

Agenda Item 5

DATE WRITTEN	7th November 2025
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CASE OFFICER	Gareth Davies
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	19th November 2025

Application No.
P/22/0284

Date
31st October 2022

Determining Authority
MTCBC

Proposed Development

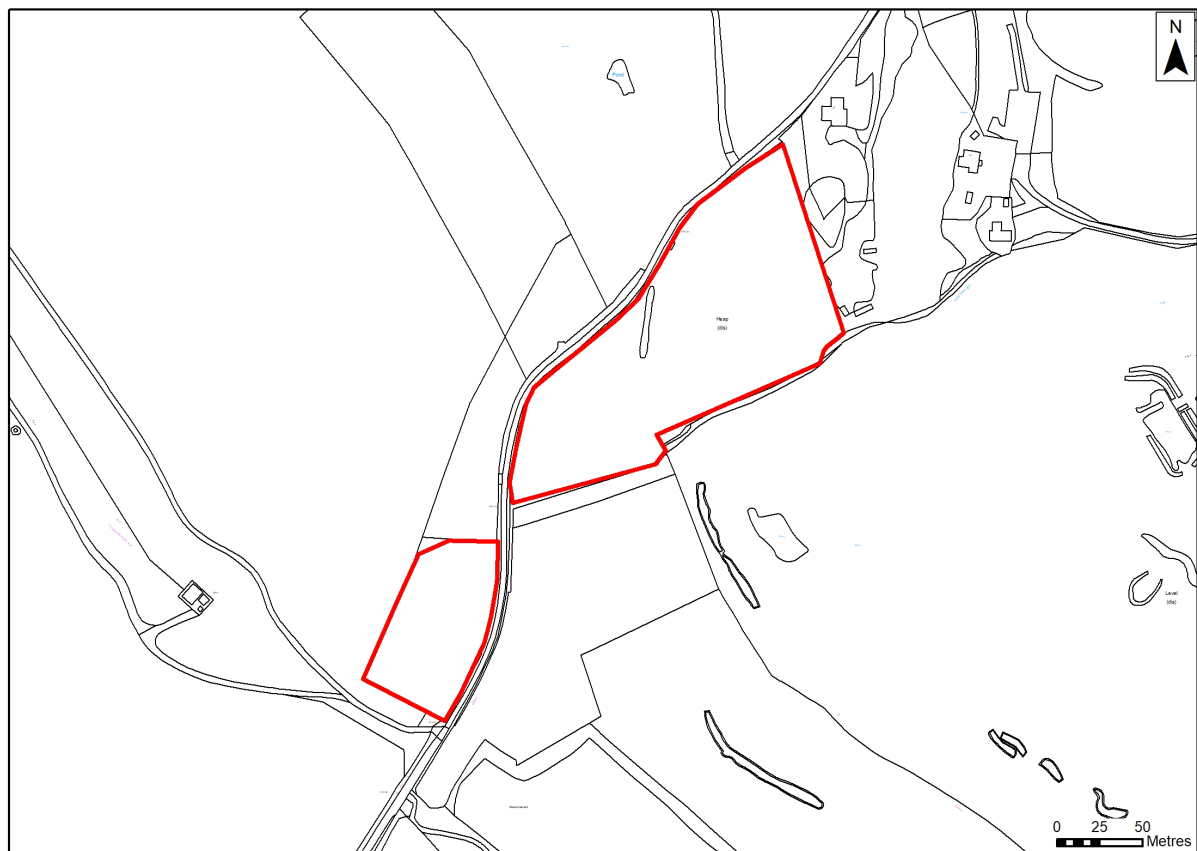
Location

Name & Address of Applicant/Agent

Change of use of land for the keeping of horses including erection of stables (proposed) and grading of land to form level area for animal welfare (retrospective)

Land to the South West of 152 Heolgerrig
Heolgerrig
Merthyr Tydfil

Mr M Edwards
c/o Mr Craig Jones
JCR Planning Ltd
Units 2-3 Cross Hands
Business Park
Heol Parc Mawr
Cross Hands



P/22/0284

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APPLICATION SITE

The application site is located in the open countryside to the south of the main settlement of Heolgerrig and to the south-west of No. 152 Heolgerrig, being the nearest residential property. The site is split into two distinct parcels of land, with the north-east part measuring approximately 1.95 hectares and the southern-west part measuring 0.58 hectares, both of which adjoin an access lane that links to Heolgerrig. The immediate surroundings largely consist of undeveloped land comprising a mixture of open fields, woodland and areas of scrub vegetation.

The north-east part of the site comprises an area of land that generally slopes down from north-west to south-east, part of which has been subject to re-profiling works to create a plateau. It is evident within this part of the site that the ground consists of tipped hardcore materials which has been naturally reclaimed over time with vegetation established in places. Parts of the site have also been subjected to fly tipping. There is a gate entrance along the north-west boundary which provide access directly on to the adjoining lane.

The area of land to the south-west comprises an area of open grassland with sporadic bushes and trees, which is enclosed by a post and wire mesh fence. Access to this field is via a gated entrance off the adjoining lane.

The Cwm Glo and Glyndyrys SSSI (Site of Special Scientific Interest) and Cwm Glo SINC (Site of Importance for Nature Conservation) lies to the south-east of the site, the Winchfawr West SINC lies to the north-west of the site, with the Gethin Forrest SINC to the South.

PROPOSED DEVELOPMENT

Full planning permission is sought for the proposed change of use of the land for the keeping of horses and the construction of a stable block on the larger parcel of land to the north-east of the site. Retrospective permission is also sought for the re-grading of the land in the north-east part of the site to form a plateau which is intended to accommodate the stable block. The total area of land utilised for the keeping of horses would cover some 2.53 hectares of land.

The stable would have dimensions of 25.8m wide x 5.25m deep and would be 3.2m high at the highest part of its mono-pitch roof. The building would comprise five stables, a hay feed storage room and tractor storage. The building would be finished in dark green box profile sheeting to the walls and roof with translucent fibreglass sheet rooflights. The stable doors would be timber and the internal floor would be finished in compacted hardcore, with scalping's around the stable building across the plateau. Access to the stables would be via the existing gated entrance off the adjoining lane and access to the surrounding fields would be via the existing field gates.

Part of the land adjacent to the lane where the proposed stable building is to be located has already been subject to re-profiling works. Whilst sections details have not been provided it is evident on site that the land is at a similar level to the lane and where the land slopes away to the south-east the plateau has been raised approximately 3m to 5m and incorporates a sloped embankment with some vegetation now established across it.

With exception to the plateau and stable building, the remaining areas of the application site shall remain undeveloped and would only be used for the keeping of horses.

Due to the size of the site, which exceeds 1 hectares in area, the application constitutes major development, albeit only a small portion of the land would be developed. Accordingly, the application is supported with a Pre Application Consultation (PAC) Report.

PLANNING HISTORY

There is no relevant planning history relating to the application site.

CONSULTATION

Head of Engineering and Highways	-	No objection
Planning Policy Officer	-	No objection
Council Ecologist	-	No objection subject to conditions relating to precautionary working and management.
Environmental Health Manager	-	No objection subject to conditions relating to construction hours, dust and waste management.
The Coal Authority	-	No objection
Heneb	-	No objection
Natural Resources Wales	-	No objection

PUBLICITY

In accordance with the Town & Country Planning (General Development Procedure) (Wales) Order 2012, neighbour notification letters were sent on 02.11.2022, site notices displayed within the vicinity of the site on 30.11.2022 and a press notice published in the local newspaper on 17.11.2022. No representations have been received a result of this publicity exercise.

Furthermore, it is noted that no local representations were received in response to the statutory Pre-Application Consultation undertaken by the applicant prior to the submission of the application as indicated in the PAC report.

PLANNING POLICY

National planning context

Future Wales 2040 The National Plan:

Future Wales provides guidance on matters relevant to this application, including, but not limited to: -

- Policy 1 - Where Wales will grow.
- Policy 2 - Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 4 – Supporting the rural economy.
- Policy 33 – National Growth Area – Cardiff, Newport, and the Valleys

Planning Policy Wales (Edition 12, February 2024) sets out Welsh Government's requirements on matters relevant to this application:

Paragraph 2.8: Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. This can be done through maximising their contribution to the achievement of the seven well-being goals and by using the five Ways of Working, as required by the Well-being of Future Generations Act. This will include seeking to maximise the social, economic, environmental, and cultural benefits, while considering potential impacts when assessing proposals and policies.

Paragraph 3.3: To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.

Paragraph 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.

Paragraph 5.6.1: The rural economy must develop a wide base if it is to be adaptable and resilient to the challenges it faces now and in the future. Events such as the climate emergency, the coronavirus pandemic and exiting the European Union all bring economic and societal uncertainty, and the ability to respond flexibly to these issues will be key to the future success of rural areas.

Paragraph 6.3.13: Special landscape Areas (SLA) are non-statutory designations that define local areas of high landscape importance, which may be unique, exceptional, or distinctive to the area. Planning authorities should apply these designations where there is good reason to believe that normal planning policies cannot provide the necessary protection.

Paragraph 6.3.17: Some statutory Sites of Special Scientific Interest (SSSIs) are also designated for their nationally important geological or geomorphological features, and planning authorities have a duty to further the conservation and enhancement of those features.

Paragraph 6.4.40: Where trees, woodland and hedgerows are present, their retention, protection and integration should be identified within planning applications.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are:

- TAN 5 – Nature Conservation and Planning
- TAN 12 – Design
- TAN 18 - Transport
- TAN 23 – Economic Development

Local planning context

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

The relevant LDP Objectives are:

- LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.
- LDP Objective 5 Infrastructure: To ensure that community infrastructure and open space support the regeneration of local communities.
- LDP Objective 6 Sustainable Design: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.
- LDP Objective 10 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.

The following development plan policies would apply:

- Policy SW4: Settlement Boundaries
- Policy SW11: Sustainable Design and Placemaking
- Policy CW1 The Historic Environment
- Policy EnW1: Nature Conservation & Ecosystem Resilience
- Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- Policy EnW4: Environmental Protection
- Policy EnW5: Landscape Protection

The following Supplementary Planning Guidance (SPG) is applicable:

- Guidance Note 4: Sustainable Design (July 2013)
- Guidance Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The key determining factors in the consideration of this planning application are compliance with planning policy, the design of the proposal, its impact on the character and appearance of the open countryside and surrounding landscape, its impact on the amenity of those living nearby, compliance with transport requirements and compliance with ecological considerations.

Principle of development

The application site is located outside of the settlement limits as defined by Policy SW4 of the LDP, where proposals in such locations are considered to be “countryside development”. Development in the countryside is strictly controlled and will not be permitted unless it relates to proposals that meet one of the stated exceptions contained within the policy. This includes development that is for tourism, recreation or leisure facilities or complimentary development where the need for a countryside location is fully justified. The stabling and grazing of horses is considered to meet this particular exception.

The keeping of horses for recreational purposes in a countryside location, where the horses have access to open grassland is acceptable in principle and would meet the criteria of Policy SW4 of the LDP. Additionally, due to the sloping nature of the site and surrounding area, it would not be deemed unreasonable for part of the land to be reprofiled to provide a relatively flat area to accommodate the siting of the stable building, access and workable area for the keeping of horses. Accordingly, the principle of development is acceptable, subject to it compliance with other relevant LDP policies.

Design & Amenity Impacts

The siting of the stable building in a countryside location on the urban fringe of Heolgerrig is deemed to be appropriate and not uncharacteristic of the area, where you might reasonably expect to see such buildings. The stable would be located close to the north-west boundary where the development would be partly screened by the existing hedgerow. Its siting also minimises the extent of the hardstanding area required for access directly off the adjoining lane. It is also acknowledged that there is a stable block of a similar design to the proposal located to the north of the site.

The proposed stable is of a typical single storey design utilising materials finishes that are common for such buildings. As such, its scale, height, massing, elevational treatment, and general detailing are appropriate to the countryside location. Though located within a Special Landscape Area, the building integrates effectively with the wider environment. The use of green cladding helps to blend the building into the landscape as does the single storey nature of the building itself, allowing it to be screened by the surrounding vegetation. Additionally, the building and plateau would be read against the backdrop of the mountain slope over longer distances and importantly, at no point would the appearance of the stables pierce the skyline.

The change in levels brought about by the creation of the plateau area does not have any great effect on the wider landscape as it is to a large extent hidden by existing planting around the site. Any impact over time would be lessened by the proposed planting along the south-east embankment, which would also further reinforce the natural features within the landscape.

It is acknowledged that the development is located within a designated Landscape of Outstanding Historic Interest. However, for the above reasons, it is considered that the siting and design of the stable building would sensitively integrate with its surrounding landscape and would not be an uncharacteristic feature. Additionally, Heneb (formerly Glamorgan Gwent Archaeological Trust) have raised no concerns in respect of any impact on the historic environment.

In terms of the impact on local residential amenity, the site is located approximately 150m away from the main settlement of Heolgerrig. However, there are two dwellings in close proximity of the site, being 152 Heolgerrig, which borders the application site to the north and 151 Heolgerrig to the north-east. Given the nature of the proposal, its small scale and its proximity away from the neighbouring properties, the development would not have an unacceptable overbearing impact or adversely impinge on privacy. In this regard it is acknowledged that no objections have been received following the publicity exercise.

Accordingly, the development is deemed to be of an appropriate design and would not adversely impact on the qualities of the surrounding environment. Nor would it adversely impact on the amenities of neighbouring occupiers. As such the proposal complies with Policies SW11 and CW1 of the LDP.

Transport

The proposed access serving the development would be via the adjoining lane utilising the existing gated entrances. The highway itself is generally narrow and restricted to single lane traffic movements with occasional opportunities for vehicles to pass in sections where the lane widens. There appears to be limited traffic movements along the lane which serves a small number of residential properties and stables to the north. There appear to be no other properties further along the lane to the south, although the lane is also utilised by pedestrians and cyclists given that it provides access to the open countryside.

The Head of Engineering and Highways has considered the impacts of the proposals in terms of access, visibility, circulation, and parking and no highway safety concerns have been raised. Though the lane is narrow it is lightly used and has sufficient visibility for access/egress. The layout of the development would accommodate sufficient space to enable vehicles to enter and leave the site in a forward gear. Additionally, the nature of the proposed development is such that it would only be likely to add marginally to the traffic movements along the lane. As such the proposal complies with the requirements of Policy SW11 of the LDP.

Ecology

The application site is surrounded by and is central to the meeting point of the Cwm Glo and Glandyrus SSSI and Cwm Glo SINC (to the south and east); the Gethin Forest SINC (to the south) and Winchfawr West SINC (to the west). It is noted that the north-east part of the application site, where the primary element of the proposed development is located, falls outside of the above mentioned designations. However, the south-west part of the site, being a field to be used for grazing, lies within the Winchfawr West SINC.

In support of the application a series of survey reports have been submitted, which includes an Ecological Appraisal, Biodiversity Enhancement Plan, Preliminary Ecological Appraisal, and a Biodiversity Measures drawing setting the proposed ecological enhancements.

It has been noted in the Preliminary Ecological Appraisal (PEA) that the habitats present on site include broadleaved semi-natural woodland, mixed plantation woodland, dense and scattered scrub, marshy grassland, areas of bare ground and water features. The PEA considers the mosaic of habitats within the site to have potential to support a range of

protected species including, badgers, birds, bats, reptiles and amphibians. The PEA indicates the site is deemed to be of moderate local ecological value and habitats within are relatively widespread throughout the wider landscape.

The report notes that there are no trees to be removed in order to accommodate the development, although some areas of scrub would be lost. However, this would be mitigated through the planting of trees along the embankment to the east of the stable building. The existing hedgerow which runs alongside the lane would also be supplemented with additional planting to reinforce this habitat feature. It has also been highlighted that there is Invasive Non-Native Species (INNS) within the site (i.e. buddleia) which would be removed to improve the quality of the environment.

The existing trees and hedgerows within the site would remain unaffected by the proposal, given the limited area where the development would be located. As such, no significant impact to protected species have been identified. It is noted that there is some potential for badgers to create setts in the broadleaved woodland area and that a precautionary approach can be taken to minimise any potential disturbance. Although reptiles were not noted within the site, the habitats identified nonetheless provide a suitable environment and so any site clearance should take appropriate precautions. Similarly, there is potential to cause some disturbance to nesting birds and bats within the site. Given that the trees and hedgerows are to be retained, there would be minimal impact to birds and bats. The PEA indicates any external lighting should be minimised to maintain dark areas for roosting and foraging. In this respect, no external lighting is proposed.

The Biodiversity Enhancement Plan sets out the features to be introduced into the site, which includes enhancements to the existing hedgerows and the planting of 10 feathered whips with a mixture of species along the eastern embankment. Additionally, 3 bat boxes would be attached to the side and rear elevations of the stable building. Reptile refugia would be provided on the land to the south-west of the stable building. In respect of invasive species, it is advised that this be removed from the ground and burned on site or take away to a licensed waste facility.

It is considered that the proposed development would not result in an adverse impact on protected species or their habitats and would not adversely affect the surrounding designated SINC's and SSSI. In this regard the Council's Ecologist has not raised any objection to the development and has recommended conditions be imposed in relation to habitat management and the implementation of the enhancement measures. Furthermore, it is acknowledged that Natural Resources Wales have not raised any concerns with the proposed development. As such the proposal complies with the requirements of Policies EnW1 and EnW3 of the LDP.

Ground conditions

It is acknowledged that the site lies within an area that has been identified by the Mining Remediation Authority (formerly The Coal Authority) to be at high risk to past coal mining activities. In this instance, given the scale and nature of the development, the Mining Remediation Authority have not raised any significant concerns. Notwithstanding this, it is noted that the plateau consists of made ground and no details have been provided to demonstrate it is suitably stable to accommodate the development. As such, further details on the ground stability can be secured by condition prior to any further works proceeding,

which shall be prepared by a suitably qualified engineer. It is considered that the development of the site does not pose any significant health and safety concerns and that appropriate engineering solutions can be implemented to address any potential stability issues. Therefore, the development complies with Policy EnW4 of the LDP.

CONCLUSIONS

The duty to improve the economic, social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle, under Section 3 of the Well-Being of Future Generations Act 2015 ("the WBFG Act) has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out in Section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by Section 8 of the WBFG Act.

For the above reasons, the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents.

- Elevations, Floor Layout, Location and Block Plan, drawing no. GENPL/209/001 Rev 1F June 2025
- Ecological Appraisal Report by I&G Ecological Consulting March 2023 amended February 2024
- Biodiversity Enhancement Plan by I&G Ecological Consulting March 2023 amended February 2024
- Biodiversity Measures Plan drawing no. BIOPL/2079/001 Rev 1F Received 20th August 2025

Reason - To ensure compliance with the approved plans and clearly define the scope of the permission

3. Site preparation and construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 13:00 on Saturdays and not at all on Sundays or Public Holidays.

Reason - In the interest of local amenity in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

4. **No development shall take place** until a detailed Landscape/Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include:

- Badger Walk Over Survey setting out any precautionary measures;
- Precautionary Working Method Statement for reptiles and amphibians;
- Grassland fungi survey setting out any precautionary measures;
- Details of the proposed planting including hedgerow enhancement;
- Programme for the implementation of the landscape and habitat enhancements as set out in Biodiversity Enhancement Plan (Dated February 2024) and the Biodiversity Measures Plan (Dwg No. BIOPL/2079/001 Rev 1F);
- Monitoring scheme.

The development shall be carried out in accordance with the approved details in full throughout the life of the development.

Reason - In the interests of delivering net benefit for biodiversity in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the beneficial use of the stables or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. **No development shall take place** until section details indicating the finished ground levels of the raised plateau has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - In the interest of amenity in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. **No development shall take place** until a certificate from an appropriately qualified engineer confirming the ground is stable and capable of accommodating the proposed development, has been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interest of amenity in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **Before any development or site clearance works commences on site**, a Non-native Invasive Species Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Non-native Invasive Species Strategy shall be fully

implemented in accordance with the approved details prior to the commencement of any works.

Reason - To prevent the spread and ensure the eradication of a highly invasive species to accord with Policy EnW4 of the Merthyr Tydfil County Borough Replacement Local Development Plan.

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