand and then to re-use resources for other purposes on site. The Practice Guidance also advises that OPD sites should provide for the needs of their inhabitants through the use of renewable resources. For energy, the main suitable sources are solar, wind, water and biomass while, for water, the primary source should be rainwater harvested and stored on site with the balance from other water bodies, such as ponds, lakes, watercourses, wells and boreholes, provided that abstraction is sustainable.

Although sites should be broadly self-sufficient, the Practice Guidance states that if a grid connection is available this allows surplus energy to be exported to the grid. Conversely, this provides a back-up in an emergency although energy should not be routinely drawn from the grid and any energy used will be added to the Ecological Footprint. No grid connection is proposed in this case.

The Practice Guidance also states that the use of small amounts of non-renewable fuels is acceptable where it is justified by need and suitability, e.g. bottled gas for cooking where the normal renewable energy source is not available or fuel for specific land management machinery. Generation of electricity from non-renewable fuels is not acceptable. Use of such fuels is added to the Ecological Footprint.

Energy

The essential criteria for energy (para.3.62) are:

- The energy needs of the site will be minimised through suitable design and use of technology, including that which enables re-use;
- All of the energy needs of all activities shall be met from sources of renewable energy on site, with the exception of small amounts of non-renewable fuel for particular uses for which they are best suited and justifiable;

In this case, with respect to the first essential criterion, the submission includes a zero carbon report (Appendix F) for the dwelling (the SAP report) setting out the primary energy demand of the dwelling, calculations for net carbon emissions and stating that the zero carbon in use requirements of the Practice Guidance will be met.

The Management Plan sets out proposals for minimising energy demand in respect of heating and hot water through use of suitable appliances and re-use of surplus energy. Estimates of energy demand for each item of energy-using equipment are set out in table 10 for domestic use and table 11 for business use. However there is no indication of the energy requirements associated with the processing of turkeys on site and whether or not any refrigeration is needed to store meat products prior to delivery to customers.

As regards the second essential criterion, it is the intention that all energy needs will be met by sources of renewable energy on site, mainly through a solar array but also with a small wind turbine to cater for periods when output from the solar array is low supported by a battery storage system. There will be no grid electricity connection. Appendix G sets out the data used to calculate the output and battery storage over the year, using wind speed data for the Ystalyfera area, sunlight data over the year, battery and wind turbine performance data. It is concluded that the PV system plus battery can reliably provide all the energy need of the development and land based enterprise from March to October and that surplus electricity will be able to heat our hot water through most of the year. However, through the darkest months a small LE600 wind turbine will be utilised to provide a top up to the batteries from the wind. Wood for the woodburner is proposed to be provided in the short to medium term from firewood collected from woodland and hedgerow management and in the longer term from the establishment of short rotation willow coppice. One of the applicants is stated to have over 20 years experience as a renewable plumbing and heating engineer which gives some confidence to the proposals in this regard. However, again, there is no indication of the energy needs for the on-site processing and storage of meat products.

Without this information, it cannot be concluded that the essential criteria for energy have been met.

Water

The essential criteria for water (para.3.62) are:

- The water needs of the site will be minimised through suitable design and use of technology, including that which enables re-use;
- Rainwater harvesting from buildings and structures must be maximised;
- All of the water needs of all activities should be met from water available on site, unless there is a more environmentally suitable alternative;

Abstraction from water bodies (including groundwater sources) must be at levels that do not cause environmental harm. Harm would result from lowering of surface and ground water levels;

With respect to the first essential criterion, the buildings are stated to have been designed to minimise water use with low flow and water efficient fittings. There is no information provided on the re-use element of the first criterion in respect of buildings.

With respect to the second essential criterion, the proposals set out in the Management Plan include for collection of water from the roofs of the dwelling and other buildings on the site. The Management Plan also sets out the calculation of annual rainwater collection yield using rainfall data, roof area, run off efficiency and filtration efficiency. A 10,000 litre water storage tank is to be provided for storage of harvested rainwater for domestic purposes with a filtering system for domestic use.

The demand for water from the dwelling is estimated in the SAP assessment report (Appendix F) by each fitting and appliance. This produces a figure of the daily water demand for a two-person household. The Management Plan also includes estimates of water demand for the enterprise and the wider site by each type of activity. However, again there is no information as to whether the processing of turkeys on site might necessitate some additional need for water use.

The proposed 10,000 litre domestic water storage tank is calculated to provide sufficient capacity to supply 47 days of domestic water consumption and a backup water supply is available from a spring on the site.

The water needs for farm livestock and irrigation are to be provided by a 10,000 litre storage tank, 51,000 litre IBC storage containers and 2 ponds. When full these are calculated to be able to provide for 38 days water demand without rain. Any shortfall is proposed to be able to be replenished from the spring.

The details provided indicate that, subject to clarification of the water requirements relating to the processing of turkeys on site, all of the water needs of the activities on site could be met from water collected on site.

Finally, in respect of the fourth essential criterion, extraction from the spring on site is proposed as a backup and supplementary source of water for domestic and business activities. There is no detailed information provided on this spring or assessment of the possible effect of abstraction levels on environmental harm. Third party representations received suggest that this has already caused problems locally in this regard.

The proposals also include elements which go towards meeting the contributory criteria, including:

- operating the small-scale market garden manually for the most part;

- operating water pumping using solar renewable energy;
- creating ponds within ecologically poor areas only;
- designing ponds for habitat creation as well as storage capacity.

As detailed in the later monitoring section of this report, it is considered that the monitoring proposals for Energy and Water set out in the proposed annual monitoring report do not provide for reporting of the data set out in the Practice Guidance. In conclusion, the Management Plan does not provide sufficient evidence to demonstrate that the essential criteria for the Energy and Water element have been met.

f) Waste

TAN 6 requires quantification of how the inhabitants' requirements for waste assimilation can be obtained directly from the site. The objective is that all waste produced (other than very small amounts of unavoidable non-biodegradable or hazardous waste) should be assimilated on site in environmentally sustainable ways.

The Practice Guidance explains that this component is concerned with waste produced by domestic and other activities on site and that wastes produced by other types of activities should be accounted for separately from domestic waste. Guidance on waste minimisation, to reduce waste in the first place, and on waste recycling and re-use is provided.

The essential criteria for waste (para.3.75) are:

- All biodegradable waste produced on site is assimilated on site in environmentally sustainable ways;
- The only exception to this is occasional off-site disposal of small non-biodegradable amounts of waste which cannot be assimilated on site which arise from things used on site wearing out or breaking irreparably;
- All waste handling and assimilation on site must comply with Environment Agency (now Natural Resources Wales) guidelines;

The single contributory criterion is:

- The re-use of organic waste on site should increase overall site fertility and productivity so long as this is not at the expense of important semi-natural habitats dependent on low soil fertility;

In this case, the applicants' proposals specify how each type of waste produced by domestic activities on site, as set out in para 3.69 of the Practice Guidance, are to be managed. These are:

- Domestic food waste – vegetable off-cuts plus cooked or processed food leftovers will be composted (together with other suitable waste material, such as animal bedding)

in vermin-proof composting containers and wormery. Output from composting to be used on vegetable beds.

- Grey Water – i.e. all waste water not derived from toilets. This type of waste water from the packing shed and dwelling is proposed to be passed through grease traps and then filtered through a series of reed beds before the clean water discharge from the reed beds will be led to a pond (which also is used for the overflow from the rainwater harvesting system). Details of reed bed construction are set out in the Management Plan together with the areas required for this scale of dwelling.
- Human faeces and urine – dry composting toilets are proposed rather than water flush toilets. The proposals for treating urine and faeces separately are specified together with the proposals for the treated waste to be used appropriately on site.
- Packaging and Paper – Cardboard and Paper are proposed to be composted.
- Green Waste from growing food and timber – Green waste from food production activity is proposed to be composted together with other suitable material, including animal bedding and ash from the stove, to provide material to add fertility to vegetable beds. Twigs are proposed to be chipped for composting or mulch. Decaying timber cladding panels will be dried and used for fuel for the woodburning stove.
- Brown Waste – organic waste that cannot be classified as green is all said to be able to be used on the site, however no detail is given of the types of waste or the uses to which this waste is said to be able to be used.
- Waste Minimisation, Re-use and Recycling – a significant reduction in packaging waste is expected to arise from food production on site. Every effort is to be made to re-use products to extend their lifespan. Biodegradable packaging can be diverted to composting. Recycling of biodegradable waste streams are, through proposals for specific waste streams as set out above, recycled for use on site. Any waste not able to be assimilated on site or recycled or re-used on site is proposed to be recycled via the local authority waste collection service except for animal carcass waste arising from deceased animals or poultry slaughter which the applicants state will be disposed of in accordance with the Animal By-Products (Enforcement) (Wales) Regulations 2014.

The Practice Guidance accepts that certain types of waste will be very difficult or impossible to assimilate on site due to their non-biodegradable, toxic or hazardous nature. One Planet Developments should only very occasionally generate small amounts of these wastes. Examples given in the Practice Guidance are worn out clothing or footwear, broken hardware, spent rechargeable batteries. Such items should be disposed of by sustainable means off-site and recycled where possible. The animal carcass waste which would arise from poultry slaughter and processing on-site or from deceased animals could, if it remained small and occasional, be reasonably regarded as falling into this category.

With respect to the first essential criterion, the proposals appear to be consistent with and cover all the likely types of waste identified in the OPD Practice Guidance. They provide sufficient confidence that biodegradable waste produced on site is able to be assimilated on site in environmentally sustainable ways.

With respect to the second essential criterion, with the exception of brown waste which needs to be evidenced in more detail, the proposals address the minimisation of waste items requiring disposal off-site and includes measures to extend the lifespan of non-recyclable items to reduce the frequency of disposal. The disposal of animal carcass waste is required to be carried out in accordance with statutory regulations and this is considered to be a justifiable and necessary exception. However, as already mentioned above, it should be noted that the exception set out in this criterion is qualified by this being only occasional and of small amounts. If the turkey stream of the business is confined to the Christmas period then these qualifications would likely apply. However, were there to be any proposals for expansion of turkey numbers then the question of compliance with this criterion would need to be reconsidered.

With regard to the final essential criterion, the Management Plan contains a clear statement that *“All wastes will be dealt with in accordance with Environment Agency regulations and guidelines”*.

With respect to the contributory criterion, it is proposed to re-use organic waste to increase the fertility of cultivation areas. The land management section includes proposals for semi-natural habitats and if the management regime for these areas avoids damage from organic waste re-use then this would not conflict with this part of this criterion.

However, as detailed in the later monitoring section of this report, it is considered that the monitoring proposals for Waste set out in the proposed annual monitoring report do not provide for reporting of the data set out in the Practice Guidance. Given the uncertainty around the treatment of brown waste, the Management Plan does not provide sufficient evidence to demonstrate that the essential criteria for the Waste element have all been met.

g) Zero Carbon Buildings

TAN 6 requires that OPDs should be exemplars of Welsh Government’s zero carbon aspiration and achieve zero carbon status in terms of construction and use, that planning applications should be accompanied by supporting information confirming that the development will be zero carbon in construction and use and that plans should be monitored as part of the annual monitoring report.

The Practice Guidance sets out details of ‘zero carbon’ as may be applied to OPD buildings both in their construction and materials and in their use. It also requires that, as set out in an Exit Strategy, the buildings to be removed in the event that the site fails or otherwise ceases should be capable of being removed with low environmental impacts.

The essential criterion (para. 3.105) are that:

- Domestic and ancillary buildings will be ‘zero carbon’ in construction and use as explained in the Guidance and using the up-to-date Welsh definition of ‘zero carbon’;

- Proposals will identify which structures will require Building Regs approval and that this approval will be obtained either before or during construction;
- All structures for removal in the Exit Strategy are capable of removal with low environmental impact;

The contributory criteria (para.3.106) are that:

- The construction of buildings should make as much use of recycled materials as possible so long as this does not affect their ability to satisfy the essential criteria;
- Existing buildings are re-used where this would have lower environmental impact than new buildings, or where they are of particular value in landscape or heritage terms but provided they are not unsightly or have a negative impact on the surrounding landscape;

The Practice Guidance indicates that the carbon impacts of buildings fall into two main areas, carbon impacts in construction and carbon impacts in use. The environmental impact of the use of the dwelling is assessed as part of the Ecological Footprint calculations and also under the energy and water and waste elements of the Management Plan (which have already been assessed above). The Practice Guidance states that for One Planet Developments, the zero carbon requirements relate to both domestic and ancillary buildings subject to Building Regulations control.

The OPD Practice Guidance further states that developers must clearly establish which structures contained in their proposals are subject to Building Regulations. The submission does not indicate whether or not there has been any pre-submission consultation with the service in this regard. Also, the second essential criterion states that *“Proposals will identify which structures require Building Regulations approval ...”*. Therefore, the Management Plan needs to clearly specify which structures in the proposal are subject to Building Regulations and which are not. The Appraisal states that the Management Plan identifies that the home will not require Building Regulations approval. However, the Management Plan does not say this and instead states that all habitable buildings will comply fully with the building regulations as the regulations apply to them and also that the cabin will meet the definition of a caravan and can be re-sited if the project fails. There is therefore a discrepancy in the evidence provided. Unless clear, unambiguous information is provided in the Management Plan on this point, the second essential criteria has not been satisfied.

In respect of the Caravan Act definitions, the dimensions of the proposed ‘cabin’ are:

Length – 9.8m, excluding roof overhangs
 Width – 6.7m, excluding roof overhangs
 Height – 3.12m, from floor to ceiling

In respect of the construction aspect of the Caravan Act definitions, the ‘cabin’ appears to be a single-piece structure (i.e. not a twin-unit caravan). That leaves the mobility part of the

definition and the applicant will need to evidence that, as constructed, it is capable of being moved by road.

In this case, the zero carbon section of the Management Plan states that the residential accommodation is to be a “very low energy, well insulated cabin” and that “all habitable buildings will comply fully with the building regulations as the regulations apply to them”. Elsewhere in the Management Plan the applicants state that they intend to build a low impact dwelling in compliance with the Caravan Act (para 1.1.13, para 3.1.11). Para 9.2.11 states that the cabin will meet the definition of a caravan and can be re-sited if the project fails. However, para 9.3.3, which sets out details of the exit strategy, states that “the dwelling building and the storage building with PV can be dismantled in order to remove from the land and the materials reclaimed” (as then specified) while the exit strategy table (item 7, p 64) states - “building to be advertised for sale and dismantled. Screw piles will be removed. The component parts, fixtures and fittings will be removed from the site”. This does not present a consistent picture of how the dwelling is to be treated in terms of the OPD zero carbon criteria. This is important as the OPD Guidance (para 3.93 and Box 11, p 45) states that certain structures, such as those compliant with the definition of caravans in the relevant legislation ... may not require Building Regulations approval. However, in such cases the Practice Guidance indicates that the structures should fit within the overall ethos of OPD and should also be justified in terms of their fitness for purpose and minimisation of environmental impacts.

The applicants have had a report prepared for the OPD dwelling as set out in the Practice Guidance for the zero carbon in construction requirements. This is an assessment of whether or not the proposed construction meets the standards of the Code for Sustainable Homes in respect of Category 3 – Materials. This covers five elements of construction materials – roofs, external walls, internal walls, floors and windows – and these elements must satisfy three criteria relating to achievement of A or A+ ratings under the BRE Green Guide, responsible sourcing and legal sourcing of timber. Where materials do not have published ratings they should have similar attributes.

The report demonstrates that the construction materials meet the requirements of the Code and utilise reclaimed materials and components where possible and local sourcing of timber, and timber on site if this is practicable. The materials to be used are set out in the Management Plan (para 9.2.14) and indicate use of locally sourced, recycled and reclaimed materials where appropriate. The construction of the dwelling is proposed to be carried out by hand by the applicants with minimal reliance on machinery and equipment. They state that they will have support from friends, family and members of the local community who have experience in construction. This will reduce the carbon impacts of construction. It is also stated that the applicant has amassed a wealth of experience in the building trade as a plumber/heating engineer and his brother is a building contractor with over 40 years’ experience. As well as family and friends they have electricians, carpenters and many other trades who are very keen to be involved with this project. A Construction Method Statement has been identified as being required for the construction of buildings. In assessing the

CMS, the proposals should also be considered in respect of the advice in the OPD Practice Guidance.

Turning to ancillary buildings, the Management Plan indicated that as well as the OPD 'cabin', several ancillary buildings are proposed, as follows:

- A 13m x 2m unheated wood store and storage shed for tools and equipment for managing the land which will also support the PV array.
- A packing and processing shed 5m x 5m. This unheated barn will be used for packaging and processing produce.
- A polytunnel 8.6 x 5.5 m x 2.6m high.
- A cover will be placed between the two containers in the hardstanding area (already erected on site) to act as a barn shelter.

The Management Plan describes the type of structure, which are mostly simple structures using a mixture of natural (timber) and other materials (steel roof sheets, scaffolding, steel tubing and plastic sheets). The packaging and processing shed is a more substantial structure which is proposed to be fitted out internally to comply with Food Standards Agency regulations. The existing containers would not be regarded as consistent with the ethos of OPD and their location is some distance from the proposed dwelling.

The third essential criterion relates to the removal of buildings as specified in the Exit Strategy. This requires that they are capable of being removed with low environmental impact. The Practice Guidance suggests that can be achieved by use of demountable or transportable buildings, buildings that can easily be dismantled and thus removed from the site and use of natural materials that can be returned to the site as part of removal. So far as the dwelling is concerned, as outlined above, more clarity of the intention is required, whether it would be resited or dismantled. This is important for considering the impacts of removal.

In respect of compliance with the second and third essential criterion, it is not clear from the submission that the proposal complies.

As to the first of the contributory criteria, the proposals include for the use of reclaimed or recycled material as far as the dwelling and the ancillary buildings are concerned and, as for the second contributory criteria, there are no existing buildings on the land.

Furthermore, as detailed in the later monitoring section of this report, it is considered that the monitoring proposals for Zero Carbon Buildings set out in the proposed annual monitoring report do not provide for reporting of the data set out in the Practice Guidance.

h) Community Impact Assessment

TAN 6 requires the identification of potential impacts on the host community (both positive and negative) and the identification and implementation of any mitigation measures that may be necessary. The objectives are that OPD in the open countryside should not impact

negatively on neighbouring communities, positive impacts should be encouraged and negative impacts mitigated. All likely impacts of OPD proposals should be assessed and the Guidance gives advice on social and economic components.

The essential criteria (para.3.113) are that:

- There is a thorough assessment of all impacts of the proposal on the neighbouring communities and OPD in the open countryside should not impact negatively on these communities;
- Any negative impacts are mitigated;

The contributory criteria (para.3.114) are that:

- OPD children attend local schools and residents support local groups, clubs and events;
- There are open days, permissive paths and other access, as well as the hosting of on site events;
- Residents shop locally and use other local businesses;
- Residents sell food and other produce locally;

In this case, in respect of the first essential criteria, the applicants set out in the Management Plan the steps they have taken to establish their connections with local community activity, groups and projects as well as contact with and a presentation to the local Community Council. The Management Plan also gives a commitment to future close links with the community.

More details of positive impacts together with potential negative impacts and mitigation measures are set out in some detail in sections covering economic and social impacts, which are the components set out in the Practice Guidance, and additionally environmental impacts. Social proposals include running free events and open days once the site is up and running, sharing knowledge of OPD, ensuring that the public right of way through the site is kept open and welcoming visitors to view the project. However, aside from a single sentence at paragraph 10.1.6, no specific measures to safeguard or promote the Welsh language have been included, which is considered to be a significant omission in this Welsh language sensitive community. Economic proposals include supplying food with a low ecological footprint to the local community and reduction in food miles. Environmental proposals include increase in pollinators, environmental, wildlife and biodiversity benefits.

Negative impacts identified include possible increase in traffic, to be mitigated through measures set out in the Travel Plan, waste needing to be disposed off-site, to be reduced through the measures set out in the Waste management section (reduction, re-use, recycling) and competition with other local suppliers in respect of products, to be mitigated by keeping the volume of produce produced to a low level, offering produce to local retailers and shopping locally and using local businesses themselves.

The Practice Guidance (Box 14) advises that where an OPD is located close to or adjacent to an existing settlement impacts are inevitable and here there is a strong imperative to plan to maximise positive impacts and minimise negative impacts as part of working out the design and detail of the OPD proposals. Where an OPD is adjacent to an existing settlement, and will effectively become part of it, the existing community should be fully involved in the formulation of the proposals. Whilst the submission references discussion with local people and a commitment to continuing to develop strong community connections, there have been only negative representations received from third party neighbouring landowners and no independent evidence received that the wider community has helped to shape or support the proposals.

In respect of negative impacts, the traffic management, potential competition with local businesses and minimisation of waste are the most significant of the potential negative effects identified. Waste minimisation is assessed as part of the Waste element of the Management Plan (see above) and travel is intended to be reduced as part of the OPD lifestyle and visitor travel managed as detailed in the later Travel and Transport Plan section of this report. The measures proposed to mitigate the impact on other local producers are through limiting the product range and keeping volumes low which would be in keeping with the ethos of OPD. This would be identified through annual monitoring data.

Additionally there are potential negative impacts on the existing public rights of way network, both directly in terms of traffic movement and indirectly in terms of surface water drainage, with works undertaken on site already having an impact. These are not referenced in the Management Plan, nor any proposals provided to mitigate negative impacts. Despite repeated requests for surface water drainage information, none has been forthcoming. Works undertaken by the applicant on site has changed the surface water-run off from the land which is impacting upon the right of way paths however this has not been referenced in the submission and will impact upon community enjoyment of the public routes.

In respect of the contributory criteria, the following positive measures are proposed:

- Annual OPD open days and occasional public events;
- Local shopping and use of local businesses; and
- Land-derived products will be sold locally;

With regard to monitoring, the applicants state that they *“will be happy to provide detailed information on how we will benefit Ystalyfera, socially, economically and environmentally within our monitoring and how we will do our utmost to mitigate any negative impacts”*. However, this detailed information has not been provided and, as set out in the later monitoring section of this report, it is considered that the proposed report format for Community Impact set out in the proposed annual monitoring report does not adequately provide for reporting of the data set out in the Practice Guidance in this regard.

i) Transport Assessment and Travel Plan

TAN 6 requires that planning applications should be accompanied by an assessment of the traffic generated from the site by its residents and visitors and that a travel plan should clearly identify a preference for low or zero carbon modes of transport including walking, cycling and car sharing. The objective is that OPDs should significantly reduce the environmental impacts of transport both by reducing the need to travel and favouring low carbon modes of transport.

The essential criteria (para.3.131) are that:

- The management plan must be accompanied by a Transport Assessment and Travel Plan (which may be combined);
- Overall, the development should achieve a significant reduction in transport impacts from all activities on site (residents, enterprises and visitors) in comparison to what would be the 'norm' for such activities;
- There should be detailed monitoring of all trips to and from the site in terms of purposes, distances, modes and any transport sharing;

The contributory criteria (para.3.132) are that:

- The use of low and zero carbon modes of transport should be maximised;
- Criterion for OPD where more than one household (not applicable to this case);
- Connections between the site and local suppliers and customers for goods and services requiring travel should be maximized as opposed to those at greater distance;
- Visitor travel should be the subject of proactive management to reduce transport impacts;

In this case, the applicant has submitted the Transport Assessment and Travel Plan (TATP) as section 11 of the Management Plan, which is considered to represent a combined Transport Assessment and Travel Plan for the purposes of the OPD submission. The Transport Assessment includes a transport baseline describing the site's access connections and distances to the nearby town of Ystalyfera (1.4km), local services and amenities and to transport connections (0.8km to nearest bus stop - although reference to 'Morrison' station should be disregarded as there is no station at Morrison – Neath station is identified as the nearest station later in the text at 11km distance – although it is actually around 14.5 km by road).

Current traffic movements are set out in table 13 of the Management Plan for the 'not living on the land' situation, which distinguish between those journeys for shopping purposes, social (local and non-local) and work purposes. In total, this records 424 trips covering 10,928 miles mainly involving the use of the applicants' current vehicle, a diesel van.

The Management Plan then sets out in table 14 the applicants' assessment of the year 5 travel generation with the occupants living on the site and the OPD operations established. The table distinguishes between domestic travel (shopping and social journeys) and the travel generated by business operations (including deliveries of produce, business supplies, transfer of animals to the abattoir). Collection of produce from the site is stated to involve no distances and the note states that all produce is delivered locally (as above) however no specific details are provided.

Also, the table mentions the sale of turkeys collected by courier but no data is given in the table. The Business Plan, in a section on Markets, states that the residential catchment for sales of produce is within a short journey of a few miles. This will allow multi-drop routes to deliver produce, limiting travelling distances and combining deliveries as much as possible. However, later in the Business Plan, in sections on pig, turkey and beef costs it is stated that *"if we receive orders from customers further afield it is possible to send the product via overnight frozen delivery courier"* which is not taken into account in the assessment of the Travel Plan nor in the consideration of the ecological footprint of the business and the sustainability credentials of the enterprise.

Further, on this point, the OPD Practice Guidance expects the travel data to include visitor journeys but the table does not include any estimates for year 5 visitor data for domestic and business purposes. The Business Plan (Appendix E) also refers to farm-gate sales but this aspect of the operation is devoid of detail (including any infrastructure/advertisement at the site) such that the traffic implications and travel plan measures for this activity have not been included.

Finally, the sub totals and totals do not tally. The Table needs to be corrected and data in respect of missing items added. The applicants indicate an intention to replace the current diesel van with a small petrol van and to purchase e-bikes. The split between e-bike and van journeys needs the data in the table to be corrected.

OPD Practice Guidance comments (in relation to transport assessment) states that commuting trips should be low or absent and the year 5 Table indicates that travel to work outside the site will cease due to the retirement of both occupants. The main measures to reduce travel are proposed to be:

- No longer commuting to work
- No longer commuting to the land
- Substituting local e-bike journeys for car journeys
- Walking and /or taking the bus for other local journeys
- Living closer to local friends
- Combining business and domestic journeys where possible
- Switching from a diesel to a more efficient lower emission petrol vehicle

With respect to the contributory criteria, the proposals include the following positive measures for two of the criteria through replacing the diesel van with a small petrol van and e-bikes and by proposing to maximise local travel for domestic and business activity.

There is no separate Travel Plan strategy set out in section 11 and while some of the measures listed above could be incorporated into a strategy the Practice Guidance expects a set of measures for each of the components (Residents, Enterprises, Visitors) giving more specific details of how transport impacts are proposed to be reduced and mitigated. This is particularly important as part of the impacted route(s) are a Public Right of Way.

In view of the inaccuracies and omissions in the submission, it is concluded that the essential criteria have not been satisfied. Furthermore, as detailed in a later section of this report, the Council's Highways Officer has objected to the proposals and recommends refusal of the application due to the substandard nature and design of the access lane serving the site and known drainage deficiencies which result in localised flooding from surface water and small watercourses.

Finally, as set out in the later monitoring section of this report, it is considered that the proposed report format for Transport and Travel set out in the proposed annual monitoring report does not adequately provide for reporting of the data set out in the Practice Guidance.

ECOLOGICAL FOOTPRINT ANALYSIS

Ecological Footprint Analysis (EFA) provides a simple measure of the impacts of a person's activities measured as the 'global hectares' needed to support them based on an assessment of household consumption. TAN 6 requires that the initial domestic footprint of residents of OPD in the open countryside is set at 2.4 global hectares per person with clear potential to move towards 1.88 global hectares over time.

The OPD Practice Guidance requires that (a) the application proposals demonstrate that the applicants will have an Ecological Footprint (EF) working towards 2.4 gha per capita at the time of first habitation of the site and with a clear ability to achieve 2.4 gha per capita by year 5 after habitation, (b) that 2.4 gha is achieved by year 5 and (c) that thereafter the development is achieving a footprint below 2.4gha.

It should be noted that point (c) of the Guidance is not consistent with TAN 6, which requires proposals to show clear potential to move towards 1.88 gha over time. A footnote to the Practice Guidance states that the 1.88 gha target was at that moment (Oct 2012) very hard for OPD to achieve without major changes in Welsh society and the Welsh economy and that the ability to move below 2.4gha over time was, for now, a more realistic target.

A bespoke EFA tool, based on the REAP 2 tool from the Stockholm Environment Institute, was developed and made available by the Welsh Government for use in calculating the domestic EF of OPD development proposals and to facilitate assessment of related planning applications. This simple spreadsheet-based calculator uses data, predominantly

expenditure but sometimes quantitative, representing total household domestic consumption of energy, materials, food and other services and consumables. Combined with other national data representing public services and capital investment categories, the EFA tool calculates an EF in global hectares (gha) per person. A separate guidance note has been issued by the Welsh Government on the use of the EF calculator.

The EFA calculator originally made available by the Welsh Government was found to contain some internal errors which affected some of the calculations within the model and some output data. The WG calculator has not been replaced and is still available on the WG website for use in OPD applications. The applicants have used a checked and updated version of the calculator, provided to them by TPG (TerraPermaGeo), as described in para 12.1 of the Management Plan, to provide the EFA data for this application. It is therefore assumed that the output data is accurate and needs no correction, although as they have been provided in pdf format rather than in Excel format, it is not possible to verify the data.

The EF should reflect all the domestic/personal outgoings of the occupants and the EFA includes a verification box which allows the data for the year to be verified by comparing household income against household outgoings and savings. This should balance to within 5%. It should be noted that the Guidance does not preclude inhabitants earning other income but the household expenditure associated with the use of that income should be included in the EFA data and whether this has any unsustainable impact on the inhabitants' whole lifestyle should be picked up through the EFA results. Furthermore, the OPD Guidance also requires the number of occupants to be directly related to the ability of the site to support them and the number of people needed to run the site effectively. Consequently, in cases where residents also work off-site, their main work has to be on the site to make sure that the site is managed correctly.

In this case, the applicant have supplied a completed EFA for the existing footprints and the estimated first year of habitation and 5 years after first habitation footprints as the Guidance requires. The applicants' existing EF is calculated to be 3.57 gha per person. The EF at first habitation is calculated to be 2.27 gha per person and the EF at year 5 is calculated to be 1.96 gha per person.

Review of EFA Data:

From examination of the input and output data, the elements which most significantly contribute to the reductions in future footprints are:

- Elimination of grid electricity use – all energy produced by renewable means on site
- Elimination of use of gas – switch to renewable and wood fuel
- Lower transport costs – reduced vehicle mileage, use of e-bike
- Switch from diesel to petrol vehicle
- Elimination of purchases of meat (including poultry) and meat products
- General reduction in goods and services
- Energy efficiency measures, including house design

Some items contribute to additions to the footprint arising from the OPD development, of which the most significant are:

- Costs of home construction (spread over 30 years)
- Home grown food costs
- Animal feeds

There are some concerning elements of the calculations because of the particular means by which the occupants meet their food needs in this case, and these are the provisions in the calculator relating to the home grown food elements (rows 39-44 of the calculator – listed as 40-45 in the OPD Calculator Guidance). The data to be entered in these rows should follow the general principle for input quantities for calculating the domestic EF, i.e. separating domestic consumption from business consumption. Where the business activity contributes to domestic consumption, e.g. where a proportion of the produce from the business activity is consumed for domestic purposes, then an apportionment between business and domestic needs to be made. A number of points require further clarification in relation to the home grown food elements, e.g. Rows 39-44.

It is evident from the data set out in Table 6 of the Business and Improvement Plan section of the Management Plan and that set out in the Costs and Income tables and Appendix 1 of Appendix E that the land-based business consumes other significant resources (goods and services) above those already included in the Home Grown Food section of the EFA. These include slaughter and dressing of animals, repair and maintenance, insurances and other overheads. The EFA calculator does not appear to have any provision for inclusion of a domestic apportionment of any of these other costs, which suggests it may be underestimated.

The Management Plan includes a commitment from the applicants that they will regularly record the information needed to calculate their future ecological footprint from first occupation of the site and provide this information within their annual monitoring reports. However, as set out in the later monitoring section of this report, the proposed monitoring report is not satisfactory and requires additional reporting of significant elements of other footprint impacts.

Other Environmental Footprints:

OPD developments can affect the footprints of other people in positive and negative ways and is one of the critical elements in determination. The Practice Guidance mentions that potential positive impacts could include supply of low input foods to local communities while potential negative impacts could include those of on-site enterprises and visitors, e.g. travel impacts, the use of energy and materials. These other footprints cannot be assessed in the same way as resident's domestic footprints but, as they can be significant, they need to be taken into account as a material consideration in the determination of planning applications.

Para 12.1.5 of the Management Plan briefly sets out information on other footprints. It recognises that the business activities will also incur impacts beyond the scope of those captured by the domestic EFA. The applicants state that they have considered how they can reduce these by actions such as the careful choice of feeds for the animals, organising our travel so we combine journeys using reclaimed and recycled materials which minimise the need for new materials and infrastructure to run the business. Guests and visitors to the site will be encouraged to reduce their travel impacts as much as possible.

This is not considered to be an adequate assessment of the other footprints of this proposal. The Practice Guidance states (at para. 4.25) that what is required is that all other footprints are itemised and assessed as they are material considerations for planning decisions. Account is also taken of para. 2.20 of the Practice Guidance that a good Management Plan should be rich in information on the overall character of the proposals, including the effect on other footprints.

The submission is missing an itemised assessment of the other footprints, and their impacts (quantified as much as possible). This information is necessary for monitoring trends and considering the implications of negative trends.

PHASING, MONITORING AND EXIT STRATEGY

With respect to Phasing, the OPD Practice Guidance (at para. 5.1) states that an essential part of the Management Plan is a programme that sets out the phasing of the identified proposals over the first five years of the site's development. In this case, the Management Plan includes a detailed table setting out, for each element of site management, livestock rearing and food growing, landscaping, habitat management, buildings, dwelling and infrastructure, a description of activity and management details over each of the 5 years of development, beginning with year 0 as the year when planning permission is granted. The table does not, however, state when the household will start to live on the site and does not clarify when the temporary accommodation would be brought onto the site and when it would be removed. Nor does it mention that some of this may have already occurred on site.

The Practice Guidance also states that a critical aspect which needs to be covered in the programme is the dates by which it is proposed to achieve each of the essential criteria for OPD in the open countryside. The programme set out in the Management Plan does not currently do this but simply makes a statement that all criteria will be achieved by year 5 and the lack of dates for each of the essential criteria as the Practice Guidance indicates makes it impossible to assess progress over the 5 year period.

With respect to monitoring, the OPD Practice Guidance states that an integral part of the Management Plan will be a statement of monitoring and review and that the first Management Plan should contain an undertaking that the requirements for monitoring (set out in paragraphs 5.3 and 5.4 of the OPD Practice Guidance) will be produced and complied with. In addition, the Practice Guidance sets out (in paras. 5.7 and 5.8, including the table of

targets and indicators) what the Annual Monitoring Report should contain. Paragraph 2.21 of the Practice Guidance clearly states that **“If the Management Plan does not adequately address monitoring and control then it is deficient and the requirements of One Planet Development are not met”**.

The section on monitoring on page 62 of the Management Plan commits to the submission of annual monitoring reports according to the OPD Practice Guidance. An EFA will be submitted to cover Years 3 and 5, along with a management plan in Year 5 reviewed for the following five years. However, the Management Plan also states that Appendix J contains the monitoring template the applicants propose to use. It states that this sets out the information the applicants will record which will be in addition to all the information that is necessary to complete the ecological footprint spreadsheet. However, comparison of the proposed monitoring template with the OPD Practice Guidance on monitoring (as set out above) shows that the template does not include all the information which the Practice Guidance specifies. The deficiencies inherent in the Appendix J template are:

- i) It does not include for reporting on any emerging problems (i.e. where targets are failing to be met or where the EFA is showing an upward trajectory in gha) and measures to remedy them, as set out in bullet point 3 of para 5.7 of the OPD Practice Guidance.
- ii) While the template does include adequate provision for reporting on some of the criteria set out in the Table contained in para 5.8 of the OPD Practice Guidance, there are a significant number of criteria where the template is deficient as set out below:
 - Land Based Activity – no specification of information requirements for each of the contributory criteria;
 - Land Management – the detailed requirements in respect of each of the indicators for the essential criteria and the contributory criteria are not included;
 - Energy and Water – it would be preferable for this to be reported separately from Waste as per the Practice Guidance. Also, no specification of information requirements for the energy needs essential criteria and the water needs essential criteria;
 - Waste – it would be preferable for this to be reported separately from Energy and Water as per the Practice Guidance. Other than reporting on Environment Agency (now Natural Resources Wales) compliance, the other detailed information requirements in respect of each of the indicators for the essential criteria and the contributory criteria are not specified;
 - Zero Carbon Buildings – the reporting for domestic and ancillary buildings in relation to zero carbon assessment in construction and use and for those structures requiring building regulations approval must be set out as specified in the OPD Practice

Guidance and the information requirements in respect of the use of recycled materials in construction and re-use of existing buildings needs to be added.

- Community Impact – the reporting requirement – “Commentary on” – is too general and should be made more specific as per Practice Guidance requirements for these criteria;
- Transport Assessment and Travel Plan – while tables for the data specified in the Practice Guidance for the essential criteria are included it would be more meaningful for Table 1 to distinguish between resident’s domestic and business travel and external trips to the site (e.g. visitors, suppliers). In addition, there is no specification of information requirements for the contributory criteria as set out in the OPD Practice Guidance.
- EFA – the form provides for reporting of the personal footprint and full EFA at years 3 and 5. However, there is justification in this case for some monitoring of other footprint elements which would help to identify undesirable trends.

In the light of the livestock feed issue, and the degree to which this OPD business is dependent on livestock of various types, it is considered necessary to supplement the Practice Guidance reporting proposals with reporting on the amounts of feed used per annum for each type of livestock and the numbers of animals of each type supported by the feed. This would enable trends to be monitored to keep the issues mentioned in the Terraperma note under review and to be able to identify any undesirable trends, e.g. the OPD breaching the ethos and principles of One Planet Development in the Open Countryside. Other potentially significant areas of resource consumption by the business, identified in the preceding EFA section (e.g. meat processing and distribution of products to more than local markets), are also relevant to this and consideration given to defining suitable monitoring indicators.

The OPD Practice Guidance states that the Management Plan needs to set out an exit strategy in the event of a failure of the site as defined. The Practice Guidance states that the exit strategy should set out how the development and land use changes would be removed such that the site is restored to its previous use (or other agreed use) and the site is left in the same or better condition than before the development took place. The operations required should be capable of being done relatively quickly and without incurring significant expense (if not, then the implication is that the development is not OPD).

In this case, the Management Plan includes a table setting out, for buildings and some elements of infrastructure, which are proposed to be retained and which are proposed to be removed to return the land to agricultural use. It omits other elements of infrastructure that ought to be included, e.g. the wind turbine and water storage tanks, and details are required for the removal of these and any other elements not required for the proposed after-use (agriculture) should be included. Removal of the solar store/PV shed and the decking

around the dwelling should be a relatively simple and low impact process. In respect of the dwelling element of the Exit Strategy, the proposal set out in the table, for dismantling and removal, should be capable of being carried out without a significant environmental impact. However, the mention elsewhere in the plan of re-siting needs clarification and if this is what is proposed then the process for re-siting needs to be explained along with an assessment of the environmental impact of doing so.

In conclusion, it is considered that the proposed annual monitoring form is unacceptable in view of the deficiencies identified above. **The OPD Practice Guidance states that if the Management Plan does not adequately address monitoring and control then it is deficient and the requirements of OPD are not met.**

Impact on Visual Amenity and Landscape

As identified above, Policies BE1 and EN2 of the Local Development Plan will be of relevance insofar as there is a need to ensure all development proposals take into account the natural, historic and built environmental context and that any impacts on the Special Landscape Area are appropriately assessed and, where applicable, mitigated.

The application is accompanied by a Landscape and Visual Assessment (Appendix C) which concludes that the proposed development will result in some localised character change but would not result in significant change in the overall landscape character and is in keeping with other farm holdings along the upland area and valley sides.

Unfortunately there is insufficient in-house expertise to assess the soundness of the submitted LVA and, were the development found to be acceptable in all other respects, an assessment of this by an independent landscape specialist would be sourced to scrutinise the robustness of the methodology, Zone of Theoretical Visibility (ZTV), viewpoints and landscape impact as set out in Appendix C and the Appraisal. However it is noted that the viewpoints are confined to long-distance assessments and do not, for example, address the short-distance views of users of the existing Public Rights of Way that transverse and adjoin the application site itself. Some of the works already undertaken by the applicant (but not referenced in the submitted application documents) have already effected on way that these PRowWs are experienced, understood and appreciated.

Impact on Highway Safety and Drainage

As identified above, Policies TR2 and BE1 of the Local Development Plan will be of relevance insofar as there is a need to ensure development proposals do not compromise highway safety and limit surface water run-off and flood risk.

As described above, the Council's Highways Officer has expressed concern about the suitability of the existing access to serve the development. The access is considered to be sub-standard in terms of its width, visibility and drainage. Furthermore, part of the access is not shown to be within either the submitted red-edge or blue-edge plan. The

applicant's agent has not satisfactorily addressed this issue in response to queries over the applicants ability to control this access and be in a position to be able to deliver any improvements to this access. Some of the third party representations receive dispute the applicants rights to use part of the existing access, which is in third party ownership, and is not a public highway but is a registered PRow footpath. There is therefore the potential for conflict with other users of the public footpath and indirect erosion of the path from increased groundwater run-off as a consequence of works already undertaken on site by the applicants without express planning permission and which are not detailed within the current submission. Accordingly it is concluded that the proposal would be detrimental to highway safety considerations.

Impact on Biodiversity / Ecology

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

The application is accompanied by a Preliminary Ecological Appraisal (Appendix B) which sets out the baseline ecological condition of the site, being largely species-poor, semi-improved acid grassland. Defunct hedgerows are present on some boundaries which show no signs of recent management. There are some mature trees scattered along field boundaries in varying condition.

The PEA concludes that, provided the precautionary and mitigation measures that are detailed in Section 4 of the report are implemented, there is no ecological constraints to the development, would not result in adverse impacts to any protected sites, habitats or species.

Planning Policy Wales (PPW) 12 sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity”. This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The submission includes recommendations within Section 4 of the PEA as well as a Green Infrastructure Statement which details proposed biodiversity enhancements, including thickening and management of defunct hedgerows with mixed native species, installing bat boxes on the largest trees, SuDs features and new hibernacula.

The Council's Biodiversity Officer raises no objection to the application, subject to securing the stated biodiversity net benefits and effective monitoring and management arrangements. These can be secured with appropriately worded planning conditions.

Impact on Heritage Assets

As identified above, Policies SP21 and BE1 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on historic heritage are appropriately assessed and, where applicable, mitigated.

The information in the Historic Environment Record (HER) shows that there are no known archaeological assets within the application site, additionally it is situated outside of any Archaeologically Sensitive Area. A review of historic mapping shows the area as agricultural fields. The nearby Gylfach-yr-Haidd Farm is visible on Second Edition Ordnance Survey (OS) mapping dated 1892-1914.

Having regard to this information, Henneb have confirmed that it is unlikely that significant archaeological remains will be encountered, no mitigation is required and therefore raise no objection to the application on archaeological grounds.

There are a number of designated historic assets, including Scheduled Ancient Monuments, within 5km of the proposed application site. The majority of these relate to the Swansea Canal and associated infrastructure but includes some prehistoric Cairns. However in all cases intervening topography, buildings and vegetation will already impact on any views between them. As such whilst there may be some slight visual change in the views from some assets, the proposed development is not considered to have any adverse effect on the way that they are experienced, understood and appreciated.

Section 106 Planning Obligations

Local Development Plan **Policy SP 4** (Infrastructure) states that “Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable”.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, had the development been acceptable in all other respects then a legal agreement under Section 106 is considered necessary to ensure the development complies with national planning policy for OPD and to comply with OPD Practice Guidance requirements and legislative tests

for planning obligations. There may also be a requirement for the community impact element of the proposals to include specific measures to safeguard and promote the Welsh language in accordance with LDP Policy SP22 and the Adopted 'Development and the Welsh Language' Supplementary Planning Guidance.

The application includes a draft Unilateral Undertaking (Appendix A) which covenants that the dwelling will at all times be occupied as a sole residence and the dwelling will be tied to the land and buildings as a single unit. However, additional covenants would be required to secure effective monitoring and an exit strategy in the event of a failure of the OPD to restore the site to the same previous or better condition.

Other Matters

As identified earlier in this report, a number of objections were received in response following the publicity exercise. In response to the main issues raised which have not already been assessed elsewhere in this report, the following comments are made:

- Some of the third party comments relate to civil matters, not planning matters, such as private access rights, appropriation of property name and dog fouling.
- Given the significant separation distances between properties in this countryside location, it is not considered that the proposed development would lead to any loss of privacy for any existing, neighbouring residential occupiers.

Conclusion

In broad terms, the OPD Practice Guidance advises that if a proposal satisfies the requirements of planning policy and clearly meets the qualifying criteria set out in the Practice Guidance it should be allowed. The Practice Guidance also points out that in order to make a decision, the Local Planning Authority must take into account national policy (set out in Planning Policy Wales and TAN 6), local policy (set out in the local authority's development plan), the OPD Practice Guidance, consultation responses and the specific nature of the proposals.

With regard to the submitted Management Plan, while it meets some of the essential criteria it also fails to fully satisfy others and consequently it is not possible to conclude that the submission meets all the parts of the essential characteristics set out in TAN 6 or the critical elements set out in the OPD Practice Guidance. Accordingly, the planning application is recommended for refusal.

REASON FOR DECISION

The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development

Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the application fails to provide sufficiently robust evidence to demonstrate that the proposed development meets the stringent policy requirements to justify the provision of a One Planet Development on the site. The proposal therefore constitutes inappropriate and unjustified development in the open countryside, contrary to national and local planning policy, and harmful to the rural character and appearance of the area.

Furthermore, access to the site, which is outside of the applicant's ownership/control, is a narrow, unadopted track which is also a Public Right of Way footpath and is not considered to be of a satisfactory standard to serve the development without detriment to highway safety and land drainage considerations.

Accordingly the development fails to comply with Policies SP1, SP3, SP14, SP20, SP21, SC1, EN2, TR2 and BE1 of the Adopted Neath Port Talbot Local Development Plan and the national planning policy guidance set out in Planning Policy Wales 12, Technical Advice Note 6 and TAN6 One Planet Development Practice Guidance (October 2012).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

Refused

Subject to the following conditions/reasons, which have been imposed for the reasons stated:-

- 1 It is considered that the application fails to provide sufficiently robust evidence to demonstrate that the proposed development meets the stringent policy requirements to justify the provision of a One Planet Development on the site. The proposal therefore constitutes inappropriate and unjustified development in the open countryside, contrary to national and local planning policy, and harmful to the rural character and appearance of the area. For this reason, the development fails to comply with Policies SP1, SP3, SP14, SC1, EN2 and BE1 of the Adopted Neath Port Talbot Local Development Plan and the national planning policy guidance set out in Planning Policy Wales 12, Technical Advice Note 6 and TAN6 One Planet Development Practice Guidance (October 2012).
- 2 Access to the site, which is outside of the applicant's ownership/control, is a narrow, unadopted track which is also a Public Right of Way footpath and is not considered to be of a satisfactory standard to serve the development without detriment to highway safety and land drainage considerations. For this reason, the development fails to comply with Policies SP20, TR2 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

Case Officer	Claire Hall
Telephone No.	01639 686727
Date of Recommendation	12th December 2025