

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0380/FULL 03.05.2018	Mr R Morris C/o C2J Architects & Town Planners Mr R Chichester Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Erect stable block and associated access, parking and stock proof fencing Field Adjacent To 3 Tai Cae Bryn Groeswen Road Cardiff

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the southern side of Groeswen Road and to the east of No. 3 Tai Cae Bryn.

Site description: The application site is part of a large field parcel measuring approximately 1.9ha. The site itself is at the top of the field and adjacent to Groeswen Road. The site slopes steeply from north to south and is bounded on its southern and western boundaries by a mature hedgerow. The site also wraps around the dwellings at Tai Cae Bryn such that they form the boundary to the north west corner with the remainder of the northern boundary also comprising of a mature hedgerow. The site is semi-improved grassland and shows some signs of having been grazed but it was not in use at the time of the case officer's site visit.

There is an existing five bar gated access in the north east corner of the site with the gate being slightly set back from the roadside. Immediately to the east of the site entrance is the junction of Groeswen Road with Gypsy Lane with Gypsy Lane curving around to the southern boundary of the site. Both Groeswen Road and Gypsy Lane are characterised by the narrowness of the lane with very few passing bays and mature hedgerows on top of hedge banks immediately adjacent to the highway with very little or no grass verges.

Development: The application seeks full planning consent for the erection of a stable block together with ancillary access, parking and turning. The stable block is to be sited in the north west corner of the site adjacent to No. 3 Tai Cae Bryn and would be an L-shaped building with a hipped apex roof. The block would comprise of 6 stables and a

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tack and feed store wrapped around a courtyard. The yard would be extended to the east and would also include the provision of six parking spaces. A new access track would also be provided from the entrance to the yard area. The application site is to be sub-divided from the remainder of the field by a stock proof fence.

Dimensions: The block has overall dimensions of 18.4m by 15.7m and it would be 4.7m high. The yard measures 26m by 18m.

Materials: Rendered walls with a profile sheet roof and timber doors.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

Local Development Plan: Outside settlement limits.

Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification) and NH1.3 (Mynydd Eglwysilan Special Landscape Area).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

Supplementary Planning Guidance LDP 10 Buildings in the Countryside gives advice on all development outside settlement limits.

National Policy: Paragraph 4.11.9 of Planning Policy Wales states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to

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impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

CONSULTATION

Dwr Cymru - Provides advice to be conveyed to the developer.

Landscape Architect - Raises objections to the application in respect of the impact on the landscape character of the area by virtue of the potential loss of hedgerow and the visual impact of the proposed stable block and ancillary development.

CADW - No objection.

Transportation Engineering Manager - No objection subject to conditions requiring the provision of adequate vision splays and passing bays.

Head Of Public Protection - No objection subject to a condition requiring the submission of a scheme for the control of waste.

Senior Engineer (Land Drainage) - No objection.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: One letter of objection was received.

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Summary of observations: 1. Loss of amenity from noise and smells.
2. Highway safety having regard for the narrowness of the lane.
3. Impact on the landscape character of the area.
4. Compliance with Local Plan policy in respect of the siting of the development.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? The ecological impacts of this development will be discussed in detail later.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is the impact of the proposal on the landscape character of the area. In that regard it should be noted that the site is located with the Mynydd Eglwysilan Special Landscape Area as defined by Policy NH1.3 of the LDP. Paragraph 3.189 of the LDP states:-

"Three special landscape areas have been identified in the SCC. These areas will be protected from any development that would harm their distinctive features or characteristics. The policy is not designed to preclude development. However, an applicant will need to demonstrate that any development proposal will not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA."

Policy CW19 for Rural development and diversification also states:-

"CW19 Rural Development and Diversification schemes will be permitted where:
A - They are consistent in scale and compatible with their rural location, including the retention and enhancement of existing natural heritage features.
B - That where buildings are required to deliver the scheme, existing buildings are reused where possible, or the new buildings relate to an existing group of buildings.

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C - They will be complementary to, and not prejudice, the operation of the existing business."

In this instance the application proposes the erection of a relatively large stable block in the corner of a steeply sloping field within the SLA. Whilst the field is surrounded by mature hedgerows, given the steeply sloping nature of the site it is possible to see into the field from medium term views from the south as the hedgerow on the southern boundary is significantly lower than the location of the stable. It should also be noted that, whilst not shown in the submitted plans, having regard for the steeply sloping site, the proposed stables would either require extensive cut and fill operations in order to create a level plateau for the building and the yard or alternatively the stable block would need to be elevated above ground level on its southernmost elevation. Either operation would require extensive groundworks that would create an alien landform in the area. Having regard for the above it is considered that the proposed stable block would have a harmful impact on the distinctive characteristics of the SLA and as such the proposal is contrary to Policy NH1 of the LDP.

With regard to the siting of the stable block itself, it is noted that Policy CW19 of the LDP requires that where new buildings are required to deliver a scheme, that these are related to an existing group of buildings. Whilst the building would be located in close proximity to existing residential buildings along Groeswen Road, the proposed building is not well related to any existing buildings that are in use for the purpose proposed and the existing dwellings in the area are not linked to the development proposed or to the applicant. In that regard it is considered that the proposal is contrary to Policy CW19 of the LDP.

With regard to highway safety it is acknowledged that the Transportation Engineering Services Manager has raised no objection to the proposal subject to the provision of adequate vision splays of 2.4m by 43m and a minimum of 2 passing bays along Groeswen Road and Gypsy Lane. Whilst not detailed in the application and whilst the applicant may have control over sufficient land to provide these it is considered that such works would have a detrimental impact on the landscape character of the area. As stated above Groeswen Road is characterised by tall, mature hedgerows immediately adjacent to the highway with little or no grass verge on either side of the highway. These hedgerows are considered to make a significant positive contribution to the character of the area and any removal of them would be unacceptable. To create a vision splay of 2.4m by 43m along the Groeswen Road frontage of the site would require the removal of a significant portion of the hedgerow in that area and any scheme to plant a replacement hedgerow behind the required vision splay would have a detrimental impact on the character of the area. The same concerns are true of any proposal to provide passing bays along Groeswen Road and Gypsy Lane as there is

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insufficient grass verge to provide the vision splays without having to remove hedgerows. In that regard it is considered that the proposal would be contrary to Policy CW3 of the LDP as it is not possible to have regard for the safe use of the transportation network.

Comments from Consultees: The concerns of the Council's Landscape Architect are addressed above. No other objections were raised.

Comments from public: It is considered that the concerns of the objector in respect of landscape character, highway safety and compliance with Policy are adequately addressed above. In respect of amenity it is acknowledged that the introduction of a new stable block into this field is likely to give rise to more noise and smell than is currently the case but such noises and smells would be common place in countryside locations such as this. Moreover, smells can be controlled by the imposition of conditions in respect of the storage of waste etc. on site. In that regard it is not considered that the impact of the proposal on the amenity of neighbouring dwellings would be significant enough to warrant refusal of the application.

Other material considerations: As stated above, the proposal would require the removal of significant lengths of hedgerow in order to comply with highway safety requirements. As the hedgerows around the site are covered by the hedgerow regulations, they are likely to have significant ecological importance. In order to assess the impact of the proposal on the ecology of the area appropriate surveys would need to be carried out prior to granting planning consent. However, as the proposal is considered to be unacceptable in other respects it is not considered that it would be reasonable to request such surveys in this instance.

In conclusion it is considered that the proposal is unacceptable in planning terms in respect of the impact of the proposal on the landscape character of the area and highway safety as discussed above.

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. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) By virtue of its scale and siting and the topography of the site, the proposed development would have a detrimental impact on the landscape character of the area thereby harming the distinctive characteristics of the Mynydd Eglwysilan Special Landscape Area contrary to Policy NH1 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010.
- 02) The proposed development is not well related to an existing group of buildings and is located in a visually prominent location and as such it is contrary to Criterion B of Policy CW19 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010.
- 03) It is not possible to provide adequate vision splays and passing bays to serve the proposed development without having a detrimental impact on the landscape character of the area and without those facilities the proposal would be detrimental to highway safety contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010.

