

INTERNAL MEMORANDUM

To: David Cross - Development Management Case Officer

Reference: P/20//0091

From: Planning Policy and Implementation Section

Ask for: Natasha Lade

Extension: 6220

Date: 19th May 2020

Policy observations in respect of the request for advice on planning application number P/20/0091 on land at Crophorne Stables, Shingrig Road, Trelewis, Treharris Merthyr Tydfil, CF46 6DP.

Policy observations

1. Proposed Development

An application has been submitted for the proposed erection of an indoor ménage building (an indoor riding arena), installation of a horse-walker and the retention of an area of hardstanding on land at Crophorne Stables, Shingrig Road, Trelewis, Treharris, Merthyr Tydfil. The application comprises a resubmission following refusal of P/19/0302.

2. Development Plan Framework

National Planning Policy

Planning Policy Wales (Edition 10, December 2018)

Planning Policy Wales provide guidance on matters relevant to this application, namely:

- Strategic & Spatial Choices: Placemaking in Rural Areas (paragraph 3.34); Good Design Making Better Places (paragraphs 3.5-15); Promoting Healthier Places (paragraphs 3.19 - 23) and Previously Developed Land (paragraph 3.51).
- Active and Social Places: Sustainable Transport (Paragraph 4.1.10); Active Travel (paragraph 4.1.30) Traffic management (paragraphs 4.1.43-55) and Recreational Spaces (paragraph 4.5.1).
- Productive and Enterprising Places: The Rural Economy (paragraph 5.6.1) and Sustainable Buildings (Paragraphs 5.8.1 -6).
- Distinctive and Natural Places: Integrating Green Infrastructure and Development (Paragraph 6.2.4 & 5); Landscape (paragraph 6.3.3); Maintaining and Enhancing Biodiversity ;(paragraph 6.4.21- 6.4.26) .Development and Flood Risk (Paragraph 6.6.27) and Framework for Addressing Air Quality and Soundscape (Paragraphs 6.7.6-8, 14 & 26).

Technical Advice Notes:

- **Technical Advice Note TAN 18: Transport** (March 2007)
- **Technical Advice Note TAN 5: Nature, Conservation and Planning** (September 2009)
- **Technical Advice Note TAN 10: Planning for Sustainable Rural Communities** (July 2010)
- **Technical Advice Note 12 Design** (March 2016)

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

The relevant LDP Objectives are: -

- *LDP Objective 6: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.*
- *LDP Objective 7: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 10: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 11: To protect and enhance the character and appearance of the landscape and countryside.*
- *LDP Objective 13: To strengthen and diversify the rural economy.*
- *LDP Objective 15: To support Sustainable Tourism, Leisure and Recreation developments and encourage an all year-round tourism industry and*
- *LDP Objective 18: To promote the efficient use of resources and ensure an integrated network of waste management facilities.*

The following replacement local development plan policies apply: -

- *Policy SW4: Settlement Boundaries.*
- *Policy SW11: Sustainable Design and Placemaking.*
- *Policy SW12: Improving the Transport Network.*
- *Policy EnW1: Nature Conservation and Ecosystem Resilience.*
- *EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation Interest, Local Nature Reserves and Priority Habitat and Species.*
- *Policy EnW4: Environmental Protection.*
- *Policy EnW5: Landscape Protection.*
- *Policy EcW7: Tourism, Leisure and Recreation.*
- *Policy EcW10: Sustainably Supplying Minerals and*
- *Policy EcW13: Minerals safeguarding.*

The following Supplementary Planning Guidance is also applicable: -

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013).*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015).*

3. Policy Considerations

The Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031) has now been formally adopted by the Council. The proposal has therefore been considered against the policies contained within it.

The application site is located outside of a defined settlement boundary, where RLDP Policy SW4 regards development proposals as 'countryside development'. Such development is unacceptable in principle unless it can be justified for the purposes of a number of specific criteria including association with a rural enterprise, supporting the expansion of an existing business, or is for a tourism, recreation or leisure facility where the need for a countryside location is fully justified and subject to the proposals being compatible with the Plan's other policies and all other material considerations.

Although the proposed development can be considered to be an expansion of an existing business to provide a year-round all-weather horse-riding and training facility, the provision of this recreation/leisure facility within a countryside location, nevertheless needs to be 'fully justified' in accordance with Policy EcW7. This Policy favours low-impact development which minimises environmental and amenity impacts whilst maximising the positive effects on the local community and environment and is of an 'appropriate' scale to its surroundings. These criteria apply equally to the associated development including installation of a horse-walker and the retention of the area of hardstanding.

Regard should be had therefore to RLDP Policy SW11: Sustainable Design and Placemaking which advises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. It states that where appropriate, new development will be required, amongst other things, to:

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density.
- not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design.
- contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected.
- allow access for the widest range of people possible and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.
- Incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques.
- minimise the demand for energy and utilise renewable energy resources.
- provide and protect utility services and infrastructure without causing any unacceptable environmental impacts.
- incorporate measures to improve ground and surface water quality wherever possible and
- provide adequate facilities and space for waste collections and recycling.

RLDP Policy SW12 recognises the Transport Hierarchy as outlined in PPW10 which supports development that encourages a modal shift towards sustainable transport and therefore development proposals will be expected to demonstrate how they will reduce the need to travel and encourage the use of sustainable transport. The Celtic Trail also runs along the western boundary of the site. In the light of this the views of the Highways and Drainage Engineer should be sought.

The application site is also situated adjacent to a Site of Importance for Nature Conservation (SINC 56 Nant Caiach) so Policy EnW3 is of relevance and the views of the Council's Ecologist should be sought.

RLDP Policy EnW4 states that development proposals will be required to demonstrate that they would not result in an unacceptable impact on people, residential amenity, property, and / or the natural environment from either:

- Pollution of land, surface water, ground water and the air.
- Land contamination.
- Hazardous substances.
- Land stability.
- Noise, vibration, dust, odour nuisance and light pollution; or
- Any other identified risk to public health and safety.

To this end the views of the Public Health Officer should be sought. Where impacts are identified the applicant should be required to demonstrate that appropriate measures can be incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed, or legal obligation requested to secure any necessary mitigation and monitoring procedures both during and post construction.

RLDP Policy EnW5 provides a wider landscape protection policy which should also be considered. Amongst other things the Policy states that development proposals will be permitted where it can be satisfactorily demonstrated that:

- It would not cause unacceptable harm to the character and quality of the landscape setting of the County Borough,
- development will safeguard the local landscape character of the landscape and landscape features, including views, which make a significant contribution to the character, history and setting of the locality,
- development secures the enhancement of the character, appearance, and quality of the landscape, through restoration, management, or enhancement where possible, and
- where damage to local landscape character cannot be avoided appropriate mitigation has been secured.

Given that there is mature vegetation including trees within proximity of the application site, the views of the Council's Landscape Architect should also be sought.

Finally, the application site is also situated within a Mineral Safeguarding area, regard should therefore be had to Policies EcW10 and EcW13.