



**ALPHA PLANNING
& DEVELOPMENT**

**TOWN AND COUNTRY PLANNING ACT 1990
PROPOSED PRIVATE STABLES & MENEGE WITH ASSOCIATED STORAGE BUILDING
LAND SOUTH OF RHIWFAWR ROAD, CWMTWRCH, SA9 2QZ
PLANNING STATEMENT**



Our Ref: 2019012DA
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Date: March 2020

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1.0 Introduction

Alpha Planning & Development (APD) has prepared this planning application and statement on behalf of Bradley Bailey, for the development of a private equestrian stables, ménege and storage building with associated access and parking (proposed development) on a parcel of land south of Rhiwfawr Road, Cwmtwrch. This planning statement will assess the proposed development against the relevant planning policy and any relevant supplementary planning guidance (SPG) documents including the Neath Port Talbot CBC Local Development Plan 2011-2026 (adopted January 2016) and is Planning Policy Wales (PPW) Edition 10 (December 2018).

1.1 Application Documents

This planning statement forms part of the wider planning application to Neath Port Talbot County Borough Council. The following documentation has been submitted to the Council as part of this enquiry:

- 2019012DA Cover Letter
- 2019012DA Planning Application Forms
- 2019012DA Planning Statement
- 2019012DA Scaled Plans R6
- 2019012DA CMRA
- 2019012DA Policy Map 05

1.2 Site Context

The proposed site is located within the open countryside on a parcel of land south of Rhiwfawr Road, Cwmtwrch. To the north of the site is a woodland area, east and south while an unnamed road running north-south sits on the site's west boundary. The site itself is an underutilised parcel of land which has recently been reseeded with pasture grass seed. The topography of the site is relatively flat with a gradual slope down from south to north. Whilst there is a road located west of the site, access into the site is found from the southern unnamed road which runs east-west.

Figure 1: Below is an aerial photograph of the proposed site and immediate surroundings. (Source: Google Maps 2019).



Figure 2: The aerial photograph below displays where the site is located against the local context. (Source: Google Maps 2019).



2.0 Planning History

This section will indicate publicly available planning history specific to the site. Previous planning applications, enforcement contraventions, planning appeals and other items related to the proposed location will be explored.

2.1 Applications

No planning applications have been submitted concerning the proposed site location.

2.2 Enforcement

No enforcement notices have been issued concerning the proposed site location.

2.3 Appeals

No planning appeals have been submitted to the Secretary of State concerning the proposed site location.

2.4 Other Planning Matters

There are no other planning matters that need to be considered.

2.5 Neighbouring History

No neighbouring properties are adjoining the proposed site location.

3.0 Designations and Issues

According to the Adopted Local Plan Policies Map, the proposed site is situated within Tile 05 (see 2019012DA Policy Map 05). Section 3 of this statement will highlight key land designations that will need to be considered when assessing the development.

3.1 Mining Risk

According to the Coal Authority, the site does reside within a high-risk coal mining area and a coal mining risk assessment (see 2019012DA CMRA) has been submitted alongside the application.

3.2 Flood Risk

The site is not located within a flood zone according to the Environment Agency or policy proposal maps.

3.3 Listed Buildings

No buildings or features are listed within the curtilage or title plan of the property and no such buildings are within proximity.

3.4 Conservation Area

The site does not reside in a designated conservation area detailed in LDP policy maps; therefore, the development is not subject to any special design or conservation guidance.

3.5 Green Belt/Green Wedge

The development site is located outside of any green belt or green wedge designation.

3.6 Settlement Boundary

The site is situated outside of designated settlement boundaries and is, therefore, considered to be within the open countryside.

3.7 Tree Preservation Orders

There are no trees within the proposed plan that are subject to a tree preservation order.

3.8 Area of Outstanding Natural Beauty (AONB)

The location is not included within an AONB as defined in the Council's Policy Map.

3.9 Sites of Importance for Nature Conservation (SINC)

There are no SINC designations in close vicinity to the property.

3.10 Sites of Special Scientific Interest (SSSI)

The Policy Map does not indicate any land designated as SSSI near the site.

3.11 Special Landscape Areas (SLA)

The site is not located within a special landscape area.

3.12 Aggregates and Minerals

The development site is located within a coal mineral safeguarding area. However, the site also lies within the settlement protection zone (Policy M2/1).

3.13 Ancient Scheduled Monuments

The nearest ancient scheduled monument to the development site is the Canal Aqueduct over the River Twrch in Ystalyfera (Cadw Legacy ID: GM396). However, this monument lies approximately 1.4km away from the site.

4.0 Proposed Development

This planning application proposes the development of a private equestrian stables, ménege and storage building with associated access and parking (see 2019012DA Scaled Plans R6). The site will be accessed by an existing track south of the site, leading due north into the paddock. Two parking spaces measuring 4.8 metres by 2.6 metres will be provided along with four stables, storage building and ménege arena. The four stables will measure 15 metres in length, 5.3 metres in width and 4.14 metres in total height and 2.75 metres at eaves height while the storage building will measure 10.4 metres in length, 6.45 metres in width and 4.7 metres in height. The ménege arena will cover an area of 30 metres by 30 metres with a 1.5 metre timber fence as the enclosure. The stable and storage building will share a shallow concrete slab foundation covering an area of 25.6 metres by 6.5 metres giving a total area coverage of 166.4m². The access track and parking area will be cut and laid with stone chippings (gravel) to offer traction and to maintain a permeable surface. The ménege will be cut and laid with two layers of geotextile membrane, sub-base aggregate, and silica sand surface. The scheme has been rendered in 3D and material/colour matched in the image below.



5.0 Planning Policy

Section 38(6) of the Planning and Compensation Act 2004 states that applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. This planning application should be assessed against the Neath Port Talbot CBC Local Development Plan 2011-2026 (adopted January 2016), however, if the proposed development cannot be assessed due to a gap in local planning policy, the Planning Policy Wales (PPW) Edition 10 (December 2018) should be considered.

- 5.1 The current local policies that govern the property are found in the Neath Port Talbot CBC Local Development Plan 2011-2026 (adopted January 2016). The LDP can be accessed through this link: <https://www.npt.gov.uk/7328>. If the property is being considered for development, we recommend that the following policies are considered during the pre-planning stage:

Strategic Policies:

- Strategic Policy SP1 Climate Change
- Strategic Policy SP3 Sustainable Communities
- Strategic Policy SP14 The Countryside and the Undeveloped Coast
- Strategic Policy SP15 Biodiversity and Geodiversity
- Strategic Policy SP16 Environmental Protection
- Strategic Policy SP17 Minerals
- Strategic Policy SP20 Transport Network
- Strategic Policy SP21 Built Environment and Historic Heritage
- Strategic Policy SP22 Welsh Language

Managing Development Policies:

- Policy SC1 Settlement Limits
- Policy EN7 Important Natural Features
- Policy M1 Development in Mineral Safeguarding Areas
- Policy M3 Development in Mineral Buffer Zones
- Policy TR2 Design and Access of New Development
- Policy BE1 Design
- Policy WL1 Development in Language Sensitive Areas

5.2 Supplementary Planning Guidance (SPG)

Alongside the Local Development Plan, the Council will also assess any development against their adopted supplementary planning guidance documents.

These documents can be accessed through the following link <https://www.npt.gov.uk/7315>. The relevant SPG titles are listed below:

- SPG: Parking Standards (2016)
- SPG: Design (2017)
- SPG: Biodiversity and Geodiversity (2018)

It is important to remember that whilst SPG documents are considered when assessing development plans, they should not be treated as determinative by the Local Planning Authority. These documents will provide further detailed guidance about specific development requirements relating to good design and parking standards. Further information is provided within the informative section of this document.

5.3 National Planning Policy

Where no clear local planning policy is applicable to the proposed development, national planning policy will be considered to assess the development. The most recent national planning policy document is Planning Policy Wales (PPW) Edition 10 (December 2018) and can be accessed through the following link <https://gov.wales/planning-policy-wales>. Welsh Government also publishes Technical Advice Notes which provide national detailed planning advice and are considered material to planning application decisions. These documents can be found at <https://gov.wales/technical-advice-notes>. The TAN documents below are considered material to this proposal:

- Planning Policy Wales Edition 10 (PPW)
- TAN 05: Nature Conservation and Planning (2009)
- TAN 06: Planning for Sustainable Rural Communities (2010)
- TAN 08: Transport (2007)
- TAN 12: Design (2016)
- TAN 16: Sport, Recreation and Open Space (2009)

5.4 Other Material Considerations

All planning permissions granted by the Local Planning Authority will be conditional and these conditions should be applied in accordance with the Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management (2014).

The [Draft National Development Framework 2020-2040](#) was published for public consultation on 7th August 2019 and this period will end on 1st November 2019. Whilst the document is in its draft format and not adopted it cannot be awarded significant weight though it could be afforded limited material consideration.

6.0 Planning Appraisal

The proposed development and planning policy criteria have been thoroughly established. The following section (6) will now assess the development to ensure that it is sustainable and acceptable in accordance with local, national and supplementary planning policy. The material considerations to be assessed under this planning application are:

- Principle of Development
- Mineral Safeguarding
- Visual Amenity
- Highway Safety
- Residential Amenity
- Sustainable Drainage

6.1 Principle of Development

The erection of equestrian stables and ménege for the purpose of recreational use is not classed as an agricultural land use. This means that if approved the land will be granted a change of use to D2 leisure and recreation use as a private stable. As indicated in 3.6 of this statement, the site is situated within the open countryside. The most relevant Local Planning Policy from the Local Plan (2016) is Policy SC1 Settlement Limits. This policy stipulates several developments that are considered to be acceptable outside of settlement limits; however, equestrian leisure use is not specifically mentioned. In the amplification of Policy SC1, paragraph 3.0.16 states: *“Whether specific development proposals are appropriate or suitable outside settlement limits will be assessed with reference to the relevant topic policies within this Plan and national policy.”* National and local planning policy both lack specific information regarding the development of private equestrian stables. PPW10 places a heavy emphasis on social wellbeing by creating active and social places for a healthier Wales. The provision of sustainable development that delivers recreational facilities is supported by national policy under section 4.5 page 70. Whilst the proposed development does not fall within the criteria set out under Policy SC1, the scheme would contribute towards the national objectives regarding high quality recreational facilities and it is of a scale and nature that would be appropriate in the open countryside. Therefore, the proposed development would, in principle, be considered acceptable.

6.2 Mineral Safeguarding

Section 3.1 of this statement found that the site resides within a coal mineral safeguarding area. As such the scheme will only be acceptable if it complies with

Policy M1 which states developments will only be permitted where it can be demonstrated that:

1. The mineral concerned is no longer of any value or potential value; or
2. The mineral can be extracted satisfactorily prior to the development taking place; or
3. In the case of temporary development, it can be implemented, and the site restored within the timescale that the mineral is likely to be needed; or
4. There is an overriding need for the development; or
5. The scale and location of the development would have no significant impact on the possible working of the resource.

The proposed development would satisfy two of the five Policy criteria. The development could be conditioned as a temporary planning consent where permission is time limited, after which the development must be removed, and land restored. The conditions attached to such a permission would be able to satisfy the five tests set out under the Welsh Circular 016/2014. However, whilst this could be a solution, the site lies within 500m of a settlement according to the Local Plan Policy Map 05. Under Policy M2, surface coal operations are unacceptable in principle where they are situated within 500m of a settlement. Given the permanence of residential land use and the strategic shift away from fossil fuels as an energy source, it is unlikely that the coal resource under the site would be utilised in the near or distant future. Furthermore, the proposed scheme is limited in its construction and permanence meaning that it will not sterilise the resource. The proposal is considered acceptable under Local Policies M1, M2 and M3.

6.3 Visual Amenity

The proposed site resides outside the defined settlement boundary and is, therefore, classed as development within the open countryside. Development in the open countryside is strictly controlled to maintain openness, agricultural land and the rural aesthetic. Policy SP21 seeks to encourage high-quality design standards in all development proposals and the criteria are found in Local Policy BE1. Requirements that are relevant to this proposal include development which;

- Complement and enhances the character and appearance of the site;
- Respects the context of the site and its place within the local landscape;
- Utilises materials appropriate to its surroundings.

The existing site does constitute an open or exposed parcel of land though it does reside close to several agricultural fields and is bounded by woodland. The development would be screened by vegetation from persons travelling northbound

on the unnamed road west of the site and would be partially visible to those travelling southbound on the same unnamed road. The proposal has been positioned in the southern area of the paddock location to maximise the backdrop of woodland which reduces the overall scale and visual impact of the proposal. The material finish is also sympathetic to the rural vernacular with a dark green steel storage building to reflect the greenery of the landscape and vegetation, whilst the stables and fencing will convey a timber aesthetic providing a sympathetic design. The scheme would not create an unacceptable detrimental visual impact upon the character and appearance of the open countryside, rather, it's sympathetic aesthetic would be reminiscent of similar equestrian developments located within the open countryside across England and Wales. Furthermore, the applicant wishes to plant wildflower around the ménege and parking area to increase biodiversity and natural capital of the site. The scheme would comply with the high-quality design criteria set out under Local Policy BE1 and it would, therefore, be acceptable under Policy SP21.

6.4 Highway Safety

The site is accessed from the well-established unnamed single carriageway south of the site. The road is regularly utilised by HGV traffic, however, given the straightness of the road and good visibility splays exiting the site the proposed scheme would not compromise the existing operation and safety of the immediate highway network. The proposed scheme would make a shallow cut and lay loose gravel to form the site entrance and two parking spaces. This design would not only be durable and even the land level, but it would contribute toward effective drainage away from the centre of the track and maintain high visual amenity. The proposal is considered acceptable under Policies TR2 and BE1.

6.5 Residential Amenity

The development would be located approximately 250 metres south of the nearest residential dwelling. There is a large unmaintained and inaccessible area of woodland between the site and the nearest residential dwelling. Taking these factors into account, residential amenity regarding overshadowing, overbearing, privacy, noise and loss of light will not be compromised, therefore, the development will not prejudice neighbouring residential amenity.

6.6 Drainage Strategy

The application has been submitted without a drainage strategy; however, a consultant has been instructed and the applicant will be started communication with the Council's SuDS Approving Body (SAB). Given that the scheme would cover a construction area of over 100m² the development will require a SAB application.

7.0 Summary

This planning application proposes the development of a private equestrian stables, mènege and storage building and associated parking. According to the LDP, the proposed development is not located within a settlement boundary and is thus classed as open countryside development. The Local Policy Maps show the land is designated for mineral safeguarding.

7.1 Main Issues

In summary, several key points need to be addressed by the developer to ensure the development is acceptable under local and national planning policy. The first issue relates to the principle of development, more specifically the equestrian leisure use and associated structures within the open countryside. Furthermore, issues relating to visual impact, highway safety, residential amenity, drainage and mineral safeguarding should be considered.

7.2 Recommendations

After assessing the proposed development against local and national planning policy, it is considered that the proposed scheme would be acceptable in principle as an appropriate private equestrian use. Whilst the site does reside within a mineral safeguarding area, the provisions of Policy M2 would prevent the extraction of this resource given the close proximity to an existing settlement boundary. The scheme has been designed in such a way that it is reflective of other such similar developments within the open countryside, utilising mostly timber materials and green colouring for the proposed storage building. Access to the highway has been thoroughly considered, and due to the poor visibility on the unnamed road to the west, it was decided that the existing access to the south should be declared as the access. With the improvements to this access and the provision of two permeable parking spaces to Council Highway Standards, it is considered that highway safety would be maintained and enhanced. Given the 250m distance to nearby residential properties, it is not believed that there would be a residential amenity issue arising from the development. With all current issues assessed, it is believed that the development would be acceptable under the Neath Port Talbot CBC Local Development Plan 2011-2026 (adopted January 2016) and it would comply with Planning Policy Wales Edition 10 (PPW).