

REFERENCE: P/18/460/FUL

APPLICANT: Mrs P Etherington Tymaen House, Pont Rhyd y Cyff, Maesteg, CF34 0EH

LOCATION: Tymaen House Station Road Service Road leading to Ty Maen Pont Rhyd y Cyff Maesteg CF34 0EH

PROPOSAL: Construct a manège for private use

RECEIVED: 12th June 2018

SITE INSPECTED: 9th July 2018

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the installation of a manège to the west of the dwellinghouse known as Tymaen House, Pontrhydydyff, Maesteg.

The manège is proposed to be positioned approximately 10 metres to the west of the existing dwellinghouse to be used solely by the applicant and for the private use of family members who reside at the property known as Tymaen House, Pontrhydydyff. At its maximum width and length, the manège will measure 38.4 metres by 28.9 metres and will be enclosed with the existing wood and wire fencing and hedgerow.

No lighting is proposed as part of this planning application.

SITE DESCRIPTION

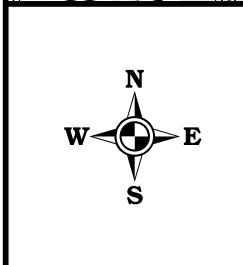
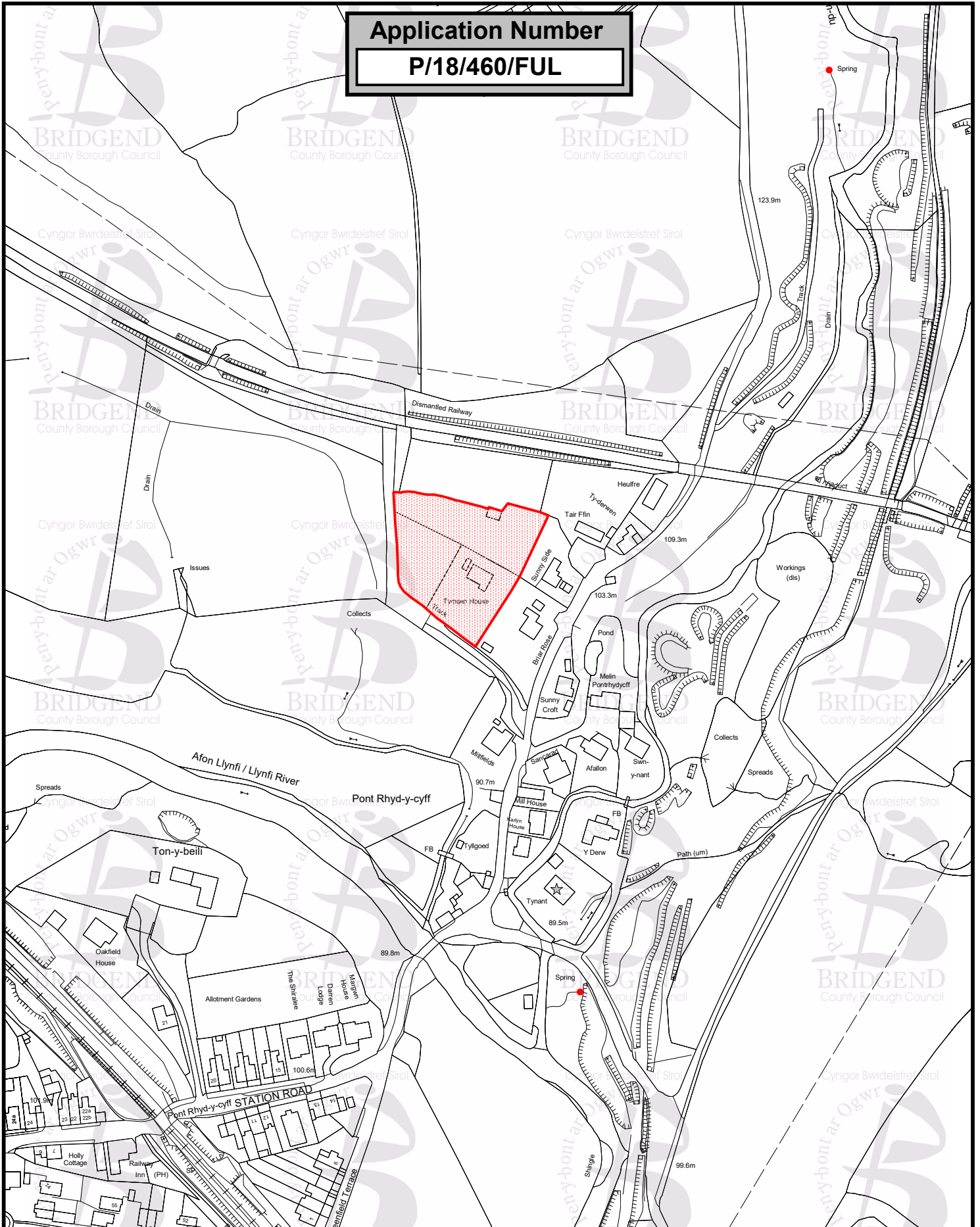
The application site comprises a detached, two storey, south west facing property that is located within the Local Service Settlement of Pontrhydydyff, as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013). The area proposed for development is situated to the west of the residential curtilage of Tymaen House, on land which is outside the demarcated settlement boundary, within the open countryside. The site also lies within the Cwmfelin, Llangynwyd and Pont Rhyd y Cyff Green Wedge, as defined by Policy ENV2(8) of the Local Development Plan, a mineral resource safeguarding area as defined by Policy ENV 9 of the Local Development Plan and is within close proximity to the Cwm Du Woodland Site of Special Scientific Interest (SSSI) as defined by Policy SP4(2) of the Local Development Plan. However, due to the nature and content of the development (resurfacing for an open manège) it is confirmed that the scheme will not have any impact on the mineral resource area and the SSSI and would not result in the coalescence of settlements or reduce the openness of the countryside.

The main access point for the property lies adjacent to its southern boundary off a private, single width driveway. Public Right Of Way LDM/29/2 runs along the private access track along the southern boundary of the site, travelling northwards adjacent to the western boundary of the application site.

The land to the west of the dwellinghouse comprises a field which is enclosed on its northern and eastern boundaries with timber and wire fencing. It is bordered to the south and west by a large mature treeline. Currently, the area of land is used to graze and exercise horses owned by the occupier(s) of the adjacent property and has a lightly gravelled/sand surface, as shown below:

Application Number

P/18/460/FUL



Scale 1:1250

Date Issued:
22/08/2018

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/DC Committee Report Location Maps/

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The field is accessible from the driveway of the property via a gate on its eastern boundary. It is also accessible from the northern boundary adjacent to the existing stable block.

As visible from the photograph above, the land slopes down gradually from south to north.

RELEVANT HISTORY

No relevant planning history.

PUBLICITY

The application has been advertised through direct neighbour notification which expired on 11th July 2018.

Two letters of objection have been received from the occupier(s) of Uwch Y Felin (formerly Sunnyside), Pontrhydydyff; one on 6th July 2018 and another on 10th July 2018. The two letters raise objection to the development on the grounds that the manège will be used as a commercial business by the applicant. The letter received on 10th July 2018 states that *“this is going to be a commercial venture not private. There is already regular changing of horses and clear training of such, then new horses arrive”*. The letter received on 6th July 2018 states the following:

“The development of this area has escalated very quickly during the past eighteen months, with ongoing visual changes being made to the area.”

In addition, the letters received make reference to the loss of privacy that will be caused if the proposed development is permitted. It is stated within both letters that the changes to the field, including an increase in the amount of visitors to the site and an increase in the number of horses have compromised the privacy afforded to the property known as Uwch Y Felin (formerly Sunnyside), Pontrhydydyff. The letter dated 10th July 2018 makes specific reference to *“regular damage by the horses to our fence”*.

Reference is also made to the installation of floodlights and the impact of lighting on neighbouring properties.

A third letter of objection was received on 6th July 2018 from the occupier(s) of Briar Rose, Pontrhydydyff. The letter also raises concern about the installation of additional lighting surrounding the proposed manège and the impact of lighting columns on the privacy of neighbouring properties.

There is a concern raised about the view currently afforded to the property known as Briar Rose, Pontrhydydyff, and the impact the development will have on the side and rear outlook from the property.

An objection is raised on the grounds that the applicant will use the manège for commercial purposes, as *“the applicant has previously stated her desire to open a trekking centre”*. The letter states that *“there is a steady turnover of horses which would suggest not all are for personal use and that some business is being conducted”*.

RESPONSE TO LETTERS OF OBJECTION

In addition to the objections received from neighbouring properties which relate to the manège being used as a commercial enterprise, Llangynwyd Community Council also objects to the proposal on the grounds that it is *“too big a development for personal use”*.

Whilst the grounds of objection are material planning considerations in this instance, it is an objection that can be overcome through the imposition of a planning condition which limits the use of the manège by the occupier(s) of Tymaen House, Pontrhydydyff only, as an ancillary form of development. In addition, confirmation has been received from the applicant to confirm that the manège will only be used for private use.

It is therefore considered that the objections raised which relate to the manège being run as a commercial enterprise have been addressed.

Whilst it is acknowledged that the increase in the amount of horses associated with the property known as Tymaen House, may cause damage to the boundary fence between the field and Uwch Y Felin (formerly Sunnyside), this is a civil matter that cannot be addressed through the planning process. The occupier(s) of the neighbouring property are therefore advised to pursue the matter privately.

There is no lighting proposed to be installed as part of this development proposal. Therefore, whilst the objections in all three letters which relate to artificial lighting are noted, this issue is irrelevant in this instance. A condition will be imposed upon any consent granted to confirm that installation of any lighting columns are not authorised by this consent.

The concern relating to damage to any existing views is not a material planning consideration.

The letter of objection received from the occupier(s) of Briar Rose, also refers to a pest problem within the vicinity of the application site. It is recommended that the objector contacts the Public Protection Department as this type of issue is subject to control under separate legislation.

CONSULTATION RESPONSES

CONSULTEE

Land Drainage

COMMENTS

No objection subject to the inclusion of the recommended

29th June 2018 planning condition and informative notes.

Llangynwyd Middle
Community Council
11th July 2018 Objects to the development.

Cllr M James
10th July 2018 Supports the application provided the drainage conditions are met.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards
Policy ENV1	Development in the Countryside
Policy ENV2(8)	Development in Green Wedges
Policy PLA3	Development affecting Public Rights of Way
Policy ENV9	Development in Mineral Safeguarding Areas
Policy SP4(2)	Conservation and Enhancement of the Natural Environment

Supplementary Planning Guidance 17	Parking Standards
Supplementary Planning Guidance 19	Biodiversity and Development

In the determination of a planning application, regard should also be given to the local requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales Chapter 3	Making and Enforcing Planning Decisions
Planning Policy Wales Chapter 4	Planning for Sustainability
Planning Policy Wales TAN 12	Design

APPRAISAL

PRINCIPLE OF DEVELOPMENT

Whilst the application site includes the dwellinghouse and its curtilage located within the Local Service Settlement of Pontrhydydyff, as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013), the developable area lies outside of the demarcated settlement boundary within the open countryside.

It states at paragraph 4.1.9 of the Local Development Plan (2013) that "*the countryside should be protected for its own sake (i.e. for its beauty, landscape quality, natural resources, and its agricultural, ecological, geological, physiographic, historical, archaeological and recreational value)*". Therefore, development in the countryside "*will be strictly controlled*".

Policy ENV1 states that development in the countryside should benefit the rural economy, whilst maintaining or enhancing the environment. It stipulates that all development will be strictly controlled, but may be acceptable where it is necessary for outdoor recreational and sporting activities, according to criterion (9). The proposed development of a manège complies with criterion (9) of Policy ENV1 as, by its nature, it requires a countryside

location. The proposed development is, therefore, considered to be compliant with Policy ENV1 of the Local Development Plan (2013) and is acceptable in principle.

DESIGN & VISUAL AMENITY

Policy SP2 of the Local Development Plan (2013) states that “all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. Design should be of the highest quality possible, and should be appropriate in scale, size and prominence”.

Whilst the proposed manège will be a more permanent feature than the existing gravelled/sand surfaced field, it is considered that it would not be so detrimental to the character and appearance of the area to warrant a refusal on such grounds. The manège will be of typical construction and will not interfere with the natural topography of the land, thereby not increasing its visual prominence within the surrounding area.

The existing fence will be retained around the proposed manège, and so the introduction of a permanent surface will be of minimal visual impact. The fence is shown in the photograph below:



The application site is situated to the west of the residential curtilage of Tymaen House, which is bordered to the south by a large mature treeline and is accessed via the existing vehicular access point on the southern boundary off a private, single width driveway. Public Right of Way LDM/29/2 runs adjacent to the southern and western boundaries of the application site, which are bordered by a large mature hedgerow. Views into the site from the Public Right of Way will be minimised due to the siting of the hedgerow, and so the proposal is not considered to impact the visual amenity of the Public Right of Way.

Views into the site from the southern and western boundaries are obstructed by the hedgerow, and as such, it is considered that the proposal would not have a detrimental visual impact on the character and appearance of the area, and its proposed siting and

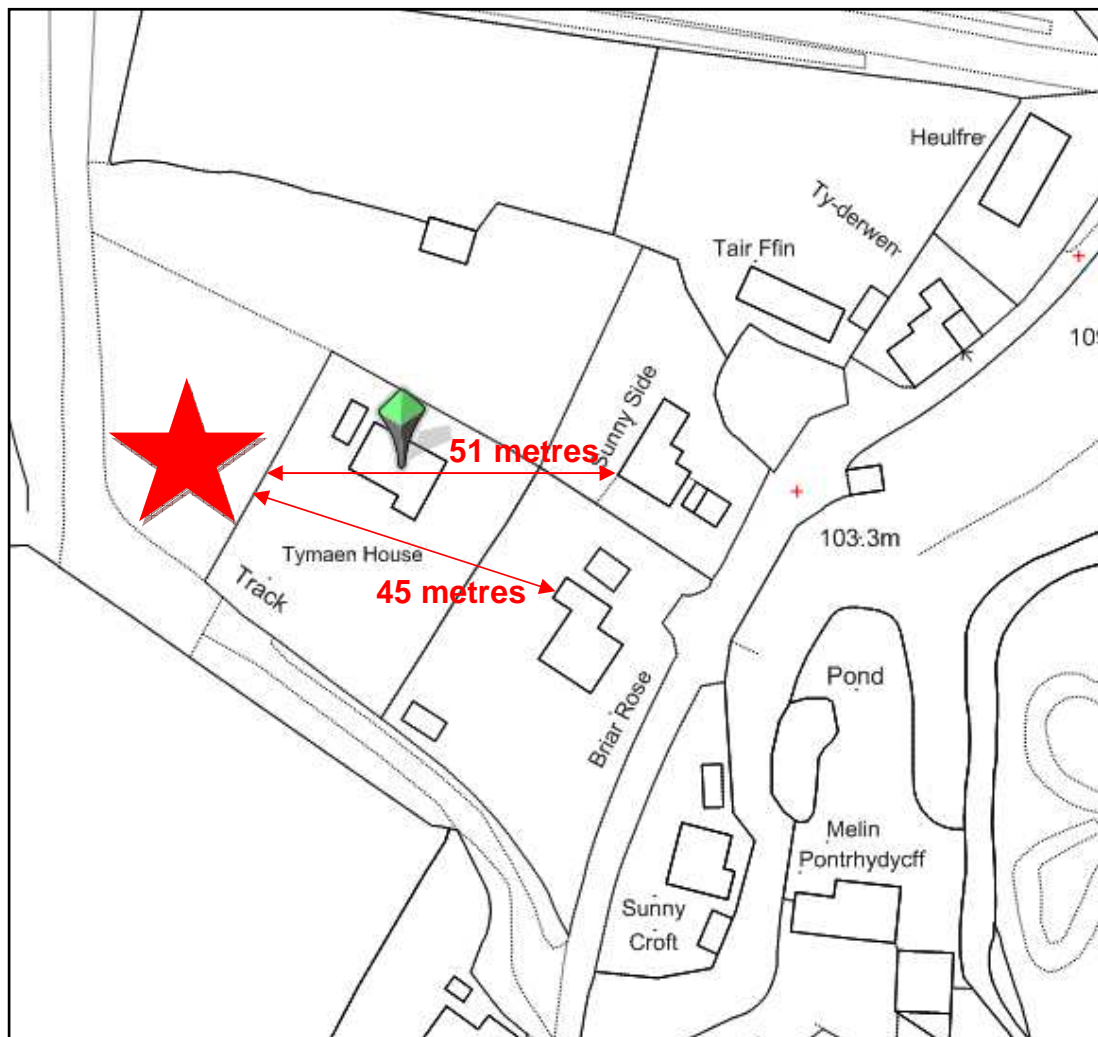
prominence is considered to be appropriate.

The siting of the proposed manège reduces its prominence within the landscape, and no concerns are raised which relate to the visual amenities of the surrounding area. The development is not so visually incongruous or detrimental to the overall character and appearance of the area to warrant a refusal on such grounds and as such, the application is considered to be compliant with Policy SP2 of the Local Development Plan 2013.

NEIGHBOUR AMENITY

A manège is typically found within a countryside location, particularly on the fringes of settlement boundaries where properties are characterised as being semi-rural. The introduction of a more formal manège in the proposed location would not have such a detrimental impact on the existing levels of privacy or amenity afforded to neighbouring properties, given the distance between properties and character and topography of the application site.

The occupier(s) of Uwch Y Felin (formerly Sunnyside) and Briar Rose raised objections to the development with particular reference to the impact of the proposal on the privacy and amenity of occupier(s). As shown in the map below, there is a significant distance between the properties and the area where the manège will be installed:



The manège will alter the existing surface of the ground within the field where horses are currently grazed and exercised, but no other alterations are proposed. Therefore, the proposal will not alter the existing levels of privacy or exacerbate the visual amenities currently afforded to the property. There is a large mature hedgerow sited on the eastern

boundary of Tymaen House, Ponrthydcyff, which will further limit the views into the application site from Briar Rose.

Llangynwyd Community Council objects to the development on grounds of noise pollution; *“the noise when horse training is taking place would be excessive”*. Whilst the objection is acknowledged, it is considered that the proposed development would not exacerbate the existing levels of noise associated with the application site, as horses currently graze and are exercised within the field adjacent to the property. Whilst a manège is proposed to be installed, it is not proposed to increase the number of horses at the site, or introduce a commercial enterprise. Therefore, it is considered that any increase in the level of noise associated with the proposed development will not be so detrimental to the levels of amenity afforded to properties within the vicinity of the application site to justify refusing the application on those grounds.

HIGHWAY SAFETY

Given that the stable block is for the private use of the occupier(s) of Tymaen House, it is considered that the proposal would not generate any additional traffic or vehicular movements to and from the application site.

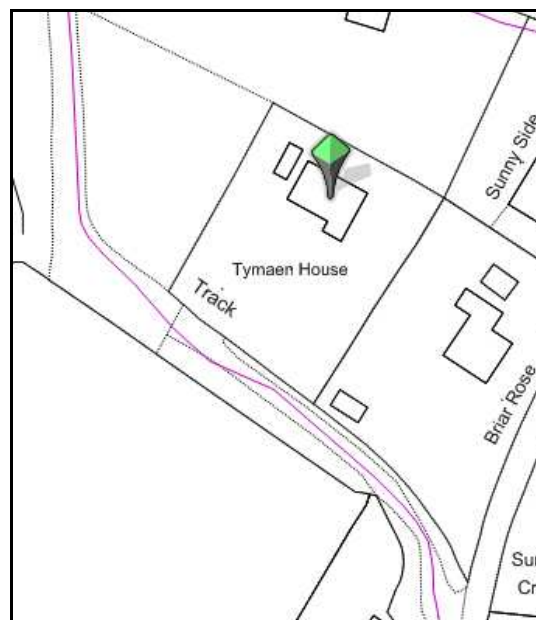
In addition, no concerns were raised by the Transportation, Policy and Development Section in terms of highway and pedestrian safety.

LAND DRAINAGE

Subject to the imposition of the recommended pre-commencement planning conditions, the application is considered to be acceptable from a Land Drainage perspective.

PUBLIC RIGHT OF WAY

Public Right of Way LDM/29/2 runs adjacent to the southern and western boundaries of the application site, as shown below:



Llangynwyd Middle Community Council have also objected to the planning application on grounds that the proposal would represent a danger to walkers using the Public Right of Way adjacent to the site.

Given that the Public Right of Way is adjacent to the application site, it is not considered that the introduction of a more formal manège to the north and east of the footway will pose a threat or danger to walkers. The proposed development will not affect the Public

Right of Way LDM/29/2 and as such, the proposal is considered to be acceptable in this respect.

CONCLUSION

In conclusion, it is considered that the proposal is acceptable in principle, in accordance with Policy ENV1 of the Local Development Plan (2013) and is not so visually detrimental to the character and appearance of the area to warrant a refusal on such grounds. The proposal is considered to be acceptable from a highway, land drainage and Public Right of Way perspectives, and no concerns are raised relating to neighbour amenity. As such, the proposed development is recommended for approval, subject to the following planning conditions and informative notes:

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with drawing number "101250-GLP-PLN-DRG-000111 Rev A01", "101250-GLP-PLN-DRG-000112 Rev A01", "101250-GLP-PLN-DRG-000114 Rev A01" received on 12th June 2018.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented prior to beneficial use of the site and maintained in perpetuity.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

3. The development hereby permitted shall only be used by the owners/occupiers of the property known as Tymaen House, Pontrhydydyff, as identified in drawing number "101250-GLP-PLN-DRG-000111 Rev A01" received on 12th June 2018.

Reason: In the interests of highway safety and residential amenity.

4. No external lighting shall be installed at the application site.

Reason: For the avoidance of doubt as to the nature and scope of this consent.

5. The use of the manege shall be restricted to the private use of the applicant only and for no commercial purposes whatsoever.

Reason: To ensure that the Local Planning Authority retains effective control over the development in the interests of countryside protection.

6. Prior to the beneficial occupation of the manege hereby approved, a plan confirming the positions, height, design, materials and type of boundary treatment to be erected around the manege shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use of the manege.

Reason: To ensure a satisfactory form of development in the countryside.

7. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This application is recommended for approval because it is considered that the proposal is acceptable in principle, in accordance with Policy ENV1 of the Local Development Plan (2013) and is not so visually detrimental to the character and appearance of the area to warrant a refusal on such grounds. The proposal is considered to be acceptable from a highway, land drainage and Public Right of Way perspective, and no concerns are raised which relate to neighbour amenity. As such, the proposed development is recommended for approval.

b. No surface water is allowed to discharge to the public highway.

c. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None