

DELEGATED REPORT

Application No:	P/22/0303
Site Address:	Land To The South East Of Ael-y-Bryn Trelewis CF46 6BD
Development:	Replacement of existing stables with new stable block for hobby use, sitting of 3 No. steel containers for tack and fodder storage and retention of retaining wall
Case Officer:	Nia Chard
Application Expiry Date:	5th September 2023
Consultation reply date expired:	21st December 2022

APPLICATION SITE

This application relates to a broadly rectangular parcel of land measuring approximately 0.04 hectares, the site currently houses a small stable and grazing land, with the land sloping gradually upwards from its western boundary and then rises steeply to the rear of properties in Maen Ganol.

The site is bounded to the east by the residential properties of Maen Ganol, and on the west by the former Bontnewydd Quarry. A track runs to the west of the site which provides access to the pavilion, tennis courts, bowling green and football ground to the south. The Southern boundary is defined by a footpath connecting Maen Ganol with the recreation area. The site is accessed from the north via Brondeg. The site is located within the settlement boundary.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a stable block to accommodate 6 horses, three steel containers and the retention of a retaining wall. These stables will replace a smaller existing stable which will be demolished.

The proposed stable building would measure 11.1m wide by 11m in length. Its pitched roof would measure 5.4m to the ridge and 4.2m to the highest eaves. The building would be finished in timber cladding and would have a profiled steel roof covering. The submitted plan illustrates the building would be subdivided to accommodate six stables.

Three steel containers are also proposed as part of the application which provide storage of hay, straw and tack. The containers will be located to the west of the stables and will each measure 3m wide by 6m in depth with a height of 2.4m.

The application also seeks consent for a retaining wall which has already been constructed. The retain wall is located to the east of the proposed stables and is 12m wide with a height of 1.2m. It has been constructed using pre-cast interlocking concrete block.

The applicant has confirmed that the stables would not be used for commercial purposes and would be used to shelter horses owned by the applicant.

PLANNING HISTORY

There is no relevant planning history

CONSULTATION

Head of Engineering and Highways:	No objection.
Bedlinog Community Council:	Raises an objection to the scheme. The plans are not in keeping with the rural character of the area. Also concerns about the proposed use of the building.
Planning Division's Ecologist:	Advises ecological surveys are required
Environmental Health Manager:	No objection subject to condition
Estates Manager:	No response
Coal Authority	No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice were displayed within the vicinity of the site.

As a result of the publicity exercise, 12 letter of objection and 1 letter of concern were received which raised the following concerns:

- The need for three large steel containers for tack and fodder for his two horses is excessive and an eye-sore
- Delivery of building materials travelling through Brondeg will cause damage to the road, safety issues and noise.

- Concerns have been raised regarding the noise from building the stables
- Six stables are excessive and concerns have been raised that the stables will be used for business purposes
- The land is a bat corridor and also a massive amount of wildlife within the area, this should be taken into consideration.
- The amount of floodlights that will be used will light up all the houses
- Concerns raised that the retaining wall has been constructed without planning permission, and the impact of the works on land stability

The ward councillors have been made aware of the concerns raised in the objection letters and it has been confirmed that the determination of the application can proceed under delegated powers.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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 well-being of our communities.

Planning Policy Wales (PPW) Edition 12 (February 2024) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Paragraph 3.10 states *‘In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.’*

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

TAN 5 – Nature Conservation and Planning – provides advice on how the planning system should contribute to protecting and enhancing biodiversity and geological conservation.

TAN 6 - Planning for Sustainable Rural Communities - provides guidance on the role of the planning system in supporting the delivery of sustainable rural communities.

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

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

Policy EcW10 – Sustainably Supplying Materials

Policy EcW13 – Minerals Safeguarding

- Supplementary Planning Guidance (SPGs)

Note No. 4 – Sustainable Design

Note No. 5 – Nature and Development

- Other documents consulted

Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 – 2013) - Special Landscape Areas Background Paper, June 2018.

PLANNING CONSIDERATIONS

The site lies within settlement limits and is positioned within the 'Other Growth Area' of the LDP strategy. Accordingly, the principle of development is acceptable. Therefore, the main considerations in the determination of this application is the impact of the development on the character and appearance of the surrounding area, and the impact of the development on the amenity of nearby occupiers.

Character and Appearance

The site comprises an area of grassland which currently houses a small timber stable. The introduction of large stable buildings on the site is likely to have particular visual impacts. The character of the site and location is rural in nature, forms a wider network of fields outside the established built areas.

The application seeks to introduce a 5.4m high private stable building and three steel containers to replace a small timber stable which has a maximum height of 2.5m. There has been no justification for a need to replace the existing stables with a stable of the scale proposed within this application. The proposed stable building would be of a significant scale, such that it would be clearly visible in the landscape. Its considerable size and ground coverage, combined with its height, and noticeable finish, would be a prominent and highly visible addition on the land, which would be an unwelcome intrusion into the area's semi-rural and undeveloped character, which is contrary to policy SW11.

Despite the considerable size and height of the proposed stables, the application also seeks permission for three steel storage containers which are proposed to the front of the stables which would provide storage of hay, straw and tack. These containers are typically associated with industrial premises, therefore in this setting the containers are considered to be an incongruous feature at odds with the character of the wider area. The proposal does not reflect the area, and as such, the containers are considered to have a considerable detrimental visual impact upon the character of the area they are in is considered to be contrary Policy SW11.

Residential Amenity

There are residential properties within the vicinity of the site, the closest being the properties at Maen Gilfach which are positioned approximately 60m to the north east of the site, on which development is proposed. Based on the distances maintained, and that the dwellings are at a higher level, the development proposed would not generate any increased overshadowing, loss of light, increased overlooking or loss of privacy.

Being mindful that the development would be for personal use, it is considered that the noise and disturbance generated would be no greater than a standard domestic or agricultural arrangement (with consideration given to the potential use larger machinery to move round bales of hay etc). Given the distances maintained between the proposal and closest neighbour properties, it is considered that any noise or disturbance generated would not be so detrimental to residential amenity to warrant refusal of the application on such grounds.

Ecology

Given that the proposal involves the demolition of an existing stable block the Council's Ecologist has therefore requested that a Preliminary Roost Assessment (PRA) for bats and nesting birds be submitted in support of the application. The agent was advised on 23 November 2022 this additional information was required, however this assessment has not been forthcoming. The absence of this information prevents an appropriate assessment being made, by the local planning authority, on the potential impact upon biodiversity as a result of the proposed development. As such, it fails to comply with LDP Policy EnW1.

Other matters

The site is located within the defined Development High Risk Area where there are coal mining features and hazards, and specifically likely historic unrecorded underground coal mining at shallow depth. The Coal Authority initially objected to the application as the applicant had not submitted a Coal Mining Risk Assessment Report. However, following the receipt of a Coal Mining Risk Assessment report. The Coal Authority therefore withdrew their objection to the proposed development as the report demonstrated that the application site is, or can be made, safe and stable for the proposed development.

With regard to parking and highway safety issues, the development would utilise the existing access which is within the applicants ownership. As the use is for private purposes only, in connection with the existing house, the scheme does not raise any significant highway safety concerns. Also, as mentioned above, the stable building is considered to be positioned far enough away from existing residential properties so not to cause any significant issues in terms of disturbance.

Conclusion

To conclude, there is significant concern regarding the proposed stable development and associated steel containers. As a result of their prominent siting, design, scale, height and appearance, it would be visually detrimental to the rural landscape character of the area, contrary to Policies SW11 and EnW5 of the LDP. While the scheme does not raise any highway safety concerns, the stable building would be sited in a highly visible and open location. Due to a combination of its siting, height, scale, and mass the proposal would be visually intrusive and would cause harm to the distinctive openness and landscape character.

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 (Wales) 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 at 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.

Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following REASONS:

- 1 The proposed stable building, by virtue of its prominent siting, design, scale, materials and height, would form a discordant and incongruous feature within the landscape. This would be detrimental to the character and appearance of the wider area. As such, the proposal is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
- 2 The proposed containers are incongruous features which are at odds with the character of the wider area. As such the proposal is contrary to Policy SW11 of the Merthyr Tydfil Borough Council Replacement Local Development Plan.
- 3 No information has been provided to demonstrate that the development would not cause any significant loss of habitats or populations of species, locally or nationally. As such the proposal is contrary to Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 26.03.2024