

DELEGATED REPORT

Application No: P/19/0177

Site Address: Land At The Paddocks
Nant-y-Fedw
Bedlinog
CF46 6UF

Development: Creation of horse exercise area

Case Officer: Rebecca Owens

Site Visit: 17th July 2019

Application Expiry Date: 12th October 2020

Consultation reply date expired: 8th September 2020

APPLICATION SITE

The application relates to a field (and access track) which forms part of a much larger farm holding of 49 hectares, which is used for mainly cattle, pigs and horses. It is outside of the settlement boundary and falls within a designated Site of Importance for Nature Conservation (SINC 31 Nant Cwm Fedw) and a Special Landscape Area. The field is accessed from an existing track to the north via a gate and has a sloping profile with the land falling from the west to the east.

PROPOSED DEVELOPMENT

Full planning permission is sought for the creation of a horse exercise area which would be almost rectangular in shape but with sides of varying lengths ranging externally from 29.15m to a maximum of 34.6m. Due to the sloping profile of the ground the horse exercise area would be retained with gabion baskets to create a flat surface area. The retaining works would vary in height with the maximum height being 2m.

The gabion baskets which would be visible outside of the horse exercise area (the eastern elevation and sections of the north and south elevations) would be screened by a proposed hedge (with six trees also planted adjacent to the eastern elevation).

The surface of the exercise yard would be formed from compacted subsoil, a base level of compacted well graded aggregate and a top layer of loose, well drained wood chips/shaving and sand dust.

Where the existing fenceline is removed due to the above works, new sections of post and wire fence are proposed on top of the gabion baskets.

The horse exercise area would be for the exclusive use of horses on the farm and owned by the applicant. It would not form part of a wider commercial business that would result in horses being brought to the area to use this facility.

PLANNING HISTORY

The relevant planning history is detailed below:

P/18/0360 Erection of barn
 Granted planning permission subject to conditions on 22 January 2019

CONSULTATION

The following bodies were consulted and their responses are presented below:

Engineering & Traffic Group Leader	No objection
Planning Division's Policy Group Leader	No objection
Planning Division's Ecologist	No objection
Planning Division's Landscape Architect	No objection
Environmental Health Manager	No objection subject to conditions

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and two site notices were displayed within the vicinity of the site

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

Local Planning Policy

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

- SW4: Settlement Boundaries.
- SW11: Sustainable Design and Placemaking.
- SW12: Improving the Transport Network.
- 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.
- EnW4: Environmental Protection.
- EnW5: Landscape Protection.
- EcW10: Sustainably Supplying Minerals; and
- EcW13: Minerals safeguarding.

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

National Planning Policy

Planning Policy Wales (Edition 10, December 2018) provides guidance on matters relevant to this application, namely:

- Strategic & Spatial Choices: Good Design Making Better Places (paragraphs 3.5-15 and Placemaking in Rural Areas (paragraph 3.34 & 5).
- Active and Social Places: Sustainable Transport (Paragraph 4.1.11 & 4.1.16).
- Productive and Enterprising Places: (paragraphs 5.02); The Rural Economy (paragraphs 5.6.6 & 7).
- 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).

The following Technical Advice Notes are also of relevance:

- Technical Advice Note TAN 18: Transport (March 2007).
- Technical Advice Note TAN 5: Nature, Conservation and Planning (September 2009).
- Technical Advice Note TAN 6: Planning for Sustainable Rural Communities (July 2010).
- Technical Advice Note 12 Design (March 2016).

PLANNING CONSIDERATIONS

Principle

The application site is located outside of a defined settlement boundary, where 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. In this respect, the proposal would provide a leisure and recreation facility (albeit for personal use) for the applicant which is in line with this criteria. In addition, horse exercise areas such as this are typically found outside of, or on the edge of settlements in more rural, countryside locations and are generally acceptable. On this basis, the proposal is considered to be in accord with Policy SW4 of the LDP.

Visual amenity

As noted above, the application site is located outside of the settlement limits in a countryside location that is characterised by open land, farm development and fields. Whilst the proposed exercise area, particularly with the associated retaining works would represent an engineered and manmade structure, it would be sited opposite a farmyard in which there are a number of agricultural buildings. Moreover, this type of development would typically be found outside of settlement limits within more rural areas such as this and thus it is would not be uncharacteristic within this setting. Notwithstanding this, it is also recognised that the site lies within the Gelligaer & Taf Bargoed Special Landscape Area, which is protected by Policy EnW5. The Division's Landscape Architect has therefore considered the proposal. However, he is satisfied that the soft landscaping proposal that accompanies the application, is sufficient to address and mitigate against the

impact the proposal would have on the character of the landscape area. As such, he has not raised any objection to the proposal.

Residential amenity

Despite the rural location of the site there are a number of residential properties in relatively close proximity. Notwithstanding this, the proposed horse exercise area would be sited a sufficient distance from these as to prevent any significant impact. Notwithstanding this, it is recognised that external lighting is sometimes used to illuminate such facilities, which could potentially impact neighbouring occupants. However, no lighting is proposed as part of this application and as such would require a separate planning application. Consequently, the development is in accord with Policy SW11 of the LDP. It is also noted that no representations were received following the publicity exercise.

Ecology

The development would result in the loss of an area of improved grassland which is currently utilised as grazing land. Whilst this lies within a Site of Importance for Nature Conservation (SINC 31 Nant Cwm Fedw), the ecological report submitted with the application has indicated that no habitats of significant ecological value were identified on site or directly adjacent to it. As such, it concluded that the proposed works would have no impact on the SINC. In addition, the report has recommended enhancement measures in the form of two bat boxes and two bird boxes and the creation of a shallow pond. This information has been considered by the Division's Ecologist who is satisfied with the proposal subject to the implementation of the recommendations and enhancement works outlined in the aforementioned report. This can be achieved via condition.

Parking and Highway Safety

The horse exercise area would be accessed off an un-adopted road, which is narrow in parts and with a poor surface. Moreover, it would not have any designated parking area to serve it. However, the facility would be for the use of horses owned solely by the applicant that are already on the wider farm. It would therefore not be associated with any commercial use, which may result in increased traffic and parking demands from visiting clients. As such the proposal would not have an adverse impact on highway or pedestrian safety. In this respect it is noted that the Engineering and Traffic Group Leader has not raised any objection to the development.

Other considerations

The application site is situated within a Mineral Safeguarding area, and consequently, regard should be had to Policies EcW10 and EcW13. However, given the nature of the development proposed it is not considered that it would have a significant impact on the possible future working/extraction of the resource and as such would not be contrary to these policies.

Conclusion

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 APPROVED subject to the following **CONDITIONS:**

CONDITIONS/REASONS:

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:

Drawing Title: Existing & Proposed Section Lines A/A & B/B, Drawing Number: hdw.ph.mk2.03, Amended Plan Received on 1 July 2020.

Drawing Title: Proposed Site Plan & Landscaping Scheme, Drawing Number: hdw.ph.mk2.04, Amended Plan Received on 1 July 2020.

Drawing Title: Proposed Elevations of Boundaries, Drawing Number: hdw.ph.mk2.05, Amended Plan Received on 1 July 2020.

Land at Nant Y Fedw, Bedlinog Ecological Assessment Report produced by MPS Ecology (December 2019), Amended version submitted on 17 August 2020.

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

3. The horse exercise area hereby approved, shall not be used at any time for any commercial or business use.

Reason - To clearly define the scope of this permission and the use of the horse exercise area in the interest of highway safety and residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. All planting, seeding or turfing comprised in the approved details of landscaping (drawing number: hdw.ph.mk2.04) shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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.

5. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority prior to the horse exercise area being brought into use. The landscape management plan shall be carried out as approved.

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.

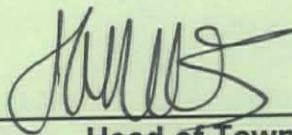
6. **Before works commence on site**, details of the shallow pond (as specified in the Land at Nant Y Fedw, Bedlinog Ecological Assessment Report produced by MPS Ecology (December 2019)) shall be submitted to and approved in writing by the Local Planning Authority. The pond area shall be completed in accordance with the approved details **BEFORE** the horse exercise area is brought into use and shall be retained in perpetuity.

Reason - To protect and enhance the natural environment and important habitats in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. In accordance with the recommendations of the Land at Nant Y Fedw, Bedlinog Ecological Assessment Report produced by MPS Ecology (December 2019), **Prior to the horse exercise area being brought into use**, 2 no. bat boxes and 2 no. bird boxes shall be erected along the tree line to the north of the site and shall remain in perpetuity thereafter.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

14/9/20