

**Application Number:** DM/2019/01149

**Proposal:** Change of use of land for the keeping of horses and erection of stables

**Address:** Land Adjacent Sunnybank, A48 Crick To Parkwall Roundabout, Crick, Monmouthshire

**Applicant:** Mr M Flynn

**Plans:** Location Plan - , Site Layout - , All Proposed Plans - , Other Manure management - ,

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Helen Hinton

Date Valid: 17.07.2019

**This application is presented to Planning Committee following the receipt of public objections and representations**

### **1.0 APPLICATION DETAILS**

The application seeks full planning permission for the change of use of land for the keeping of horses and erection of stables.

The land the subject of the application has a frontage with the A48 of approximately 72m and a depth of approximately 42m.

The proposed stables would be erected in an enclosed hardstanding area to be provided in the northern part of the site. The buildings would be positioned at the western end of the yard in the north-western corner adjacent to the existing embankment and would measure 12.6m wide, 4.2m deep with a lean to roof with a maximum height of 3m falling to 2.5m. A store building measuring 4.2m wide, 4.2m deep with a lean-to roof with a maximum height of 3m falling to 2.5m would be provided to the south of the stables. Externally the buildings would be finished with concrete block walls with timber Yorkshire boarding above and a sheeted roof. Standard half height stable doors would be provided in the southern elevation with three windows (one per stable) proposed in the northern (rear) elevation. The remainder of the land would be re-sown with grass seed and used as a paddock.

The yard area would be defined by post and rail fencing and a section of hedging. A new post and rail fence in excess of 1m in height has been developed along the southern boundary of the site, adjacent to the A48. The site layout plans submitted indicate that access to the development would be gained from the existing driveway leading from the A48 with a new twin track driveway provided across the paddock to the buildings. A set of double gates would be provided in the western boundary of the paddock.

Following discussions, the applicant has confirmed that the stables will be used for winter stabling while outside of this period the animals will be turned out for summer grazing. Whilst housed the ponies would be turned out on the land for a period of time each day and would have access to the yard and paddock but stabled overnight and during inclement weather. Manure generated by the use would be stored in a trailer and removed from the site as needed. A letter from a local farmer, confirming this arrangement, has been submitted in support of the application.

During the processing of the application the applicant has confirmed that he currently has three ponies (an 11 hand and 2 Shetlands) and is in the latter stages of purchasing the freehold with

vacant possession of a further 3 acres of land within the immediate vicinity, inclusive of an equine/hobby farmer access over/through the adjacent land to/from the public highway. Completion of sale is due to take place in the week commencing 16 September 2019.

### Site appraisal

The application site comprises a modest parcel of land positioned to the north of the A48, to the east of M48 and to the west of a residential property known as Sunnybank. The land is positioned on a gradient falling from north to south and is defined by an embankment covered with trees and vegetation to the north and along part of the western boundary with a mature hedge to the east. At the time of inspection the area had been cleared of vegetation and a post and rail fence along the southern boundary erected on top of a small earth bund. Access is gained via an existing driveway leading from the A48 in the south-western corner of the plot.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/01149	Change of use of land for the keeping of horses and erection of stables.	Pending Determination	

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design

### **Development Management Policies**

SD4 LDP Sustainable Drainage  
NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations  
RE6 LDP Provision of Recreation, Tourism and Leisure Facilities in Open Countryside  
LC1 LDP New Built Development in the Open Countryside  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
GI1 LDP Green Infrastructure

## **4.0 NATIONAL PLANNING POLICY**

### **Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

## 5.1 Consultation Replies

**Mathern Community Council** - Initial comments - objection raised for the following reasons:

- Site area is not as large as specified;
- Site lacks sufficient sustainable drainage. Regular hosing of the yard and stables on such a steep site in winter will result in water run off down the pavement and highway of the A48;
- Stables are stated to be for winter use only. Highways assessment has been carried out in the summer months. Consideration has not been given to the reduced available light in winter. Traffic approaching from the Newport direction in winter will be much less likely to see ponies (possibly pulling traps) as they drive beneath the M4 bridge towards Chepstow. The site entrance which is only a few yards beyond this bridge has a dark canopy during the winter with maximum vehicular usage being before sunrise and after sunset.
- In winter the land will quickly become poached and churned into mudbath by the ponies, bringing them health problems.
- The stables should have a solid base for equine health reasons. This is not categorically stated in the application;
- The environment is extremely stressful for horses, being close to a busy A road and the M48 bridge with accompanying noise and flashing lights.
- In the event of fire, there is nowhere for the ponies to be allowed to escape, except the A48.
- The post and rails fence adjoining the A48 must be reinforced at least by an impenetrable hedge as frisky, over-confined ponies with little paddock area to work off excess energy will push post and rails over, especially as it ages.
- Storage of stable waste in a trailer may attract few flies in winter, but it will attract vermin.

### Subsequent comments:

Objection removed subject to the following conditions:

1. Horses being exercised and held in the 3 acre field to the rear of the Border Waste site which is in the same proven ownership as the stables site. With a legal agreement being put in place to ensure uninterrupted access from the Stables to the field;
2. Manure generated from the stables site being regularly removed off site and not allowed to stock pile on site;
3. Only vehicles associated with the approved and intended land use (i.e. stables) be permitted to be stored, held or maintained on site;
4. No bonfires being permitted on site.

**MCC Highways** - Raise no objection

## 5.2 Neighbour Notification

The application has been advertised by direct neighbour notification and the erection of a site notice. 12 letters of representation (6 objections, 2 neutral, 4 support) have been received and are summarised as follows:

In principle, no objection to the application of stables. It is better to have stables than land dereliction.

Applicant has tidied the area up compared to what it was like previously. The former owner also cleared off the weeds and over growth many years ago.

Clearing the land has improved the appearance of the area.

Concerns are raised with regards to waste management and the general welfare of the livestock to be kept on such a small piece of land, which has no grazing facilities adjacent.

The site is unsuitable for the keeping of horses. The land is not secure and therefore not safe. The positioning of the stables close to the busy A48 would create a very stressful environment for the animals. There is no paddock, or sufficient space for a paddock, resulting in confinement in stables for long periods of time, adding to stress levels.

In an emergency, such as a fire, there would be nowhere safe for the horses to escape or anyone to take charge of them.

If horse manure is to be stored in a trailer on the site, this will lead to problems with flies and disease.

The entrance to the site is not easy to spot by traffic approaching at 50 miles per hour. The chances of an accident involving horses and riders seem very high.

Border Waste Management site in Crick has been up for sale for quite a long time and is the subject of an Enforcement Notice. The land in question is part of the Border Waste Management site. Who is liable for compliance with the Enforcement Notice if the site has a new owner?

The site lacks sufficient and sustainable drainage this will lead to water run off onto the adjacent highway.

If the applicant owns other land why is he applying to put stables here?

There have been bonfires on site.

Has the site been earmarked as a possible future traveller site?

There is no clear definition between the proposed paddock and yard.

### 5.3 Local Member Representations

The Ward Member was notified of the application on 23rd July 2019.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### 6.1.1 Principle of Development

Although located in close proximity to the village of Crick, the site is located outside of any settlement development limit defined by the proposals map of the Monmouthshire County Council Local Development Plan and is therefore deemed to be in the open countryside where there is a general presumption against development unless the proposal accords with national planning policy or specific policies in the Monmouthshire County Council Local Development Plan (LDP).

In respect of this proposal, Policy LC1 of the Local Development Plan permits new build development in the open countryside if it is compliant with a specific policy in the plan and meets

the criteria identified in policy LC1. The specific relevant policy in this case is RE6 which supports new recreational and leisure uses in the countryside.

Policy RE6 of the LDP allows buildings for recreational or leisure uses providing they are small-scale, informal in nature and acceptable in respect of all other relevant detailed planning considerations.

In this case, the application seeks consent for the change of use of land for the keeping of horses and the development of stables. Although the site area as a whole is modest, the building is considered to be of an appropriate scale for the level of use proposed, with the applicant recently confirming that they are in the latter stages of completing a sale for a further 3 acres of land within the immediate vicinity.

Whilst located beyond any defined settlement development boundary there is a dwelling with associated outbuildings to the east of the site, in relation to which the development would be viewed.

In the broadest terms the principle of using the site for the keeping of horses and the development of a stables is considered acceptable and compliant with the requirements of policies LC1 and RE6 of the LDP.

#### 6.1.2 Good Design/ Place making

Criterion c) of policies LC1 and DES1 specify that developments must be of a design, form, bulk, size, layout and scale that respect the character of the surrounding countryside and any neighbouring quality buildings.

It is considered that the proposed building is suitably designed for equine use and is of a scale, size and layout that are typical for a building accommodating three stables. The design and external materials are considered to be simple and utilitarian in form and in conjunction with additional landscaping to be provided on site would help create a development that would be a visually subservient and subordinate feature that would not be an incongruous feature in the landscape.

On the basis of the above, the application is considered compliant with the relevant criteria of policy LC1, RE6 and DES1 of the LDP

#### 6.1.3 Impact on Amenity

As part of the public consultation process, a number of concerns have been raised with regards to the suitability of the land for the keeping of horses as result of the space available; manure management and the impact this will have upon the amenity of the area and the residential amenity of those living closest to the site.

The Welfare of Farmed Animals (Wales) (Amendment) Regulations 2010, provides specific stocking ratios that must be observed. However, this legislation is not applicable to leisure animals such as horses. Under the requirements of the Animal Welfare Act 2006 (which is regulated and enforced by the Department for the Environment Food and Rural Affairs (DEFRA), the RSPCA and the Police) it is the owner or keeper's responsibility to ensure reasonable steps are taken to ensure their animal's welfare needs are met and it is for them to assess whether the site is suitable for their animals.

Paragraph 1.10 of the Code of Practice for the Welfare of Horses (hereafter referred to as the Code) which is issued under section 14 of the Animal Welfare Act 2006, provides the following information:

"As a guide, in order to maintain correct body condition, each horse requires a minimum of 0.4 to 0.6 hectares (one to one and a half acres) of good grazing if no supplementary feeding is being provided. However this will depend on the ground conditions, the time of year, type of horse and

degree of pasture management employed. A smaller area may be appropriate where a horse is principally stabled or housed and grazing areas are used only for occasional turnout."

Paragraph 1.13 specifies:

"It is not always practical or possible to remove horses from fields or pastures which become muddy, however, it is essential that the horse does have a comfortable, well drained area on which to stand and lie down, and on which to be fed and watered."

It is acknowledged that the land the subject of the application is modest in its overall area. Although the site is smaller than that advocated by the Code this requirement relates purely to the area required for good grazing if no supplementary feeding is being provided and does not relate to the land area required for turnout purposes. As part of the application, the applicant has confirmed that his animals are currently kept at grass keep on a nearby farm. Should the development be approved, the ponies would be stabled on site from the end of October to April overnight and during inclement weather, with daily turnout provided on the remainder of the site with the animals having access to the yard area and paddock area which would be reinstated in the southern part of the site.

As part of the current application it is proposed to construct a hay and feed store to allow additional fodder to be stored and provided. Fodder would be provided in the stables or on the yard area. Whilst it is likely that the paddock area would become poached as a result of use in the winter this is not uncommon and can be rectified through the appropriate management of grazing and resting of pasture. The additional land secured by the applicant's pending purchase would also provide greater opportunities for animal rotation thereby reducing the intensity of use and impact on the land to the benefit of the character and amenity of the wider area.

It is considered that the site is capable of providing stables of an appropriate size with some element of turn out without the proposal appearing as over development of the site, detrimental to the overall amenity of the area. Being mindful that the animals would have access to drained and surfaced areas (stables and yard) on which to stand, lie down, be fed and watered with further turnout space provided on pasture land it is considered that the proposal would be compliant with the requirements of the Code.

Details submitted in support of the application initially indicated that manure generated would be collected and stored in a trailer which would then be removed from site and disposed of by a local farmer. Although this arrangement has been confirmed in writing, its reliability has been questioned by a number of objectors. In light of the applicant's pending purchase there is now potential for them to store manure on their own land away from any residential properties thereby reducing potential for the proposal to have a detrimental impact on residential amenity.

An amended plan has been sought to clarify and control where on the wider landholding manure would be disposed to reduce the impact on the residential amenity of those living closest to the site. This plan could be conditioned as part of any grant of consent and subsequently enforced against.

On the basis of the above it is considered that the development would not be so detrimental to the overall amenity of the area or the residential amenity of those living closest to the site to warrant refusal of the application on such grounds and the application is considered compliant with the requirements of Policy EP1 of the LDP.

## **6.2 Active and Social Places**

### **6.2.1 Access / Highway Safety**

Access to the site would be gained via the existing driveway in the south-eastern corner which is shared with the former Crick quarry/ former Border Waste site. The site layout plan submitted indicates the provision of a hardstanding area to the east of the driveway to allow all vehicles accessing the site to pull off the road prior to opening the gates and entering the land.

As part of the public consultation process an objector has specified that the access is largely concealed from approaching traffic and that the use proposed could result in conflict between horse and rider and vehicles on the highway.

Following consultation the Highways Department has raised no objection to the proposal and has provided the following comments:

"The development proposal includes the construction of an access track constructed with a permeable surface, to facilitate vehicular movement to/from the existing A48 public highway. Vehicular access into the development proposal to/from the existing A48 public highway would be via the existing drop kerb arrangement serving the former quarry [sic] site. A new entrance point will be constructed off the side of the existing bell mouth junction arrangement.

A gate is proposed to be sited along the new access track at a sufficient distance not to block the public highway when vehicles have stopped to open/close the gate. The proposed stable yard area is sufficient in layout and size to accommodate vehicles turning to allow exit onto public highway in a forward gear.

A site inspection was carried out on 2nd August 2019 where it was noted that the existing vehicular access point is located within the 50mph speed zone on the A48 highway and that there is sufficient visibility available at this location for the current road speed when checked against the current highway design standards."

It is acknowledged that the national speed limit sign for the A48 is positioned immediately adjacent to the top site of the current access. This results in drivers increasing in speed as they approach and pass the sign. Whilst the implications of this upon the safety of the access have been raised by members of the public, it is noted that the access benefits from sufficient visibility splays for the national speed limit. As with all junctions it is the responsibility of the individual accessing the carriage to ensure the highway is suitably clear before undertaking any manoeuvre.

Whilst further concerns have been raised by the public with regards to the safety implications arising as a result of the access being adjacent to the bridge of the M48 (and the resulting shadow this generates, concealing the entrance during the darkest times of day in the winter period) it must be acknowledged that the access is existing and could be used without the need for further planning permission. It is considered that the scale of the development proposed, the resulting limited trip generation, the visibility available from the access and the illumination that would be provided from the headlights of vehicles using the access would prevent the proposal from being so detrimental to the overall highway safety and free flow of traffic in the area to warrant refusal of the application.

Whilst concerns have also been raised in relation to conflict arising between horse drawn vehicles and highway users, it must be acknowledged that the site benefits from sufficient visibility and that it is the responsibility of the person undertaking any manoeuvre to ensure that the highway is sufficiently clear. On the grounds of personal health and safety it is highly unlikely that the applicants would allow their animals to enter the highway during the darkest times of the day.

With regards to on-site parking and turning, it is noted that the proposed yard area or the bell mouth of the junction and driveway in the south-western corner of the site could be used to ensure vehicles can access and egress the site in a forward gear.

Based on the Highway Engineer's comments it is considered that the site benefits from sufficient visibility leading onto the A48; the proposal would not generate a number of vehicle movements significantly detrimental to highway safety and that sufficient provision has been made as part of the proposal to ensure that vehicles can enter and leave the site in a forward gear. It is therefore considered that the proposal would not be so detrimental to the overall highway safety and free flow of traffic in the area to warrant refusal of the proposal and is compliant with the requirements of polices S16 and MV1 of the LDP.

## **6.3 Distinctive & Natural Places**

### 6.3.1 Landscape/ Visual Impact

Criterion a) of Policy LC1 requires development proposals to be satisfactorily assimilated into the landscape; criterion b) wherever possible to be located within or close to existing groups of buildings and d) have no unacceptable adverse impact on landscape, historic/cultural or geological heritage, biodiversity or local amenity value.

Although there are currently no buildings on site, the site is adjacent to the bridge of the M48 and the residential property known as Sunnybank and would therefore be read in the landscape relative to the existing buildings and more urban infrastructure. Whilst it has been questioned why the stables cannot be developed on the applicant's wider land holding, the current site benefits from a maximum level of natural surveillance and would be in compliance with requirements of criterion b) of Policy LC1 thereby preventing development and encroachment into the wider and more undeveloped areas of the open countryside.

As specified above, the use of the paddock area in the southern part of the site during winter months could result in the surface becoming poached and muddy. However, such circumstances are not uncommon and could be rectified through appropriate land management. Given the alternative land and yard areas available for use, it is considered that such a situation would not be so detrimental to the overall visual amenity of the area to warrant refusal of the application.

The applicant has indicated that they intend to install a hedge along the southern boundary of the site adjacent to the A48. Although not indicated on the plans this could be secured by condition and would help further assimilate the development into the landscape and would help screen and soften the visual impact of the site when viewed from the A48.

Given the proposed position of the stable building in the northern part of the site, as far away from the A48 as possible, between the bridge of the M48 and Sunnybank, the backdrop of the embankment and trees to the north, and the style and external finish of the building proposed, it is considered that the development would successfully assimilate with the existing landscape and is in compliance with the relevant requirements of Policy LC1 of the LDP.

### 6.3.2 Green Infrastructure and biodiversity

The application site has previously been the subject of tipping and was cleared of vegetation prior to the submission of the application. The site is not the subject of any ecological designation and the Council did not hold any records with regards to its ecological or biodiversity value prior to the clearing being undertaken and are therefore unable to determine the impact such works may have had. Although the development would change the ecological composition and attributes of the site, the provision of additional hedgerows of an appropriate species and mix and an area of managed and maintained grassland would provide biodiversity enhancements in compliance with the requirements of policies LC1, RE6 and NE1 of the LDP.

### 6.3.3 Water (including foul drainage / SuDS)

As part of the public consultation process, concerns have been raised with regards to water run off from the site entering the highway. The site layout plan submitted indicates that a yard area would be provided in the northern part of the site with the remainder of the land, with the exception of the driveway, being used as a paddock area. It is considered that the paddock in association with a bund that has been developed below the fence erected on the southern boundary would provide opportunities for water soakaway and percolation and would limit water run off. A condition requiring the installation of water butts to contain water run off from the roof of the stables and hay store could also be imposed on any grant of consent.

As of 7th January 2019, all construction work in Wales with drainage implications, of 100m<sup>2</sup> or more are required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water. These SuDS must be designed and constructed in accordance with the Welsh Government

Standards for Sustainable Drainage. Approval for the system must be sought from the Sustainable Drainage Approving Body (SAB) prior to the commencement of development. As the application proposes a yard area in excess of 100Sq.m the development will need to provide a sustainable drainage system on site. An informative note relating to this matter can be placed on any grant of consent.

#### **6.4 Response to the Representations of Third Parties and/or Community/Town Council**

Although the Community Council initially raised an objection to the application this has subsequently been retracted subject to a number of conditions being imposed on any grant of consent. These are as follows:

1. Horses being exercised and held in the 3 acre field to the rear of the Border Waste site which is in the same proven ownership as the stables site. With a legal agreement being put in place to ensure uninterrupted access from the stables to the field;
2. Manure generated from the stables site being regularly removed off site and not allowed to stock pile on site;
3. Only vehicles associated with the approved and intended land use (i.e. stables) be permitted to be stored, held or maintained on site;
4. No bonfires being permitted on site.

As specified above the applicant has provided evidence that they are in the processing of purchasing a further parcel of land to the north-west of the site which includes an equine/hobby farmer access over/through the adjacent quarry land to/from the public highway. However, this land is not included in the current application. Whilst the other area of land could be used for grazing, any condition relating to the land would fail the condition tests set out in Circular WGC 016/2014: The Use of Planning Conditions for Development Management on the basis that it would be unenforceable.

The details submitted as part of the application specify that manure generated from the use would be stored in a trailer and removed from the site as required. This management technique in association with the pending acquisition of a further area of land on to which manure could be disposed would help prevent the excessive accumulation of manure that could generate a level of odour or fly nuisance significantly detrimental to the residential amenity of those living closest to the site. An amended plan has been sought to clarify and control where on the wider landholding manure would be disposed. This plan could then be conditioned as part of any grant of consent and subsequently enforced against.

In relation to vehicle restriction, again it is likely that any such condition would prove unenforceable from a practical perspective. Should vehicles or paraphernalia become stored on site that have a harmful impact on the area, action could be taken against the landowner by way of a Section 215 notice, requiring items to be removed and the land restored to an orderly condition.

Issues in relation to bonfires are not a matter controlled or regulated by the Planning Legislation and therefore whilst an advisory note could be placed on any grant of consent, a condition preventing bonfires on site would be unenforceable. Although it is not illegal per se to burn plant material any nuisance generated could be the subject of enforcement action through legislation regulated and enforced by Natural Resources Wales and the Environmental Health Department of the Council.

#### **Animal welfare**

Whilst concerns regarding animal stress and welfare as a result of the site's close proximity to busy roads and reduced turn out space are acknowledged, it is noted that the proposal would provide alternative areas for supplementary feeding, watering and rest and could therefore be considered compliant with the requirements of the Code of Practice for the Welfare of Horses

issued by the Welsh Government. Matters with regards to appropriate management and welfare of animals kept on site are a matter more appropriately monitored and enforced by other agencies, such as the RSPCA and falls outside of the control of planning legislation.

Although concerns have been raised with regards to the site lacking suitable security and safety specifically with regard to the southern boundary fence not being robust enough to contain the animals, it is the applicants responsibility to ensure their animals are suitably enclosed. From a planning perspective, the fence that has been erected in conjunction with additional landscaping to be sought by condition, is deemed to be an acceptable form of enclosure for the site relative to its context.

#### Highway safety

Following consideration of the proposal and assessment of the site the Council's Highway Department has raised no objection to the application noting that the development proposes the installation of gate along the new access track at a sufficient distance not to block the public highway when vehicles have stopped to open/close the gate and a yard area sufficient in layout and size to accommodate vehicles turning to allow exit onto public highway in a forward gear. The visibility from the existing junction with the A48 has also been found to be sufficient for the current road speed (50mph) when checked against the current highway design standards.

#### Drainage

Concerns have been raised with regards to water run off from the site. As the application seeks to create a yard area finished with hardcore materials in excess of 100sqm, a sustainable drainage system will need to be installed on site to deal with surface water run off. Requirements with regards to sustainable drainage are regulated and controlled by the Council's Sustainable Drainage Approval Body.

#### Enforcement action

An objector has commented that the land the subject of the current application forms part of the Border Waste Management site which is the subject of an Enforcement Notice and questioned who is liable for compliance with the Enforcement Notice if the site has a new owner. Planning permission or enforcement notices should always relate to the land, rather than an individual. Therefore any new landowner would be responsible for ensuring compliance with the notice.

### **6.5 Well-Being of Future Generations (Wales) Act 2015**

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

### **6.6 Conclusion**

Although the site is located in an area of open countryside where there is a general presumption against development, Policy RE6 does allow for the provision of new buildings for recreational purposes in such locations providing they are of a modest size and scale. Although the site area as a whole is modest, it is considered that subject to conditions limiting the use of the site to the applicant's own animals (thereby preventing wider livery use) and the provision of additional landscaping, the proposal would not have a significantly detrimental impact on the landscape amenity of the wider area or the residential amenity of those living closest to the site. It is also considered that the site benefits from sufficient visibility at its junction with the A48 and makes appropriate provision for on-site parking and turning to prevent the development from having a detrimental impact on the highway safety and free flow of traffic in the area.

Based on the above, the application is considered compliant with the relevant policies of the LDP and is recommended for approval subject to conditions.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1 This development shall be begun within 5 years from the date of this permission.

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 list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The stables shall be used for the private stabling and / or the use of the landowner only and shall not be used for livery or any commercial purpose.

REASON: In the interest of the visual amenity and highway safety of the area in compliance with LDP policies S13, S16, S16, EP1 and MV1.

4 Notwithstanding the details of the approved plans a native deciduous hedgerow shall be provided along the southern boundary of the site. Within 6 months of the date of this permission, details of the hedgerows to be planted on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be maintained as such thereafter.

REASON: In the interests of the visual amenity of the application site and wider area in compliance with LDP policies S13, S17 EP1, DES1 and G11 and NE1

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season 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 safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

6 Prior to the installation of the roof of the stables and hay store, details of rainwater goods and water butts to catch and collect all water from the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall be maintained as such thereafter.

REASON: In the interests of sustainable drainage in compliance with the requirements of LDP policy SD4.

7. The storage of manure relating to the approved use of the site shall only take place in the location shown on the drawing no. (to be agreed).

REASON: in the interests of local amenity having regards to LDP policies DES1 and EP1.

### **INFORMATIVES**

1 The proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing. Details and application forms can be found at:

<https://www.monmouthshire.gov.uk/sustainable-drainage-approving-body-sab>

2 No waste generated from the construction or use of the development should be burnt on site