

Application Number: DM/2022/00235

Proposal: Stables and barn.

Address: Upper Maerdy Farm Red Hill To The B4235 Llangeview Usk Monmouthshire

Applicant: Lisa Donnelly

Plans: PDMF22-001 - 31/05/2023, PDMF22-002 - 31/05/2023, PDMF22-003 - 31/05/2023, PDMF22-004 - 31/05/2023, Biodiversity net gain plan - ,

RECOMMENDATION: Approve

Case Officer: Mr David Wong

Date Valid: 03.05.2022

1.0 APPLICATION DETAILS

1.1 Description

1.1.1 The original development description of this application is for... Stables with day room/accommodation and barn. Essentially, the proposal was for the erection of a storage barn and a block of stables for horses with on-site living accommodation to serve the applicants.

1.1.2 In Wales, planning applications for rural dwellings must demonstrate compliance with Technical Advice Note 6 (TAN 6): Planning for Sustainable Rural Communities. The applicants was advised that the site is in the open countryside, and the application cannot be supported without any TAN6 justification nor the scheme complies with the replacement dwelling or the barn conversion policy within the Monmouthshire Local Development Plan (LDP).

1.1.3 After a series of discussions, the living accommodation element was removed from the application so that the scheme is purely for the erection of a storage barn and a block of stables for horses.

1.1.4 In terms of the siting of the proposals, the buildings were originally proposed to be located on the parcel of land immediately adjacent (east) to a neighbouring property, known as The Barn. However, due to some technical ecological concerns, the applicants decided to choose another location nearer to the existing access point in the western corner of the site.

1.1.5 The site is located in the open countryside and currently consists of grassland adjacent hedge and trees associated with field boundary. The proposed construction will now accessed via an existing gated field access, to which no changes are proposed.

1.1.5 The proposal seeks to erect a 12m x 11m x 4.8m new stable block accommodating 6 stables and a tack/feed/storage room (9.9m x 7.9m x 4.2m). External finish is a mixed of concrete block, rendered and painted with Onduline clad timber frame above with sliding timber shutters as indicated. The roof will be made out of corrugated Onduline roof sheets with PC/PVC transparent panels (colour not specified).

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2020/00510	Modification of conditions 5, 6 and 12 relating to application DC/2015/01424 (APP/E6840/A/17/316848).	
DM/2022/00235	Stables and barn.	Pending Determination
DC/2014/00659	Change of use of land to a private gypsy and traveller caravan site comprising of 5 no. pitches.	
DC/2015/00357	The change of use of land to a private gypsy caravan site consisting of 7 no. residential caravans and associated development.	

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

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
LC1 LDP New Built Development in the Open Countryside
MV1 LDP Proposed Developments and Highway Considerations
NE1 LDP Nature Conservation and Development
SD4 LDP Sustainable Drainage

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with 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. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant

duties such as the Socio-economic Duty.

A well functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llantrisant Fawr CC - Councillors had no comments to add on these proposals and agreed there was no reason to object.

MCC Building Control - No concern raised. The Stables and the barn would be considered exempt from building regs as agricultural buildings, and as such our only concerns would be that consideration is given to the access and egress of the land and the buildings and access is available for emergency vehicles. The buildings would need to be constructed to ensure the health and safety of any persons in or around the buildings. The Dayroom, if pursued, would require an application for Building Regulation approval and full details of the proposals would be required.

MCC Highways - No objection. It is noted that there was an initial proposal to create a new vehicular access to the site however there is now a revised scheme which proposes to utilise the existing field access at the southwest corner of the application site. It does not appear that that the proposed development is intended to be run on a commercial basis and is for sole use of the applicant. There is no grounds to object to the application as presented however it is recommended that a suitable condition be imposed which restricts the use of the site for personal to the applicant only.

MCC Ecology - Although the revised proposals are likely to have a lower ecological impact as a result of distance from the watercourse and hedgerows, an ecological survey is still required. Any external lighting on the stables will need to be sensitively designed in accordance with ILP 2023 guidance. A detailed specification for lighting could be secured by condition if consent is granted. In addition, a detailed approach will need to be shown on site plans before determination to demonstrate that net benefit for biodiversity will be achieved.

NRW - Concern that there is inadequate information in support of the day room element of the proposal. However, the stables appear to constitute an improvement on existing arrangements and would not result in any change to the volume of nutrients from the site and therefore no increase in phosphorus contribution. As such, the proposed stables are not likely to have a significant effect on the River Usk SAC. All slurry/manure/contaminated water produced should continue to be managed in line with the Regulations.

MCC Heritage Management - No objection. The proposed stables are located in a field adjacent to the Grade II listed Farmhouse and Dairy at Upper Maerdy Farm. It is noted that the proposal has the potential to impact on the setting of the listed buildings however the mature hedgerows and trees provide a screen affect to reduce the inter visibility of the proposal. The location, scale and material finish should all be such to continue the agricultural/rural setting. On this basis there are no adverse comments.

5.2 Neighbour Notification

Objection from five households received and they are summarised below:

The site lies in an area of predominantly agricultural land and the proposed use is not suitable on this location.

The proposal would generate an increase traffic movement on the single track narrow lane serving the site, which is dangerous to residents, drivers and cyclists.

The proposed use would increased risk of vermin & smell from waste produced by stable use.

This is a creation of a new dwelling on Green Belt land.

The site is not big enough to support 8 horses.

The development is entirely out of keeping with the rural environment and will be visually intrusive.

The development will cause contamination of the stream.

There is no water supply on site.

There is a restrictive covenant that the subject land be used only for agriculture, so grant of a stable block with living accommodation would create a clear breach of that covenant.

5.3 Other Representations

David Davies MP - The application is for a stable and living accommodation. Local residents are becoming increasingly concerned as to the impact this proposed development might have on the wider rural environment and that the land will be used for residential in the open countryside. Please ensure the local residents are given the opportunities to voice their objections to the application.

5.4 Local Member Representations

Councillor Bromfield - Due to being on the planning committee I have to stay impartial.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 The proposal involves the construction of a stable building in the open countryside. Keeping horses for grazing purposes is considered an acceptable agricultural use within this context. The principle of the proposal is acceptable subject to detailed considerations.

6.2. Good Design

6.2.1 The proposed design, while utilitarian in nature, requires further consideration of external colour schemes, which are currently not detailed within the application.

6.2.2 The revised siting of the development is considered appropriate, being located close to the existing access and benefiting from the presence of surrounding established landscaping that screens the proposal from wider viewpoints. Glimpses of the proposed buildings will be visible from the adjacent highway. However, the proposal is set back from the site boundary and it is not uncommon to see stable buildings in the open countryside.

6.2.3 The proposed scale and design of the development are considered acceptable. Given the above, the proposal complies with Local Development Plan (LDP) Policies DES1 and LC1.

6.3 Landscape

6.3.1 From a landscape perspective, the proposal is generally acceptable. The site benefits from surrounding established landscaping, such as trees and hedgerows, which provide natural screening from the highway. While the proposal is visible from the public right of way that runs within the site, the development of a stable building is considered appropriate within the open countryside. The scale and size of the proposed development are deemed acceptable in this context. The proposed locations for the stable buildings are situated well away from existing trees and hedgerows, minimising the potential for adverse impacts on these important landscape features.

6.3.2 Given the site's location in the open countryside, any external lighting must be carefully designed in accordance with the Institute of Lighting Professionals (ILP) 2023 guidance. The use of indiscriminate floodlighting is considered inappropriate in this rural setting. No external lighting is being proposed which is welcome. It is considered reasonable to manage this element via the use

of appropriate condition for any new external lighting to protect the setting of the open countryside. Subject to imposition of a standard lighting condition, this application complies with Local Development Plan (LDP) Policies DES1, EP3, and LC1.

6.4 Biodiversity

6.4.1 Further consultation was carried out with the Council's Biodiversity and Ecology Officer to assess the likely ecological impact on ecology on the revised location as a Preliminary Ecological Appraisal (PEA) was initially requested. It was concluded that the latest location is well away from the watercourse, the hedgerows and trees that bound the site boundary. In addition, the engineering works required for the formation of a new access, over the watercourse, is no longer required, as the proposed construction will now be accessed via the existing gated field access, to which no changes are proposed.

6.4.2 The application site is within the catchment of the River Usk Special Area of Conservation (SAC). NRW did raise concern over the day room element under the initial proposal. However, this element has since been omitted from the application, which nullifies the potential environmental concern on the SAC condition (phosphate).

6.4.3 This application seeks permission for the erection of a stable building for horses. Natural Resources Wales (NRW) has raised no objections to the proposed stable building, as it is not considered likely to have a significant effect on the River Usk Special Area of Conservation (SAC). However, it is essential that all slurry, manure, and contaminated water generated by the development are managed in accordance with the Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil, and Air in Wales. An informative note to this effect will be included in the decision notice.

6.4.4 No external lighting is proposed, which is welcomed. In any case, the site is in the open countryside and a standard lighting condition to be imposed.

6.4.5 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Regarding the biodiversity net gain enhancement measure, a new bird box proposed on the northern facing elevation of the stable building. Therefore, the proposal is in compliance with the provisions of LDP Policy NE1 and PPW12.

6.4.6 The proposal is acceptable subject to conditions from an ecological standpoint and complies with relevant planning policy.

6.6 Impact on Amenity

6.6.1 The proposed buildings were originally planned for the parcel of land immediately east of "The Barn." However, due to ecological considerations, the applicants revised the location to the western corner of the site, more than 200 meters from the original position and closer to the existing access point. This revised location also ensures a significant separation distance of approximately 120 meters from the caravan site, minimising potential impacts on residential amenity. The proposal is considered to be in accordance with Local Development Plan (LDP) Policy EP1.

6.7 Highways

6.7.1 The Highways Department has no objections to this proposal. The original scheme proposed a new vehicular access, however, the revised scheme utilises the existing field access at the southwest corner of the site. It is understood that the proposed development is for the applicant's personal use and not intended to be operated on a commercial basis. Based on the current information, there are no highway grounds for objection. However, a planning condition restricting the use of the site to the applicant's personal use only is recommended to protect the integrity of the highway network. This recommendation complies with LDP policy MV1.

6.8 Flooding

6.8.1 The site is not located within an area prone to flood and no flood concern is raised by NRW. Therefore, no further flood information is requested.

6.9 Response to the Representations of Third Parties and/or Community/Town Council

6.9.1 The site lies in an area of predominantly agricultural land and the proposed use is not suitable on this location.

LPA response: The site is in the open countryside. The buildings proposed are to accommodate grazing horses, which is an appropriate rural use.

6.9.2 The proposal would generate an increase traffic movement on the single track narrow lane serving the site, which is dangerous to residents, drivers and cyclists.

LPA response: There is no objection from the Council's Highways Department has no objections to this proposal. It is recommended that a planning condition to be imposed restricting the use of the site to the applicant's personal use only, protecting the integrity of the highway network.

6.9.3 The proposed use would increased risk of vermin & smell from waste produced by stable use.

LPA response: Planning permission is not required for keeping animals on site. This application seeks permission for the erection of a stable building and barn storage for grazing horses. As long as all slurry, manure, and contaminated water produced from the development are managed in accordance with relevant regulations, as highlighted by Natural Resources Wales (NRW), there should be no risk of contamination or environmental issues. NRW has raised no objection regarding this application.

6.9.4 This is a creation of a new dwelling on Green Belt land.

LPA response: The living accommodation element was removed from the application so that the scheme is purely for the erection of a storage barn and a block of stables for horses.

6.9.5 The site is not big enough to support 8 horses.

LPA response: The revised stable comprises cubicles for 6 horses. The British Horse Society (BHS) recommends a minimum of 0.4-0.6 hectares (1-1.5 acres) of permanent pasture per horse. It is useful to note that the amount of land required per horse is dependent on a range of factors, such as age, size, breed and horse personalities. Based on the average of 0.5 hectares mark, the site is able to accommodate 5.6 horses on site (the site is approximately 2.76 hectares), which is inline with the BHS recommendation.

6.9.6 The development is entirely out of keeping with the rural environment and will be visually intrusive.

LPA response: The proposed design, scale and design is acceptable. The site benefits from surrounding established landscaping that screens the proposal from the highway. The proposal can be seen from the public right of way that runs within the site. However, stable use/building is generally appropriate development in the open countryside. The proposed locations are well away from the existing trees and hedgerows so not likely to cause an adverse impact on these natural features.

6.9.7 The development will contamination of the stream.

LPA response: The application site is within the catchment of the River Usk Special Area of Conservation (SAC). NRW raised no issue to the proposed stable (phosphorus entering the catchment) as is not likely to have a significant effect on the River Usk SAC. However, all slurry/manure/contaminated water produced from the development should be managed in line with the Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales.

6.9.8 There is no water supply on site.

LPA response: Whether or not there is water supply on site is not a planning material consideration.

6.9.9 There is a restrictive covenant that the subject land be used only for agriculture, so grant of a stable block with living accommodation would create a clear breach of that covenant.

LPA response: This is a civil matter and is not a planning material consideration.

6.10 Well-Being of Future Generations (Wales) Act 2015

6.10.1 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.

6.11 Conclusion

6.11.1 The proposal is in accordance with LDP policies DES1, EP1, EP3, LC1, NE1 and MV1 subject to planning 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 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4 The new bird box as shown on the 'Biodiversity net gain plan' shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the Local Planning Authority no more than three months later than the first beneficial use of the development.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1

5 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed until an appropriate lighting plan which includes low level PIR lighting and allows dark corridors for bats has been agreed in writing with the Local Planning Authority. Lighting shall be implemented in strict accordance with the approved lighting plan.

REASON: In the interest of visual amenity (LDP Policy DES1 and LC1) and to safeguard roosting and foraging/commuting habitat of Species of Conservation Concern in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and LDP policies NE1 and EP3.

6 Prior to their implementation on site, details of any hard landscaping shall be submitted to and approved in writing by the local planning authority. Any hard landscaping / surfacing shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON: In the interests of visual amenity and to safeguard the special character of the countryside, in accordance with LDP Policies LC5 and DES1.

7 The stable and barn hereby approved shall only be used for personal private use and shall not be used for any form of livery or commercial purpose.

REASON: In the interests of the highway safety and the residential amenity of those living closest to the site, in compliance with LDP policies S13, S16, EP1 and MV1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 NRW Informative on Manure Management
Any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales. If manure is managed correctly then the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Usk SAC.

We also refer the applicant to the Guidance for Pollution Prevention: GPP 24 Stables, kennels, and catteries.

Other Matters

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

5 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730