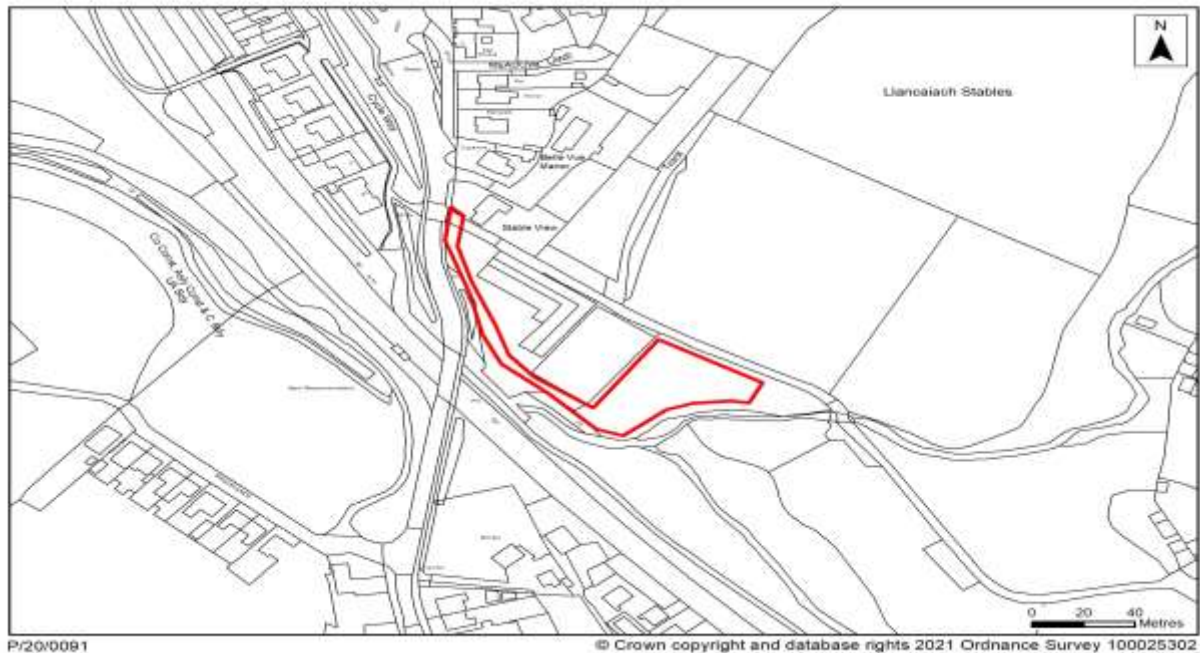


FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	24 th June 2021
REPORT AUTHOR	Judith Jones
CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	7 th July 2021

Application No. P/20/0091	Date 29.04.20	Determining Authority MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Proposed indoor menage building, horse walker / exerciser and the retention of the hardcore area (resubmission following refusal of P/19/0302)	Land At Crophorne Stables Shingrig Road Trelewis Treharris	Mr Warren Green C/O North & Letherby F.a.o. Mrs S Tucker St Andrews House St Andrews Road Avonmouth Bristol BS11 9DQ



TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/A/21/3270141
DATE DECISION RECEIVED:	19.05.2021
DECISION:	ALLOWED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 26/04/21

gan Richard Duggan, BSc (Hons)
DipTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19/5/21

Appeal Decision

Site visit made on 26/04/21

by Richard Duggan, BSc (Hons) DipTP
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 19/5/21

Appeal Ref: APP/U6925/A/21/3270141

Site address: Land at Crophorne Stables, Shingrig Road, Trelewis, Treharris, CF46 6DP

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Warren Green against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref: P/20/0091 dated 29 April 2020, was refused by notice dated 4 September 2020.
 - The development proposed is described as indoor menage building, horse walker/exerciser and the retention of the hardcore area.
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Decision

1. The appeal is allowed and planning permission is granted for an indoor menage building, horse walker/exerciser and the retention of the hardcore area at Land at Crophorne Stables, Shingrig Road, Trelewis, Treharris, CF46 6DP in accordance with the terms of the application Ref: P/20/0091 dated 29 April 2020, subject to the conditions set out within the attached schedule.

Main Issue

2. The main issue is the impact of the proposed development on the character and appearance of the locality.

Reasons

3. The appeal site is made up of an area of hardcore material located to the south-east of the existing Crophorne Stable Equestrian Centre which consists of a large L-shaped complex of stables and an outdoor manège. The north-western boundary of the site consists of a 2.7m high timber fence which is located between the proposed development and the outdoor manège; whilst the north-eastern and south-eastern boundaries consist of tall trees. The land to the north which extends to approximately 7.3 hectares is used for grazing horses and is available for livery customers to turn out their horses but are not permitted to ride or to train their horses in these fields.
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4. The proposed indoor manège would measure approximately 20m x 30m and would be 7.5m high with a pitched roof and the external materials would complement those used within the stables. The elevations and roof of the building would also include a large number of translucent panels and rooflights which would assist in breaking up the mass of the building. The horse walker is proposed within the eastern corner of the site and would comprise a circular area approximately 11.2m in diameter and enclosed by 2m high mesh fencing.
5. The site is located outside the settlement boundary and, therefore, within open countryside as defined by Policy SW4 of the Adopted Merthyr Tydfil Replacement Local Development Plan (LDP) 2020. The 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. Whilst recognising the general presumption of protection of the countryside, the LDP acknowledges that a working countryside can provide a thriving and diverse local economy where agriculture-related activities are complemented by sustainable tourism and other forms of economic development¹.
6. On the approach along Shingrig Road from both directions the indoor manège would not be visually prominent, other than when standing on the railway bridge to the south. However, even from this view it would be seen against a backdrop of neighbouring development and would be sufficiently screened by mature boundary trees. The use of materials to match those used on the stables and its relatively simple rural appearance and form, in combination with this mature tree screening would result in a structure that, even in the winter months, would not be so overly prominent or dominant within its context that it would harm the character and appearance of the area.
7. The adjoining land rises up from the appeal site and comprises a series of fields with views across the adjoining settlement to the west and north and open countryside to the east. When viewed whilst stood in the fields, the manège would be seen at a lower level due to the changes in topography. The new building and horse walker would not be prominent in the landscape as they would be sited on low ground and seen against a backdrop of woodland and generally sited under or close to the canopies of mature trees. In any event the size, scale and utilitarian design appears as a typical structure which I would expect to see on an established equestrian centre which already contains a large stable block utilising similar materials. Moreover, the proposed indoor manège and horse walker would have no materially worse impact than the existing stables and the other on-site paraphernalia associated with the equestrian centre.
8. The Appellant confirms that the centre provides an opportunity for people who wish to own horses or take a horse on a long-term loan but do not have their own land, and that the turn out pasture is an integral part of the business as customers would not stable their horses at a facility without turn-out pasture. The Appellant anticipates additional annual income of approximately £13,000 as a result of the proposed development, without the need to increase livery numbers. Although the Council questions the viability of the development, I would agree with the Appellant that the proposed development would cater for the needs of customers and would allow them to practice and school their horses during periods of inclement weather on a year-

¹ LDP Paragraph 6.4.30

round basis, and the ability to exercise horses is particularly important during the winter months when horses are stabled for long periods of time.

9. Having regard to the evidence before me and from what I saw, there is a clear business and operational justification for the proposed development for leisure and recreational needs, and the provision of additional equestrian facilities would enable the expansion of the existing business to accommodate the needs of existing and future customers.
10. It is clear from my observations on site that stables, equestrian centres and livery businesses such as the appeal site are typically located within countryside locations due to the need to provide access to pasture for grazing, natural exercise and social interaction with other horses. Although the appeal site is located within open countryside as designated in the LDP, it is very closely related to the edge of the settlement and adjacent to the existing complex of buildings within a highly sustainable location. Due to its position, it would reduce journey times for customers and allow the potential for journeys to be made by public transport. Therefore, the site is much more closely aligned with its surrounding built up characteristics than the countryside beyond and would have no materially detrimental effect on the character and quality of the open countryside in this location.
11. For these reasons I conclude that the proposed development would acceptably visually integrate into its surroundings and would not adversely harm the character and appearance of the locality and would not, therefore, conflict with Policies SW4, SW11, EnW5 and EcW7 of the LDP.

Conditions

12. I have considered the suggested conditions put forward by the Council having regard to the advice in Welsh Government Circular 016/2014: *The Use of Planning Conditions for Development Management* (October 2014).
13. Although the materials and colours are indicated on the plans a condition requiring details of the external materials is necessary to ensure the satisfactory appearance of the indoor manège. The condition relating to the submission of a landscaping scheme will also safeguard the visual amenity of the area.
14. The Council states that the site lies within an area where there are historical coal mining and workings and there is a potential for the presence of historical features in all or part of the site, therefore, I shall impose a condition requiring a site investigation to be carried out.
15. I agree with the Council that a condition should be imposed limiting the use of the development to not allow any public or private horse shows or other events at the site to limit the number of vehicle movements to and from the site in the interests of highway safety. I shall also impose a condition requiring the provision of bat and bird boxes to provide environmental enhancements as part of the development.

Conclusions

16. Having regard to the above and considered all other matters raised by the Council in objection to the proposal, I conclude that the appeal should be allowed, subject to the conditions set out in the schedule attached to this decision.

17. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of building healthier communities and better environments.

Richard Duggan

INSPECTOR