PRIOR NOTIFICATION FOR AGRICULTURAL STORAGE, COVERED LAGOONS AND ASSOCIATED WORKS AT LAND AT ELMS FARM / PIONEER, TALYGARN

Executive Summary

This statement supports a fresh prior notification application for agricultural engineering operations at land forming part of the ACK Farming agricultural unit at the Pioneer Site, south of Llanharry. The proposed development comprises a 100m x 55m impermeable agricultural storage slab, two 40m x 20m covered biofertilizer lagoons, an agricultural track, hardstanding access, bunding and associated drainage and containment works.

The submission has been deliberately re-cast in response to the Council's previous determination under application 25/1245/AGR. That decision concluded that permitted development rights had not been demonstrated, that the evidence did not sufficiently establish reasonable necessity for agriculture, that there was a concern regarding the storage of biofertilizer within 400m of a protected building, and that prior approval would in any event be required and refused by reason of siting and Special Landscape Area effects.

The revised proposal addresses those issues in a comprehensive way following a pre-application meeting with the planning officer. The works have been relocated onto the western field, which is plainly agricultural land and is regularly cropped. The submitted Cropping Report records the field as cropped for forage maize in the 2026 season. This removes the previous dispute about the agricultural character of the application land. The Applicant maintains that the previous site was part of the agricultural holding and was subject to agricultural management, but that question is no longer determinative of the present application.

The revised proposal should be understood as a localised agricultural hub for this region of the wider ACK Farming holding. It is not a free-standing commercial yard, waste operation or unrelated engineering project. The purpose of the slab, covered lagoons and defined access is to bring the Elms Farm/Pioneer/Talygarn part of the holding up to a modern standard for nutrient, manure, soil and runoff management, and to allow agricultural operations in this part of the holding to be carried out consistently with Natural Resources Wales and Welsh Government expectations for pollution prevention, nutrient management and nitrate control.

The submitted Manure Management Plan, Soil Management Plan and Cropping Report provide the evidence that was previously considered to be missing. The Manure Management Plan records a farm area of 176.25 hectares, 364 cattle, full compliance against the farm nitrogen limit, NMax, field limits, closed periods and spreading map requirements, and identifies Pioneer as a compliant field. The Cropping Report records 66.96 hectares of cropped land across the business, including 49.58 hectares of forage maize and 17.38 hectares of winter wheat. This provides clear evidence of a functional and commercial agricultural enterprise of a scale that requires properly engineered storage, handling and nutrient management infrastructure.

The proposed hub is reasonably necessary because it allows fertiliser products, soil-improvement materials, bales, harvested crops and agricultural equipment to be stored and handled in a controlled place close to the land they serve. Without the hub, the farm would continue to rely on dispersed handling areas and short windows for moving and applying materials. That is less efficient, creates unnecessary traffic peaks, increases the risk of soil damage, and is not the most robust way to demonstrate compliance with the modern regulatory framework for agricultural pollution control.

The covered lagoons will be used only for compliant PAS110 biofertiliser and runoff collected from the approved impermeable agricultural slab. The lagoons will not be used for raw slurry, sewage sludge or waste material. The Applicant will maintain certification, end-of-waste documentation and supply records to be retained and made available upon reasonable request.

The Special Landscape Area issue is also addressed more fully. The revised site is adjacent to the operational Forest Wood Quarry and close to the M4 corridor. It is not perceived as a wholly

undisturbed rural landscape. Views into the site are limited. Where the site is seen from the M4, views are oblique, transient, experienced at speed and heavily filtered by motorway embankment vegetation. It is not a natural or sustained viewing position because drivers and passengers are moving at motorway speeds and the site is seen side-on rather than as a framed view. The proposed development is ground-based, low-profile, agricultural in purpose, reduced in hardstanding extent and capable of mitigation through seeded bunding (as shown on the submitted sections)

For those reasons, the development falls within the scope of Part 6, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended in Wales. It is reasonably necessary for agriculture within the unit, and any prior approval required for siting should be granted.

Contents

1. Introduction and purpose of this revised statement

This Planning Statement has been prepared on behalf of ACK Farming Ltd in support of a fresh prior notification application for agricultural development at land at Elms Farm, south of Llanharry, Rhondda Cynon Taf.

The proposed development comprises agricultural engineering operations and associated infrastructure to form a localised agricultural storage and nutrient-management hub. The principal components are a 100m x 55m impermeable agricultural storage slab, two 40m x 20m covered biofertilizer lagoons, a 5.5m agricultural access track, hardstanding access and associated bunding, drainage and containment works.

The application is submitted under Part 6, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended in Wales. Class A permits, on agricultural land comprised in an agricultural unit of 5 hectares or more, the carrying out of works for the erection, extension or alteration of a building, or any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit, subject to relevant limitations and conditions.

This statement has three principal purposes. First, it explains the agricultural need for the proposed hub. Secondly, it explains why the revised siting on the Pioneer field resolves the previous concern about whether the land was agricultural in character. Thirdly, it provides a fuller landscape and siting justification, with specific reference to the Special Landscape Area, the adjacent operational quarry and the limited, oblique and transient nature of views from the M4 corridor.

The statement has also been expanded so that the former appendix material is integrated into the main body of the report. In particular, the evidence schedule, the Natural Resources Wales end-of-waste checklist and the proposed biofertilizer management note are now contained within the substantive assessment rather than being left as appendices.

The application should be determined on the basis of the revised proposal now before the Council. Although the previous decision is an important background matter, the present submission differs materially in both siting and supporting evidence. The proposal is now located on a regularly cropped agricultural field and is supported by a wider body of agronomic, nutrient management, soil management and biofertilizer certification evidence.

2. Submitted information and evidence base

The revised application is supported by the following information. The purpose of this schedule is to make clear at the outset how the evidence now submitted responds to the specific gaps identified in the previous decision.

Document / drawing	Relevance to the revised application
C2J Architects drawing SK20 - Proposed Site Plan	Shows the revised siting of the works on the Pioneer field, the 100m x 55m impermeable slab, two 40m x 20m covered lagoons, the 5.5m track, the relationship to the M4 and the relationship to Forest Wood Quarry.
C2J Architects drawing SK21 - Proposed Sections	Shows the levels, bunding, cross-sections, relationship to existing ground levels, tree line and M4 carriageway, and confirms the low-profile engineering form of the proposal.
ACK Farming Cropping Report by Crop - Season 2026	Demonstrates that the revised application site is in active agricultural use. The Pioneer field is recorded as cropped for forage maize, with a cropped area of 4.61 hectares.
ACK Farming Manure Management Plan - Annual Report dated 02/08/2025	Demonstrates the scale of the agricultural holding, livestock context, nitrogen management position, closed period compliance, field limit compliance and the need for robust infrastructure to implement nutrient management.

Document / drawing	Relevance to the revised application
ACK Farming Soil Management Plan - Annual Report dated 01/08/2025	Identifies field-specific soil, runoff, slope, water and nitrate leaching considerations, including for the Pioneer field, and supports the need for controlled handling and application of nutrients and soil-improvement materials.
PAS110 Certificate of Compliance	Demonstrates the certification route for the biofertilizer/biofertiliser product. Current certification and delivery documentation will be retained/provided at the time of delivery.
Prior Notification Statement	Explains why the material to be stored is a recovered fertiliser product rather than waste, and why it is to be treated as a distinct, marketable biofertiliser used in the same way as other nutrient products.
Technical information	Ecology, construction environmental management and site investigation information can be relied upon as required to address detailed construction and environmental protection matters.

Taken together, these documents address the previous concerns. They identify the agricultural land, identify the wider unit, demonstrate the functional relationship between the hub and the wider holding, justify the nature and scale of the works, and confirm how certified biofertilizer/biofertiliser will be managed in accordance with the end-of-waste and nutrient management framework.

Figure 1: Extract from C2J Architects drawing SK20 showing the revised hub location on the Pioneer field, adjacent to the M4 and Forest Wood Quarry.

3. Previous decision and how the revised application responds

Application 25/1245/AGR was determined on the basis that prior approval was required and refused. The Council's report identified three core concerns:

- the Council did not consider that the previous application site had been demonstrated to be agricultural land or that there was sufficient evidence of commercial agricultural activity and functional relationship with the wider holding;
- the Council considered that the proposed biofertilizer lagoons would fall within the restriction relating to storage of slurry, sewage sludge, or fuel/waste from an anaerobic digestion system within 400m of a protected building;
- the Council considered that, even if Part 6 rights were available, prior approval would be required and refused because the siting, scale and nature of the works would appear intrusive and incongruous in the countryside and within the Talygarn Surrounds Special Landscape Area.

The revised submission has been substantially amended and evidenced. The most important change is that the works have been relocated to the western field. The western field is in active agricultural use, is regularly cropped, and is identified in the 2026 Cropping Report as forage maize. There can therefore be no realistic question that the development is now proposed on agricultural land.

The supporting evidence now goes beyond a general description of the farm business. It provides agronomic and nutrient-management evidence for the wider holding and for the Pioneer field itself. The Manure Management Plan records the scale of the holding, the livestock context and compliance against nitrogen and spreading controls. The Soil Management Plan identifies field-specific soil and runoff characteristics. The Cropping Report identifies the crop areas and demonstrates the functional cropped land base which the proposed hub serves.

The revised statement also further explains the purpose of the development. The proposal is for a compliance-led hub for this region of the wider agricultural holding. Its role is to provide properly engineered, controlled, covered and contained infrastructure so that the farm can manage biofertiliser, runoff, harvested crops, bales, soil-management materials and machinery in a way that supports current NRW/Welsh Government agricultural pollution, nutrient management and nitrate-control requirements.

The response to the previous issues is summarised below.

Previous issue	Revised response
Agricultural character of previous land questioned	The works are now relocated onto the Pioneer field, which is regularly cropped and recorded in the Cropping Report as forage maize. The proposal is now plainly on agricultural land.
Functional relationship with the wider holding not fully evidenced	The revised statement explains the hub function. The Manure Management Plan identifies a 176.25ha farm area and the Cropping Report records 66.96ha of cropped land. The hub serves the Elms Farm/Pioneer/Talygarn region of the wider unit and provides infrastructure needed to operate that part of the holding to modern standards.
Reasonable necessity not sufficiently justified	The report now explains the compliance-led need for controlled nutrient storage, runoff collection, covered lagoon capacity, machinery and crop handling space, and better timing of applications to crop need.
400m concern for biofertilizer from AD system	The lagoons will not store raw slurry, sewage sludge or waste. They will store only compliant PAS110/end-of-waste biofertilizer/biofertiliser and runoff from the approved agricultural slab, supported by certification, EoW documentation, certainty of use and record keeping.
SLA and siting concern	The scheme has a reduced hardstanding area, a clear agricultural purpose, low-profile covered lagoons, seeded bunding and no lighting. Views are limited and heavily influenced

Previous issue	Revised response
	by the M4 and adjacent operational quarry. M4 views are oblique, transient and filtered by embankment vegetation.

4. Site, agricultural unit and functional relationship with the wider holding

4.1 The revised application site

The revised application site is the western field. This is an agricultural field within the ACK Farming holding. It is not the same land as the previously assessed restored/previously worked area which the Council considered was not clearly agricultural. The present field is demonstrably in agricultural production.

The 2026 Cropping Report identifies Pioneer as a forage maize field with a cropped area of 4.61 hectares. The Manure Management Plan separately identifies Pioneer as an arable field within the 24/25 growing season, with a spreading area of 5.88 hectares, maize cropping, an expected yield figure and an NMax compliant field status. The Soil Management Plan identifies Pioneer as arable land, with maize cropping, clayey loam to silty loam soils, water/borehole sensitivities present, and an overall soil management risk identified as low.

This field-specific information is central to the revised application. It demonstrates that the application site is a productive agricultural field which forms part of a managed crop and nutrient system. The proposed works are therefore carried out on agricultural land and are directly related to the agricultural use of that land and the wider unit.

4.2 Wider agricultural unit

ACK Farming operates a substantial agricultural enterprise across a number of land parcels. The Manure Management Plan records a farm area of 176.25 hectares, with the whole area identified in an NVZ context for the purposes of the report. The plan records 364 cattle, a recommended nitrogen limit of 29,962kg, nitrogen from livestock of 7,479kg and a net nitrogen figure of 10,755kg. It also records 100% compliance for the farm nitrogen limit, NMax, field limit, closed periods and spreading map.

The Cropping Report records a total cropped area of 66.96 hectares for the 2026 season, comprising 49.58 hectares of forage maize and 17.38 hectares of winter wheat. Forage maize is spread across multiple fields including Alan Leg, Argoed Quarry, Efail Isaf, Kirsteen's Field,

This evidence demonstrates that the farm is not a small or incidental agricultural use. It is a sizeable, managed agricultural holding with livestock, forage production, arable cropping and a significant nutrient-management requirement. The proposed hub is proportionate to that agricultural context.

Agronomic evidence	Relevant point for the application
Farm area recorded in Manure Management Plan	176.25 hectares. Demonstrates an agricultural unit substantially exceeding the 5 hectare threshold.
Livestock context	364 cattle recorded. Demonstrates a livestock/forage context and a meaningful organic nutrient management requirement.
Cropping Report - total cropped area	66.96 hectares in the 2026 season. Demonstrates ongoing crop production across the holding.
Cropping Report - forage maize	49.58 hectares, 74.04% of the cropped area. Demonstrates the importance of forage production and timing of nutrient application.
Cropping Report - Pioneer field	Pioneer recorded as forage maize, 4.61 hectares. Demonstrates active agricultural use of the revised site.
Manure Management Plan compliance	100% compliance reported for farm N limit, NMax, field limit, closed periods and spreading map. The hub supports the continuing practical delivery of this compliance.

Agronomic evidence	Relevant point for the application
Soil Management Plan - Pioneer	Arable/maize field with soil, water and runoff considerations recorded. Demonstrates the need for controlled infrastructure and careful nutrient timing.

4.3 Functional relationship with the wider holding

The previous decision placed weight on the perceived absence of evidence identifying the wider holding and explaining the functional relationship between the works and the agricultural unit. The revised submission addresses this directly.

The Pioneer hub is required because this part of the holding needs a local, controlled and accessible agricultural base for nutrient, crop and machinery management. The hub will serve the Elms Farm/Pioneer/Talygarn region of the wider holding. It provides a point at which certified biofertilizer/biofertiliser can be stored, runoff can be collected, bales and harvested crops can be handled, and agricultural machinery and soil-management materials can be managed in association with the surrounding cropped land.

The fact that the holding comprises several land parcels does not weaken the case for the hub. It strengthens it. A dispersed agricultural business requires strategically located infrastructure so that operations are not dependent on distant hardstandings, temporary field-edge storage, repeated haulage movements or ad hoc handling locations. The proposed hub rationalises those operations for this region of the holding and provides a controlled agricultural facility where the crop and nutrient management strategy can be implemented.

The hub is deliberately located in the field group it is intended to serve. It avoids the inefficient and potentially environmentally poorer option of moving material across the holding in short weather-dependent windows. It also avoids the need to use less controlled areas for storage and handling. The proposed development therefore has a clear and direct functional relationship with the wider agricultural unit.

For the avoidance of doubt, the term hub does not mean a third-party commercial depot or a general contractor's yard. It means a localised farm infrastructure point serving the agricultural operations of ACK Farming within this part of the holding. The use can be controlled by condition so that the slab, lagoons and track are used only for agricultural purposes associated with the ACK Farming unit.

5. Description of the proposed development

The amended proposal is shown on C2J Architects drawings SK20 and SK21. It comprises the following principal elements:

- a 100m x 55m impermeable agricultural slab for the storage and handling of operational farm equipment, materials and supplies, including bales, harvested crops and soil-management materials;
- two 40m x 20m covered biofertilizer lagoons;
- a 5.5m wide agricultural track and hardstanding access;
- earth bunding around the operational area, including bunds of approximately 3m and 5m as shown on the submitted sections;
- drainage/collection measures so that dirty water and runoff from the slab are directed to the lagoon system rather than discharging uncontrolled to land or water;
- seeding and landscaping of bunds to assimilate the works into the surrounding field and to reduce visual prominence.

The revised slab area is approximately 5,500 square metres. This is materially smaller than the previously proposed 75m x 100m slab, which equated to approximately 7,500 square metres. The

amended proposal therefore reduces the hardstanding footprint by approximately 2,000 square metres while retaining the functional capacity needed to serve the holding.

The covered lagoons are necessary to provide secure storage of compliant biofertilizer and collected runoff. The cover is important because it reduces rainfall ingress, improves effective storage capacity, reduces odour potential, helps manage emissions and improves visual containment when compared with open storage. The lagoons are not proposed in relation to an anaerobic digestion system and they will not be used to store raw slurry or sewage sludge.

The bunding has a functional role as well as a visual role. It helps define and protect the working area, assists with containment and screening, and allows the development to be read as a low-profile, ground-based agricultural feature rather than as a building or industrial structure. The submitted sections demonstrate that the works are formed relative to existing ground levels and sit within an already infrastructure-influenced landscape corridor.

6. The agricultural hub function

The strongest justification for the revised development is its role as a localised agricultural hub for this region of the wider holding. The proposal is a piece of farm infrastructure designed to bring this part of the holding up to a modern standard of operation and environmental control.

Agricultural operations on a holding of this scale depend on timing. Nutrient applications need to be made when the crop can take up the nutrient, when soil and weather conditions are suitable, and when spreading would not conflict with closed period restrictions or pollution-prevention requirements. Harvested crops and bales need to be handled efficiently. Machinery needs a defined and robust operating surface to avoid rutting and soil damage. Runoff from storage and handling areas needs to be collected and contained. These requirements cannot be met as effectively through dispersed and informal arrangements.

The hub will therefore perform several linked agricultural functions:

- providing local storage for certified biofertilizer/biofertiliser so that application is planned around crop need rather than tanker availability or short haulage windows;
- allowing materials to be stored in a controlled, lined and covered environment rather than in temporary or exposed locations;
- providing an impermeable surface for handling bales, harvested crops, farm equipment and soil-management materials;
- collecting dirty water and runoff from the storage slab so that it can be stored and managed through the lagoon system;
- reducing soil damage by providing a defined track and working surface for agricultural vehicles;
- reducing unnecessary movements between distant parts of the holding by creating a hub close to the field group it serves;
- supporting compliance with the farm's nutrient, manure and soil management plans by ensuring that the physical infrastructure aligns with the regulatory framework.

It is reasonably necessary because the holding requires controlled infrastructure to implement the agronomic, nutrient and soil-management approach evidenced by the submitted reports. The hub is therefore an agricultural requirement arising from the scale and modernisation of the holding.

The hub also has an environmental rationale. It reduces reliance on field-edge storage, reduces the risk of uncontrolled runoff, avoids unnecessary re-handling of materials, and improves the ability to store and apply nutrients at the correct time. These are all positive outcomes in the context of current NRW and Welsh Government emphasis on reducing diffuse agricultural pollution and improving nutrient management.

The hub must be located within the agricultural land it serves. A remote or off-holding location would not achieve the same operational or environmental benefits, because it would increase haulage

movements, detach storage from the field group, and make it more difficult to synchronise application with crop and soil conditions. The Pioneer site is therefore a logical and necessary location for the proposed agricultural infrastructure.

7. Agricultural pollution, nitrate and nutrient-management rationale

7.1 The regulatory context

The revised application should be considered in the context of the more demanding regulatory and operational framework now applying to agricultural pollution, nutrient management and nitrate control in Wales. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 replaced the earlier nitrate vulnerable zone approach and extended agricultural pollution control requirements across Wales. Natural Resources Wales is the relevant environmental regulator and the farm must be able to demonstrate that nutrients and organic materials are stored, handled and applied in a controlled way.

The proposed hub directly supports that objective. It is physical infrastructure to enable compliance. The covered lagoons provide storage capacity and containment; the impermeable slab provides a controlled handling surface; the drainage system collects dirty water; the track reduces damage and uncontrolled vehicle movement; and the whole arrangement allows nutrient applications to be planned according to crop need and ground conditions. The proposal is therefore aligned with the purpose of the agricultural pollution regime.

7.2 Evidence from the Manure Management Plan

The Manure Management Plan provides important evidence of the scale and nature of the agricultural operation. It records the farm area, livestock numbers, nitrogen position and compliance checks. The following points are particularly relevant.

Matter recorded	Figure / status	Planning significance
Farm area	176.25ha	Demonstrates a substantial agricultural unit and the need for properly planned nutrient management.
Area in NVZ context for the report	176.25ha	Demonstrates that the holding is managed within a nitrate/nutrient-control framework.
Recommended nitrogen limit	29,962kg	Demonstrates the scale of the nitrogen management exercise.
Nitrogen from livestock	7,479kg	Shows a livestock nutrient context which requires careful integration with imported/other organic nutrient sources.
Net nitrogen	10,755kg	Demonstrates that nitrogen flows are being calculated and managed at farm level.
Cattle	364	Supports the agricultural and forage-production context.
Compliance status	Farm N limit 100%; NMax 100%; Field limit 100%; Closed periods 100%; Spreading map 100%	Demonstrates a managed and compliant agricultural system. The hub is required to maintain and strengthen that compliance in practical terms.

The significance of this evidence is not simply that the farm is currently managed to a compliant plan. It is that continued compliance depends on suitable infrastructure. A plan can identify when and where nutrients should be applied, but the farm also needs the physical capacity to store, handle and move nutrients in a way that allows that plan to be followed. The proposed hub provides that capacity for the Pioneer/Elms Farm/Talygarn part of the holding.

7.3 Evidence from the Cropping Report

The Cropping Report demonstrates active crop production and identifies the Pioneer field as part of the farm's forage maize system. This is critical because biofertilizer/biofertiliser use must be tied to crop need. The report records a total cropped area of 66.96 hectares, with forage maize forming the majority of the cropped area. The key figures are summarised below.

Crop / field grouping	Area recorded	Relevance
Forage maize total	49.58ha	Main crop group served by organic nutrient applications and soil-management strategy.
Winter wheat total	17.38ha	Additional cropped land forming part of the wider arable system.
Total cropped area	66.96ha	Confirms scale of crop production across the agricultural enterprise.
Pioneer field	4.61ha forage maize	Confirms agricultural use of the revised application site and the direct crop context for the proposed hub.
Tal Y Garn field	5.80ha forage maize	Supports the case that the hub serves a wider local region of the holding rather than a single isolated field.
Other forage maize fields	Including Alan Leg, Argoed Quarry, Efail Isaf, Kirsteen's Field, Martin's Field, Project Red and Redlands Farm fields	Demonstrates the wider forage system and the need for strategic storage/handling infrastructure across the holding.

This cropping evidence is the practical link between the development and agriculture. The hub will support the production and management of crops. It will also enable certified biofertiliser to be held and applied at times that suit crop uptake and soil conditions, rather than being driven by delivery windows or lack of local storage.

7.4 Evidence from the Soil Management Plan

The Soil Management Plan further supports the need for controlled infrastructure. The Pioneer field is identified as an arable maize field with clayey loam to silty loam soils, water/borehole sensitivities present, a recorded slope length and an overall low risk. The presence of water/borehole sensitivities and the need to manage runoff and soil condition reinforce the importance of directing storage and handling operations to an engineered surface and collecting runoff in a controlled system.

The development will therefore assist with practical soil and water protection. A defined track and hardstanding reduce rutting and compaction associated with repeated vehicle movements. The impermeable slab allows materials to be handled without uncontrolled loss to ground. The lagoon system provides containment for collected runoff. These measures are consistent with good agricultural practice and with the objective of reducing diffuse agricultural pollution.

7.5 Why the hub helps bring the holding up to modern standards

The proposed development should be understood as an investment in compliance infrastructure. The holding is already subject to detailed nutrient and soil management planning. However, modern agricultural standards require more than written plans. They require storage capacity, controlled surfaces, runoff collection, documented movements and the ability to apply nutrients when conditions are suitable.

The hub helps bring this region of the holding up to that standard in the following ways:

- it provides a fixed and engineered point for handling nutrient and soil-management materials;

- it reduces reliance on temporary field-edge or dispersed storage arrangements;
- it allows dirty water/runoff to be captured rather than left to drain across land;
- it provides covered storage, reducing rainfall ingress and increasing effective capacity;
- it assists compliance with closed periods and crop-need principles because material can be stored until the correct application window;
- it provides a clearer audit trail for delivery, storage, transfer and application records;
- it enables the farm to use certified recycled biofertiliser in place of, or in support of, conventional manufactured fertiliser inputs.

In short, the hub is an agricultural modernisation and compliance project. Its purpose is to allow the wider holding, and particularly this local region of the holding, to operate in a more controlled, documented and environmentally responsible way.

8. Biofertilizer, PAS110 and end-of-waste position

8.1 The previous concern

The Council's previous report referred to the limitation in Part 6, Class A.2(1)(a), which provides that where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development shall not be used for the storage of slurry or sewage sludge, for housing a biomass boiler or anaerobic digestion system, or for the storage of fuel or waste from that boiler or system.

In the previous decision, the Council considered that the proposed lagoons would store digestate arising from an anaerobic digestion system and would therefore fall within that restriction. The revised submission responds to that point by providing specific PAS110 and end-of-waste evidence and by offering an enforceable operational limitation.

8.2 What will be stored

The covered lagoons will store only compliant biofertilizer/biofertiliser which, at the time of delivery, satisfies PAS110 and the applicable Natural Resources Wales end-of-waste criteria, together with runoff from the approved impermeable agricultural slab. The lagoons will not be used to store raw slurry, sewage sludge, waste material, fuel for a biomass boiler, waste from a biomass boiler, or waste from an anaerobic digestion system.

This distinction is important. A certified biofertilizer/biofertiliser product which has achieved end-of-waste status is materially different from raw slurry, sewage sludge or waste from an AD system. It is a recovered fertiliser product to be used for a specific agricultural purpose. Its use will be governed by the farm's nutrient management and soil management regime.

8.3 NRW end-of-waste criteria

Natural Resources Wales guidance explains when digestate produced from anaerobic digestion of source-segregated biodegradable waste is no longer considered waste. In summary, biofertilizer will have met the end-of-waste test where it has been produced using permitted source-segregated biodegradable waste, stored and processed in line with PAS110, certified as compliant with PAS110, requires no further treatment before intended use, meets any customer specification, has certainty of use, and is supported by records evidencing the quality, quantity, certainty of use and nutrient management requirements.

The following checklist integrates the former appendix material into the main body of this report and identifies how the application responds to the NRW end-of-waste position.

NRW/end-of-waste point	How this application addresses the point
Biofertilizer must be produced from permitted source-segregated biodegradable wastes or otherwise fall within the relevant manure/slurry biofertilizer position.	The application is supported by clarification in relation to PAS110 certification. Current product documentation will be retained with delivery records.
Waste must be stored and processed in line with PAS110 and applicable quality standards.	Only PAS110-compliant biofertilizer/biofertiliser will be accepted. The lagoons will not accept raw slurry, sewage sludge or waste materials.
Certification must be obtained confirming PAS110 compliance.	The submitted certificate demonstrates the certification route. Current certification will be required at the time of delivery and retained as part of the farm record system.
The product must require no further treatment before intended use.	The biofertilizer will be delivered as a final biofertiliser product for agricultural use. No further treatment or processing is proposed at the Pioneer hub.
There must be certainty of use.	The certainty of use is provided by the ACK Farming holding, the Cropping Report, the Manure Management Plan and the Soil Management Plan. The biofertilizer will be held for use on agricultural land to meet crop and soil requirements.
Records must evidence quality, quantity, certainty of use and nutrient management requirements.	The Applicant will retain delivery, certification, quantity, storage and application records and make them available to the relevant regulator or LPA upon reasonable request.
Biofertilizer should only be used to supply required nutrients at the appropriate rate, time, frequency and place to meet crop need or agricultural benefit.	The hub assists this requirement by providing covered storage so that applications can be timed to crop need and suitable conditions rather than dictated by haulage or storage pressure.
Biofertilizer can lose non-waste status if discarded, applied in excess of crop requirements, or stored indefinitely with little prospect of use.	The proposed use is tied to the farm's cropped land and nutrient management plans. Conditions can prevent indefinite storage and require compliant use only.

8.4 PAS110 certificate and End of Waste Statement

The submitted PAS110 certificate records compliance with the British Standards Institution Publicly Available Specification for Biofertilizer (PAS110:2014), the Anaerobic Biofertilizer Quality Protocol and scheme rules for whole biofertilizer, separated liquor and separated fibre. The certificate demonstrates the accepted certification route for the material to be used. To avoid any doubt, current certification and supply documentation should accompany deliveries and be retained as part of the farm records.

NRW does not operate a system under which it approves individual end-of-waste submissions, and that it is the operator's responsibility to undertake and maintain the evidence supporting the end-of-waste decision. It explains that undertaking the process through an accredited scheme such as PAS110 provides the evidence base for that position.

PAS110 material is a distinct and marketable product, used in the same way as other fertiliser/nutrient addition products, with no worse environmental effects than the material it replaces. It identifies that the material will be used with certainty, reinforced by the nutrient management plan, and that it satisfies the end-of-waste test.

8.5 Response to the 400m issue

On the above basis, the proposed use of the lagoons does not fall within the concern identified by the Council in the previous decision. The lagoon system will not be used for the storage of raw slurry or

sewage sludge. It will not house an anaerobic digestion system. It will not store fuel or waste from an anaerobic digestion system. It will store a final certified biofertilizer/biofertiliser product which satisfies end-of-waste requirements, plus agricultural runoff from the approved slab.

If the Council considers that a control is necessary, the Applicant would accept a condition in the following terms:

The covered lagoons hereby approved shall be used only for the storage of biofertilizer/biofertiliser which, at the time of delivery to the site, is certified as compliant with PAS110 and satisfies the applicable Natural Resources Wales end-of-waste criteria, together with runoff from the approved impermeable agricultural slab. The lagoons shall not be used for the storage of raw slurry, sewage sludge, waste material, fuel for a biomass boiler, waste from a biomass boiler, or waste from an anaerobic digestion system.

Such a condition would address the Council's concern directly and provide a clear enforcement mechanism.

9. Compliance with Part 6, Class A

The development complies with the relevant Part 6, Class A requirements for the following reasons.

9.1 Agricultural land comprised in an agricultural unit of 5 hectares or more

The revised site is agricultural land. It is the Pioneer field, recorded in the Cropping Report as forage maize and in the Manure/Soil Management Plans as an arable/maize field. It is plainly agricultural in character and use.

The agricultural unit is substantially more than 5 hectares. The Manure Management Plan records a farm area of 176.25 hectares. The holding therefore comfortably exceeds the relevant threshold.

9.2 Works and engineering operations

The proposal comprises engineering operations and associated agricultural infrastructure: an impermeable slab, lagoons, bunding, track, hardstanding access and drainage/containment works. Such works fall within the type of operations contemplated by Part 6, Class A, subject to the relevant limitations and conditions.

9.3 Reasonably necessary for agriculture within the unit

The proposal is reasonably necessary for agriculture within the unit. The hub is required to support crop production, forage management, nutrient storage and application, runoff collection, soil protection, agricultural vehicle movements and compliance with nutrient and pollution controls. It is directly related to the agricultural use of the Pioneer field and the wider holding.

The development is more than operational convenience. It is required to bring this region of the holding up to a modern standard of agricultural management. It will reduce reliance on temporary storage, improve timing of nutrient applications, control dirty water and runoff, reduce vehicle damage to soils, and provide a clear point for records and management.

9.4 The 400m limitation

For the reasons set out in Section 8, the lagoons will not be used for raw slurry, sewage sludge, an anaerobic digestion system, or fuel/waste from such a system. The use can be conditioned to restrict the stored material to compliant PAS110/end-of-waste biofertilizer and runoff from the approved agricultural slab. Accordingly, the previous 400m concern is addressed.

9.5 Prior approval matters

If the Council considers that prior approval is required in relation to the siting, design and external appearance of any element of the works, prior approval should be granted. The siting is agriculturally justified, the proposal is low-profile and functional, the hardstanding has been reduced, bunding and seeding will mitigate views, and the surrounding context is already influenced by the M4 and Forest Wood Quarry.

10. Siting and Special Landscape Area assessment

10.1 The previous SLA concern

The Council's previous report identified the site as being within the Talygarn Surrounds Special Landscape Area. It noted qualities associated with the Border Vale, including lowland farmland with irregular shaped fields seen from the M4, and identified a management concern to ensure that adjacent quarry and associated degraded land does not encroach. The Council considered that the previous scheme, by reason of siting, scale and engineering works, would appear intrusive and incongruous and would contribute to industrialisation of the landscape when viewed alongside the quarry.

The revised application responds to that concern in a more detailed way. The proposal is agricultural infrastructure on a cropped field within a managed agricultural holding. Its purpose is to improve the agricultural and environmental management of the land. It has been reduced in hardstanding area and it incorporates seeded bunding, covered lagoons and no lighting.

10.2 Landscape context

The site is located adjacent to the operational Forest Wood Quarry and close to the M4 corridor. These are significant existing landscape influences. The site is therefore not experienced as an entirely remote, tranquil or untouched rural landscape. It sits in a corridor where agricultural land, quarrying activity, restored/degraded land influences and motorway infrastructure are already present.

The Special Landscape Area designation does not preclude necessary agricultural development. The relevant question is whether the proposal is sited and designed in a way that respects the character of the area and avoids unacceptable harm. The revised proposal achieves that.

The development is ground-based rather than a tall building. The lagoons are covered and set within bunding. The track is an agricultural track. The slab is an agricultural working surface. The bunds can be seeded and managed so that they assimilate into the field pattern over time. The proposal will read as functional agricultural infrastructure rather than a new industrial land use.

10.3 Visibility and viewpoints

Views into the site are limited. The strongest theoretical visibility is from the M4 corridor, but those views need to be assessed realistically. Any views from the M4 are oblique, transient and experienced at speed. The site is not directly ahead in a framed landscape view; it is seen side-on, if at all, by drivers and passengers whose attention is directed along the carriageway. It is not a natural position from which to look sideways for any sustained period.

In addition, the M4 embankment vegetation heavily obscures and filters views. Any glimpses of the site are therefore partial and momentary, seen through roadside planting and against the background of existing motorway infrastructure and the quarry-influenced landscape. Such views are not equivalent to static views from a public footpath, local lane, dwelling or formal viewpoint.

The operational quarry context also materially changes the baseline. The proposal is not introducing a hard-edged feature into a pristine landscape setting. It is located adjacent to an established quarry and within a landscape already influenced by infrastructure. In that context, the incremental effect of low-profile, agricultural infrastructure is limited and capable of mitigation.

Views from more sensitive receptors will be filtered by landform, existing vegetation, field boundaries and the absence of tall built form. The seeded bunds will further reduce visibility and help the works sit into the local landform. No lighting is proposed, which avoids night-time visual effects.

10.4 Impact upon landscape

The previous report referred to a concern that the development would contribute to further industrialisation of the landscape when viewed alongside the nearby quarry. The revised application does not give rise to that effect for several reasons.

- The proposal is agricultural in purpose and tied to the ACK Farming holding, not an independent industrial or waste management use.
- The revised site is a cropped agricultural field, and the hub is intended to support the management of that field and the wider agricultural unit.
- The hardstanding area has been reduced from the previous scheme by approximately 2,000 square metres.
- The proposed lagoons are covered and low-profile rather than open or prominent structures.
- The bunds provide both containment and visual assimilation and can be seeded to match the surrounding agricultural landscape.
- No external lighting, signage or urbanising features are proposed.
- Operational movements are agricultural movements associated with farming, harvesting, nutrient application and soil management.
- The adjacent quarry and M4 already influence the landscape baseline, reducing the sensitivity of the immediate setting to carefully designed agricultural infrastructure.

It would be wrong to categorise the proposal as industrialisation merely because it involves an impermeable slab and engineered lagoons. Modern agriculture frequently requires engineered and regulated infrastructure to manage nutrients, runoff, silage, biofertilizer, manures and crop handling. The planning system and environmental regulatory framework should support, rather than discourage, properly controlled infrastructure that reduces pollution risk and improves nutrient management.

10.5 Landscape mitigation and design commitments

The following measures are proposed to ensure that the development respects the Special Landscape Area:

- seeded earth bunds using an appropriate grass/wildflower mix to help the bunds assimilate into the field context;
- retention and protection of existing boundary vegetation where practicable;
- use of muted, non-reflective colours and finishes for lagoon covers and any above-ground elements;
- restriction of the use to agriculture associated with the ACK Farming holding;
- restriction of lagoon contents to PAS110/end-of-waste biofertilizer/biofertiliser and runoff from the approved agricultural slab;
- implementation of construction environmental management controls to minimise temporary disturbance, dust, mud and runoff during the works;
- maintenance of bunding and seeding thereafter.

Subject to those measures, the proposal will not harm the purposes of the Talygarn Surrounds Special Landscape Area. It is a necessary agricultural development, carefully located within an infrastructure-influenced setting, with limited visibility and appropriate mitigation.

10.6 Compliance with local landscape policy

Policy SSA23 requires development within Special Landscape Areas to conform to high standards of design, siting, layout and materials appropriate to the character of the area. The proposal complies

with that requirement. The siting has been chosen for agricultural reasons and is adjacent to existing infrastructure influences. The layout is simple and functional. The materials and finishes can be controlled. The bunding and seeding provide landscape mitigation. The proposal does not introduce tall buildings or urbanising features.

Policy AW8 seeks to avoid unacceptable impact on features of landscape or nature conservation importance. The proposal is not unacceptable in landscape terms because it is low-profile, screened, functionally agricultural and located in a context already influenced by quarry and motorway infrastructure. Any ecological or construction impacts can be addressed through the technical information and controls accompanying the submission.

Policy AW6 seeks high-quality design and landscaping. In an agricultural context, high-quality design does not mean domestic or urban detailing. It means robust, functional, low-profile, well-contained infrastructure that is appropriate to the farmed landscape. The proposed design meets that test.

11. Design, construction and environmental safeguards

The proposal includes a series of inherent safeguards. These are not add-ons; they are part of the reason the development is reasonably necessary. The objective is to provide a controlled agricultural infrastructure system that manages materials and runoff better than informal or dispersed arrangements.

- The slab will be impermeable and designed to direct dirty water/runoff to the lagoon system.
- The lagoons will be covered, reducing rainfall ingress and improving effective storage capacity.
- The covers will reduce odour potential and provide a physical safety barrier.
- The bunds will provide containment and screening.
- The 5.5m track will define vehicle routes and reduce soil damage from repeated crossing of the field.
- No external lighting is required or proposed.
- Construction can be managed under a CEMP, including dust, mud, spill response, fuel storage, working hours and water protection controls.
- Records can be retained to evidence certification, delivery, storage and agricultural use of biofertilizer/biofertiliser.

These safeguards demonstrate that the scheme is not only acceptable in planning terms but also beneficial from an agricultural pollution prevention perspective. The development allows materials to be managed in a way that reduces environmental risk and supports the farm's nutrient and soil management plans.

12. Highways, access and operational movements

The proposed development does not create a new non-agricultural traffic-generating use. It rationalises agricultural movements associated with the existing and ongoing farming operation. The hub will allow deliveries, storage, crop handling and nutrient application to be planned rather than concentrated into short and inefficient windows.

The submitted layout shows a 5.5m wide track and hardstanding access. This is an agricultural access arrangement, not an urban road. The track is proportionate to agricultural vehicles and will reduce rutting and ad hoc vehicle movements across the field.

In operational terms, the hub should reduce unnecessary movements between dispersed storage locations and the field group served. Materials can be held close to where they will be used, and application can occur when conditions are appropriate. This is a positive outcome in both agricultural and environmental terms.

No public highway alteration is proposed as part of the application. Any detailed construction traffic management or mud/debris controls can be controlled through the CEMP to be implemented.

13. Residential amenity, odour and operational controls

The lagoon system will be covered and will store only compliant PAS110/end-of-waste biofertilizer/biofertiliser and runoff from the approved agricultural slab. This is materially different from open raw slurry storage. The covers will reduce rainfall ingress, odour potential and visual exposure.

The use will form part of normal agricultural management. It will not operate as a public waste facility, contractor's depot or commercial industrial yard. The use can be controlled by condition to ensure that it remains ancillary to and reasonably necessary for agriculture within the ACK Farming unit.

The timing and rate of biofertilizer/biofertiliser application will be governed by the farm's nutrient management and soil management regime. This provides a clear framework for avoiding application in excess of crop requirements or in unsuitable conditions. Records can be retained to demonstrate compliance.

The absence of lighting, the low-profile design, the covered lagoons and the agricultural nature of the use mean that no unacceptable residential amenity effects should arise.

14. Suggested planning/prior approval controls

Without prejudice to the Applicant's position that the proposal benefits from permitted development rights under Part 6, Class A, the following controls are offered to address any reasonable concerns regarding siting, use, landscape, biofertilizer management and environmental protection.

Control	Suggested wording / scope
Approved plans	The development shall be carried out in accordance with C2J Architects drawing SK20 Proposed Site Plan and SK21 Proposed Sections.
Agricultural use only	The slab, lagoons, track and associated works shall be used only for agricultural purposes associated with the ACK Farming agricultural unit.
Biofertilizer limitation	The lagoons shall be used only for compliant PAS110/end-of-waste biofertilizer/biofertiliser and runoff from the approved impermeable agricultural slab, and shall not be used for raw slurry, sewage sludge, waste material, fuel for a biomass boiler, waste from a biomass boiler, or waste from an anaerobic digestion system.
Certification and records	Records confirming the certification and end-of-waste status of biofertilizer delivered to the site, together with quantity and application records, shall be retained and made available to the LPA or relevant regulator upon reasonable request.
No indefinite storage	Biofertilizer/biofertiliser shall be held only for agricultural use in accordance with the farm's nutrient management requirements and shall not be stored indefinitely with no prospect of use.
Bunding and seeding	The bunds shall be seeded/landscaped in accordance with details to be approved or as shown on the submitted plans, and retained thereafter.
No external lighting	No external lighting shall be installed unless details have first been submitted to and approved by the Council.
Runoff management	Runoff from the impermeable slab shall be directed to the lagoon system and no uncontrolled discharge of dirty water/runoff from the slab shall take place.
Construction management	Construction shall be carried out in accordance with an approved Construction Environmental Management Plan where required, including measures for working hours, mud, dust, fuel storage, spill response and water protection.

These controls would provide a clear and enforceable framework while still recognising that the development is agricultural infrastructure reasonably necessary for the purposes of agriculture within the unit.

15. Overall conclusion

The revised application has been prepared to address the Council's previous decision under application 25/1245/AGR. It makes three important changes.

First, the works have been relocated onto the western field, which is plainly agricultural land and is regularly cropped. The Cropping Report records Pioneer as forage maize in the 2026 season. This removes the previous question about whether the application site was agricultural in character.

Second, the application now provides a much fuller agricultural and functional justification. The proposal is a hub site serving the Elms Farm/Pioneer/Talygarn region of the wider ACK Farming holding. It is required to bring this part of the holding up to a modern standard for nutrient, nitrate, soil and runoff management. The Manure Management Plan, Soil Management Plan and Cropping Report demonstrate the scale of the unit, the cropped land base, the livestock context and the nutrient-management requirement. The development is therefore reasonably necessary for agriculture within the unit.

Third, the application now addresses the biofertilizer/end-of-waste issue directly. The lagoons will not store raw slurry, sewage sludge or waste. They will store only compliant PAS110/end-of-waste biofertilizer/biofertiliser and runoff from the approved agricultural slab. Current certification and delivery/application records can be required and retained. The previous 400m concern is therefore capable of being resolved by the evidence and by a clear operational condition.

The Special Landscape Area issue has also been fully addressed. The proposal is adjacent to the operational Forest Wood Quarry and close to the M4 corridor. Views into the site are limited. Any views from the M4 are oblique, transient, heavily filtered by embankment vegetation and experienced at speed. The scheme is ground-based, low-profile, agricultural in purpose, reduced in hardstanding area, capable of mitigation through seeded bunds, and contains no lighting or urbanising features. It will not appear as an intrusive or incongruous feature in the landscape.

For these reasons, the development falls within Part 6, Class A of Schedule 2 to the GPDO and is reasonably necessary for the purposes of agriculture within the unit. The Council is therefore respectfully requested to confirm that the development benefits from permitted development rights and that prior approval is not required. In the alternative, if the Council considers that prior approval is required for siting or design matters, prior approval should be granted subject to proportionate controls.

Reference documents integrated into this statement

The following documents have been referenced within the above statement:

- ACK Farming Cropping Report by Crop - Season 2026.
- ACK Farming Manure Management Plan - Annual Report dated 02/08/2025.
- ACK Farming Soil Management Plan - Annual Report dated 01/08/2025.
- C2J Architects drawings SK20 and SK21.
- Rhondda Cynon Taf County Borough Council report for application 25/1245/AGR.
- Natural Resources Wales guidance: End of waste
- The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.