

DELEGATED REPORT

Application No:	P/20/0269
Site Address:	Land At Meadowsweet Farm High Street Trelewis
Development:	Erection of stable block for 6 horses and retention of engineering works
Case Officer:	Caroline Pulley
Site Visit:	16th November 2020
Application Expiry Date:	16th November 2022
Consultation reply date expired:	1st November 2022

APPLICATION SITE

This application relates to an irregular shaped parcel of land situated approximately 0.8 miles north of Trelewis. The site forms part of a unit which amounts to some 7.7 ha (19 acres) of which some 5.9ha (14.6 acres) is pasture/grazing land. The remaining land is woodland designated as a Site of Important Nature Conservation (SINC) and protected by a Tree Preservation Order (TPO). It is situated immediately to the west of Ty Newydd Farm and approximately 300m to the south of the entrance to Meadowsweet Farm. Vehicular access to the field is via a relatively new opening which has been created off the adjoining lane to the east (to the east of the existing agricultural building).

PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a stable block to accommodate 6 horses. The application also seeks to regularise unauthorised engineering works that have taken place around the existing agricultural building without permission.

The proposed stable building would measure 10m wide by 16m in length. Its pitched apex roof would measure 6.35m to the ridge and 2.9m to the eaves. The building would be constructed in rendered blockwork and would have a profiled sheet roof covering. The submitted plan illustrates the ground floor of the building being subdivided to accommodate four stables, a barn and store, an area for tack and the storage of food. Within the roof space, the building would accommodate storage for hay and straw.

The applicant has confirmed that the stables would not be used for commercial purposes and would be used to shelter thoroughbred horses owned by the applicant for championship eventing. In terms of access, the submitted block plan indicates that the stable building would be accessed via a gate from the northern side of the existing agricultural building. A free draining hardstand area would be provided around the perimeter of the building providing an area measuring 22m wide by 25m deep. The section details provided illustrate the undertaking of a cut and fill exercise to facilitate proposed stable building and hardstanding.

As highlighted above, the application also seeks retrospective planning permission for the provision of a hardstanding area around the existing agricultural building and the associated engineering works relating to this, which includes the raising of the land and the formation of an embankment along the southern boundary of the field. The submitted plans indicate that should this application be approved, the level of the embankment would be regraded and a new hedgerow would be planted along the southern boundary of the field. A landscaping plan has been provided with the application highlighting the planting of new trees within the site and hedgerows along part of the southern, eastern and northern boundary of the site.

PLANNING HISTORY

The history relating to the site is as follows:

P/18/0379	Retention of agricultural building Approved with conditions – 18.01.2019
P/18/0061	Erection of an agricultural building (re-submission) Approved with conditions – 18.04.2018
P/17/0301	Erection of agricultural building Refused – 08.12.2017
P/17/0147	Proposed erection of a barn (Prior Approval) Refused – 13.06.2017

CONSULTATION

Head of Engineering and Highways:	No objection.
Planning Division's Landscape Architect:	Advises that the site falls within Special Landscape Area (SLA) 4: Gelligaer and Taf Bargoed. Advises that the proposed development extends previously consented development on open land and is contrary to Policy which seeks to maintain open character and restrict/contain development on fringes of the area. Following receipt of a landscaping plan, it was noted that the proposed hedgerow requires detailed specification.

Bedlinog Community Council:	No response.
Welsh Water:	No objection.
Planning Division's Ecologist:	Advises no ecological surveys are required, however, on-site enhancement measures should be provided in accordance with the Environment (Wales) Act 2016.
Environmental Health Manager:	No response.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a letter was sent to a neighbouring farm and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

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 11 (February 2021) 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.'*

Paragraph 3.38 advises that *'the countryside is a dynamic and multi-purpose resource... and it must be conserved, and where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of local communities and visitors.'*

Paragraph 3.60 sets out guidance in relation to development in the countryside. It states *'...new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new*

development should be of a scale and design that respects the character of the surrounding area.'

Paragraph 6.3.12 advises that local landscapes should be valued and conserved through the planning process. It advises that this may include policies for landscape features, characteristics and qualities of local significance, and the designation of Special Landscape Areas (SLAs).

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.

Paragraph 6.2.1 states that 'When preparing development plans and considering planning applications, planning authorities should consider the quality of agricultural land and other agricultural factors and seek to minimise any adverse affects on the environment'.

Paragraph 6.11.1 states in relation to development involving horses that '*Land can be said to be used for "grazing" if horses are turned on to it with a view to feeding them from it, but not if they are kept on it for some other purpose (such as exercise or recreation), when grazing is seen as completely incidental and inevitable.*'

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 – 2033) - Special Landscape Areas Background Paper, June 2018.

PLANNING CONSIDERATIONS

The applicant owns 5 fields around the application site. There is an existing access off the road leading to a hardstand area and a large agricultural building (the latter was approved planning permission under application ref: P/18/0379). The use of the building and creation of a hardstanding area have been/are subject to on-going enforcement investigations. This application seeks full planning permission for the siting of a stable block and an associated hardstanding area. It also seeks retrospective planning permission for unauthorised engineering works and the laying of a hardstand area around the perimeter of an existing agricultural building.

In terms of the impact on adjoining properties, the private stable building would be located to the west of the existing agricultural building and some distance away from neighbouring farm buildings. As such, the development would not give rise to any adverse amenity issues. Also, the unauthorised hardstanding areas and engineering works associated with the existing agricultural building would not have any adverse impact on neighbouring properties and the visual impact associated with this part of the development would be lessened by the landscaping works which are proposed as part of this application. A suitably worded condition could also control the storage of materials/vehicles/equipment (associated with the agricultural use) outside the agricultural building and this would further limit the visual impact of the proposed hardstanding area on the surrounding landscape. In terms of highway safety, the Council's Head of Engineering and Highways has not raised any objection to the application. Therefore, the proposed stable building and the engineering works and hardstanding areas associated with the existing agricultural building are deemed to be acceptable from a highway safety perspective.

Given the above, it is considered that there are two main issues to consider under this application. These are namely the principle of the proposed stable development and its impact on the character and appearance of the open countryside, including the Gelligaer and Taf Bargoed Special Landscape Area (SLA).

The site is located outside the settlement boundary and, therefore, within the open countryside as defined by Policy SW4 of LDP. This policy states that outside defined settlement boundaries proposals will be regarded as 'countryside development' and will not be permitted unless the development, amongst other things, is for tourism, recreation or leisure facilities or complementary development where the need for a countryside location is fully justified. While it is recognised that planning policy permits appropriate recreational uses in the open countryside, including horse related development, new development must be strictly controlled, and care must be taken to ensure that any development does not damage the landscape character of the area.

It is noted that the proposed stable building would be of a considerable size measuring 10m wide by 16m in length. Although being sited to the rear of the existing agricultural building, it would be positioned 12m away from the western rear elevation of the existing agricultural building and would encroach into the adjoining field, thereby resulting in the loss of agricultural land and reducing its openness, which is clearly visible when travelling along the section of the lane to the south-east of the site. The size, rendered finish,

ground coverage and height of the building coupled with further encroachment of built development into the agricultural field, would result in a prominent and highly insensitive development. When combined with the existing agricultural 'shed' it would further erode the character and quality of the Gelligaer and Taf Bargoed Special Landscape Area (SLA) contrary to Policy EnW5 of the LDP.

When considering the cumulative impact, the stable building would be sited in close proximity to the existing agricultural building and as such it could be argued that it would be somewhat hidden and thus its visual impact would be limited. However, the proposal would extend a line of development along the southern boundary of the field, which would result in further development sprawl into this part of the SLA. The SLA has been designated because of its openness, accessibility and vegetation type coverage with few trees, little habitation and lack of enclosure. The addition of the proposed stable building would not preserve this character. The cumulative impact of two large buildings spread across agricultural fields would be detrimental to the openness and character of the SLA and the open countryside, contrary to Policy EnW5 of the LDP. In addition to the above, the finish of the building and the presence of quite a large roller shutter door along its south-eastern side elevation, would make the building appear more visually prominent in the landscape and more akin to the appearance of an industrial unit rather than a modest stable unit which would be commonly found in the rural landscape. In addition to the above, it is also considered that the arguments put forward with this application for the design, scale and siting of the proposed stable building also lack sufficient justification to explain why the building cannot be located on the adjacent brownfield land and why the building has to be of this design. After all Policy EnW5 points out that in SLAs development proposals will only be permitted where, amongst other criteria, *'it can be demonstrated that 'There is no satisfactory alternative and the benefits associated with the development can be demonstrated to outweigh the harm'*.

The Council commissioned an agricultural consultant to undertake a review of the proposed stable development to aid the assessment of this application. The report prepared by Reading Agricultural Consultants highlights several issues and concerns regarding the justification for the proposed building and the suitability of the building's design. It highlights that the site application boundary (as highlighted in red on the site location plan) does not provide an adequate grazing area for four large horses (let alone the six proposed under this application). It is noted that British Horse Society grazing guidelines recommend two horses per hectare, as such, the 0.8ha site could only support 1.6 horses. While it is acknowledged that the agent has highlighted that the applicant is in the process of purchasing an additional 10 acres of land adjoining the application site (in addition to 100 acres of rented land to the east of the site), the red line boundary associated with this stable development does not provide sufficient grazing land to support the needs of the horses. Secondly, the consultant advises that the design of the proposed stables is not entirely appropriate for this type of development. It is noted that the size of the stables is larger than would generally be expected in a stable yard (exceeding the dimensions of a foaling box) and hay and bedding is to be stored on a mezzanine floor accessed by a hay loft door, which is quite uncommon in modern buildings because very few small bales of hay or straw are made and manual unloading is quite laborious. Also, the presence of a single opening and the mezzanine floor would result in inadequate airflow around and through each stable, which is likely to prejudice the horses' health. Further to this, the report highlights that the stable building features a roller shutter door which is also quite unusual for a building of this nature as roller shutter doors are noisy when opening and closing, which is likely to alarm the horses, particularly if they are thoroughbreds. The consultant also advises that the building would be located in an

exposed location, which is not well-associated with the existing building and there does not appear to be a facility for dealing with manure and waste.

The agent contends that the size of the proposed stables is in line with British Horse Society Standards and that the proposed roller shutter door is provided for convenience and security purposes and will not have an 'alarming' effect on the horses as they compete weekly in events where noise levels are significantly higher. While this is noted, a compelling explanation has not been put forward to fully explain why a stable building cannot be located in a more sensitive location on the site (i.e. on the hardstanding area located alongside the existing agricultural building). If the stable building were to be of an alternative design and located in an alternative location (i.e. alongside the side elevation existing agricultural building), it would be seen in conjunction with the existing built development and would not be as visually intrusive upon the landscape. In this case, the lack of justification for the size, design and siting of the proposed stable building would result in the development failing to meet the fundamental objective of Planning Policy Wales to protect the countryside from unjustified development. Further to this, the engineering works and associated hardstanding proposed around the perimeter of the stable building would further add to the unacceptable impact of this development. Allowing unjustified development in the open countryside would undermine its character and harm the quality of the SLA. For this reason, the proposed stable development would conflict with Policies SW11 and EnW5 of the LDP.

Other matters - Ecology

Planning Policy Wales and TAN 5 refer to the importance of the conservation of biodiversity. Having regard to the very nature of the land, a close mown agricultural field, the Council's Ecologist does not consider that ecological survey work is necessary. However, in line with the Environment (Wales) Act 2016, he has advised that should the application be approved, in addition to the proposed landscaping, there would need to be some additional on-site enhancement. This would include the provision of bat and bird boxes.

Conclusion

To conclude, there is significant concern that the proposed stable development results in an unjustified encroachment into the open countryside. Additionally, as a result of its 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 exposed and open location. Due to a combination of its siting, height, scale, and mass it would be visually intrusive and would cause harm to the distinctive openness and landscape character of the Gelligaer and Taf Bargoed SLA.

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 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 stable building, due to its unjustified and unacceptable size, siting, height and design, would cause harm to the character and quality of the Special Landscape Area. As such, the proposal is contrary to Policy EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

23/2/23