

Delegated Decision Report

Application No:	26/0033	Statutory Period Expires:	26th March 2026
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Site:	<i>Land To the South of The Cottage Llandeuvd Lane Llandeuvd Newport South Wales</i>		
Proposal:	<i>CHANGE OF USE TO EQUINE INCLUDING PROPOSED STABLE BLOCK FOR HORSES AND RETENTION OF HARDCORE SURFACE, FENCING, GATES AND ACCESS</i>		
Applicant:	<i>T Janes</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	REFUSED		

1. BACKGROUND

- 1.1 An enforcement case was opened in 2025 (ref no.E25/0261) to investigate an alleged breach relating to the 'erection of gates, laying of hardcore and stationing of caravans.'

2. SITE LOCATION AND CONTEXT

- 2.1 The site is a roughly triangular shaped area of former agricultural land with a site area of 0.88 hectares.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The site formally served as agricultural land. At some point between 2011 and 2023, a section of hedgerow was removed and a vehicular access was created as well as the insertion of gates. A further section of hedgerow has now been removed, the access widened to 8m and a larger set of timber gates inserted that measure a width of 7.2m and height of 1.2m. Hardcore has also been deposited on site. Consent is sought to retain these works.

The site appears to form part of a larger plot with another parcel of land to the south however the applicant has advised that the area to the south, that falls outside of the application site, is in separate ownership. Timber post and rail fencing is proposed at a height of 1.2m to separate the two parcels of land.

A change of use to equine as well as the erection of a stable block is also proposed. The stable block would be sited opposite the access and would measure a width of 15.1m, depth of 8.4m, eaves height of 2.65m and ridge height of 4.2m. The stable block would include 3no stables, a tack/feed room and a mess room. The external walls of the stable block would be smooth sand cement rendered walls, the roof would be Redland Stonewold concrete interlocking roof tiles in slate grey and the stable doors would be tanalised timber. The front elevation would contain 3no stable doors and 3no windows, the side elevation would contain 2no doors, the rear elevation 4no windows and the other side elevation 2no windows.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

- 5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP5 – Countryside
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- CF7 – Horse Related Developments

6. CONSULTATION RESPONSES

- 6.1 Landscape: Additional information required. A 15m x 8.4m rectangular stable block to 4.4m high with block paving is proposed, with retention sought for access and a wider area of hardcore constructed from road planings. There are no nearby public rights of way and the site is not in a Special Landscape Area.

Landscape concerns arise from: No layout for parking is shown, it is not clear why the whole paddock has been surfaced. Google streetview below shows a high roadside hedge with pasture behind at the time of the image [dated May 2025]. If there are highway issues with visibility and/or the gate position this will require further landscape comment and likely affect the position of the building. If a SAB application is required, above ground SuDS elements should be proposed to meet national standards for amenity and biodiversity. As this is retrospective, I would advise site photos are submitted or made available to enable the landscape impacts on visual amenity to be identified and potentially mitigated for. The extent of road planings should be rationalised to the minimum area required rather than shown as a surface up to paddock hedge boundaries. New planting is required to meet policy GP5 vi, this should be locally native and in line with the countryside character. Planting type, species, size, density should be submitted.

- 6.2 Local Highways Authority: Objection on highway safety grounds. The proposal is for a stable block and retention of features including surfacing and gates. The existing access is an agricultural one (regardless of the gate design). Whilst highways would have no objection in principle to a stable block it would result in intensification of use. Horses require regular attention, for feeding, cleaning, muck removal, farriers etc and the access must be suitable for large vehicles/trailers. This then requires a gate that is set back and access that provides visibility. In addition, the existing/proposed surface is planings which can be transferred to highway posing a risk. To garner Highways' support the gate must be set back at least 5m and sufficient hedge removed to provide visibility splays of 2.4 x25 and 2x2m at 600mm height. The first 5m of access must be surfaced with bound permeable material.

- 6.3 Ecology: My concern with this application is that the field previously included natural grassland habitats and scrub, together with any protected species they may have supported, but I gather this field has since been covered with hardcore. Any application at this site will need to demonstrate an overall enhancement of biodiversity, and in accordance with section 6.4.16 of PPW12 the baseline for this net benefit will be the condition of the site before laying this hardcore took place: *'Potential applicants should not conduct any pre-emptive site clearance works before submitting a planning application as this can make it more difficult for a development proposal to secure a net benefit for biodiversity. Where a site has been cleared prior to development its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place. A net benefit for biodiversity must be achieved from that point. Habitat status can be*

established through evidence remaining on site and local desk-based assessments (planning authorities must ensure that they have access to these data sources). In such cases, habitat status will be presumed to be good in the absence of any evidence to the contrary.' Therefore my advice is that the Applicant should submit a Preliminary Ecological Appraisal to describe the remaining habitats on site, to assess the likely condition before clearance, and to propose measures to ensure a net benefit for biodiversity from the original baseline state.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03/02/2026 and a Site Notice was put up on 05/02/2026.

7.1 NEIGHBOURS: 66no letters of objection have been received from local residents. A summary of the main points raised are included below. Full comments can be read online.

- Highway safety – Increase in traffic, poor visibility, manoeuvring of large vehicles
- Precedent for further development
- Effect on rural character and visual amenity – loss of green space, unsuitable location
- Drainage and surface water – increase surface water runoff
- Noise and general disturbance – vehicle movements, deliveries
- Overdevelopment and intensification
- Site not large enough to keep horses – insufficient grazing, fails to meet welfare standards
- Impact on residential amenity – proximity to neighbouring properties, potential for early morning and late evening activity
- Biodiversity – removal of vegetation
- Contrary to policy – failure to demonstrate need

8. ASSESSMENT

8.1 Principle of Development

The proposal primarily relates to the change of use of the land to equine and the erection of a stable block as well as other associated works such as the gates, access and laying of hardcore. Policy CF7 (Horse Related Developments) states;

Horse related developments, both recreational and commercial, including stables, shelters and riding schools will be permitted provided that:

- i) the scale, design, siting and materials do not detract from the character and appearance of the locality;*
- ii) the proposal does not result in an excessive number of buildings or inappropriate ancillary structures;*
- iii) the proposed development does not require the provision of a new dwelling unless classified as a rural enterprise dwelling;*
- iv) the proposed development does not require the provision of unsightly infrastructure.*

In terms of the change of use of the fields from grazing to equine use it is not considered that the use in itself would detract from the appearance of the surrounding area or the openness of the countryside. Equine use, whilst not an agricultural practice is traditionally a rural activity and as such it is therefore considered to be an appropriate use in the countryside. In this case the field has been sub divided in an arbitrary fashion with no dividing enclosure separating the site from the retained field. It is unclear how the retained field will be accessed in future but it does not form part of this application site and there is no paddock associated with the application site.

8.2 Visual Amenity/ Character and Appearance;

Policy CF7 further expands advising the following. The riding and keeping of horses for both commercial and domestic purposes is increasing in popularity. It is essential to ensure that any horse related development does not have an adverse impact on the surrounding countryside. The design of stables, shelters and other structures should reflect the surrounding area. The use of natural materials such as timber, natural stone and slate will be encouraged. The use of more permanent materials such as rendered concrete blocks

and tiles should be resisted as they can be visually intrusive in a rural setting and can result in a more urbanised form of development.

Where possible, new buildings should be sited in close proximity to existing groups of buildings. The proposed building has been sited so that it would be in the northwest corner of the site, adjacent to an existing barn to the north and in relatively close proximity to a residential dwelling to the northwest, The Cottage. This helps to reduce the impact of the building as it will be screened by the existing barn when approaching from the north. It is also acknowledged the siting of the building may help reduce the need for surfaced trackway to access it. Notwithstanding this, as it is sited in close proximity to the access, it would be visible when travelling along Llandevaud Lane and its design is key to achieving a visually acceptable development. The rendered walls and tiled roof are not typical materials for a stable block in a rural location and the plentiful casement windows are more typical of a residential building than a stable block. The finishes do not respond positively to agricultural buildings in the immediate locality that are more typical of this setting. It is considered that the building is visually intrusive in this rural setting and by reason of design, scale and location is inappropriate development and contrary to policy CF7..

It is unclear why the whole site has been covered in hardcore and any hard surfacing should be reduced to the minimum area required. The removal of vegetation and hedgerow and the addition of hard surfacing introduces an urban feature thereby eroding the rural character of the area. No new landscaping has been proposed and would be required.

Overall, it is considered that the proposed stable block and retention of hard surfacing would result in visually intrusive additions urbanising the rural environment to the detriment of the rural character and appearance of the area.

8.3 **Biodiversity/Landscaping:**

The field previously included natural grassland habitats and scrub together with any protected species they may have supported but has since been covered with hardcore. The application has failed to demonstrate an overall enhancement of biodiversity, and in accordance with section 6.4.16 of PPW12 the baseline for this net benefit will be the condition of the site before the laying of the hardcore took place.

'Potential applicants should not conduct any pre-emptive site clearance works before submitting a planning application as this can make it more difficult for a development proposal to secure a net benefit for biodiversity. Where a site has been cleared prior to development its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place. A net benefit for biodiversity must be achieved from that point. Habitat status can be established through evidence remaining on site and local desk-based assessments (planning authorities must ensure that they have access to these data sources). In such cases, habitat status will be presumed to be good in the absence of any evidence to the contrary.'

The Council's Ecology Officer therefore advises that the application should have been supported by a Preliminary Ecological Appraisal to describe the remaining habitats on site, to assess the likely condition before clearance, and to propose measures to ensure a net benefit for biodiversity from the original baseline state. No surveys have been provided.

Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. A bird box and bat tube are proposed.

As well as the removal of the grassland, it is also noted that a section of hedgerow also appears to have been removed. No details to address either of these matters have been provided. In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement. Given the nature of the site, the application should be supported by a Green Infrastructure Statement but has failed to do so. This application is contrary to PPW12. The application fails to have any consideration for the maintenance and enhancement of biodiversity and contains the

unjustified removal of grassland and hedgerow and the laying of hardcore, to the detriment of biodiversity and green infrastructure. No ecological information has been submitted in support of the application.

8.4 Movement:

The existing lawful use of the site is agricultural. The siting of the stable block would result in the intensification of the site. Horses require regular attention for feeding, cleaning, mulch removal, farriers etc. The application fails to demonstrate that the access would be suitable for large vehicles/trailers normally associated with the transit of horses and what vehicles/trailers would visit the site. The access also fails to demonstrate that adequate visibility splays are achievable. The access would need to provide visibility splays of 2.4m x 25m as well as 2m x 2m at 600mm high to meet highway safety expectations although such expectations may conflict with landscape retention and biodiversity impacts cited above. The existing surfaces could be transferred to the highway as are loose material, posing a risk to road users and is considered to be unacceptable. From a highway safety perspective, any gates would need to be set back at least 5m and the first 5m of the access should be surfaced with bound permeable material. Therefore, the Council's Highways officer offers an objection to the application on highway safety grounds.

8.5 Residential Amenity:

The site shares a boundary with a residential property to the rear, The Cottage. The proposed stable block would be sited to the south-east of the residential dwelling at a distance of approximately 18m. There is an existing agricultural barn sited to the north of the application site that is located the same distance from the residential dwelling, as well as a barn located approximately 19.5m to the south.

The application lacks sufficient detail as to how the site would operate. Generally, it is not anticipated that an equine use of this scale would result in increased impact on residential amenity over and above the surrounding agricultural uses which in this case are already in close proximity to the residential dwelling, however this may not be the case depending on the specific nature of this site/use.

If the development were approved and resulted in any excessive noise and/or odour issues, these could be reported and investigated by the Council's Environmental Health Team.

8.6 Drainage:

The plans show 100 upvc sw drains from rainwater gulleys to soakaways. There are 2no soakaways shown that would each measure 2m x 2m x 1m filled with clean stone and encase in Terram geotextile sheeting. An area of 'free draining 65mm thick block paving' is also shown on the plans in front of the stable block.

8.7 Other Matters

The application contains a lack of information to demonstrate how the site would operate, the impacts it would have and justification for such development within this location. The application isn't clear as to who would use the site and how it would be managed. There appears to be no space on site for the horses to graze or exercise on site, so assumedly would need to be taken off site, increasing vehicular movements. It is unclear how often this would occur and what vehicles would be required. Once identified what vehicles would be required to access the site, it must be demonstrated that the access and turning areas on site would be sufficient to accommodate them. A lack of details of existing hedgerow and trees have been submitted and it is unclear how the siting of the stable block could impact the retention of these features. No justification has been provided as to why such an extent of hardstanding is required. The application fails to provide any details of lighting or infrastructure. The application also fails to provide details of waste management. Overall, the application is considered unacceptable.

9. OTHER CONSIDERATIONS

9.1 Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and

disorder as a result of the proposed decision.

9.2 Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 Newport's Well-Being Plan 2018-23

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

10.1 The proposed development is an unjustified development within the open countryside. Its design and scale would result in visually intrusive urban additions to this rural environment to the detriment of the character and amenity of the area. Hedgerow and vegetation has been removed from the site and no green infrastructure statement or ecological information has been submitted in support of the application which is not in accordance with the stepwise approach. The proposal is unacceptable in terms of highway safety, no visibility splays have been provided, the surface of the access as well as the siting of the gates are unacceptable. The application also fails to demonstrate what vehicles would need to visit the site and whether the access and site could safely accommodate them.

11. DECISION

REFUSED

01 The development will have a significant adverse impact upon interests of acknowledged importance, namely ecology and green infrastructure. It is not in accordance with the Stepwise Approach of PPW12 and no information has been provided to mitigate this objection. This is contrary to policies SP9 and GP5 of the Newport Local Development Plan 2011-2026, Future Wales Policy 9 and Planning Policy Wales 12.

02 The development by reason of its scale, design and location will have a significant

adverse impact upon interests of acknowledged importance, namely visual amenity and the character and appearance of the rural landscape by reason of unjustified and visually intrusive development in the open countryside. This is contrary to policies SP5, CF7 and GP6 of the Newport Local Development Plan 2011-2026.

03 The development will have a significant adverse impact upon interests of acknowledged importance, namely highway safety and the free flow of traffic by reason of an intensification of use of the site with inadequate visibility splays, insufficient space on site for large vehicles/trailers servicing the use to access and manoeuvre safely, the use of unbound surfacing that can be carried into the highway and gates that will result in vehicles waiting on the highway. No information has been provided to mitigate this objection. This is contrary to policy GP4 of Newport Local Development Plan 2011-2026.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Elevations Drawing No.TJ/LLAN/02, Site Plan Drawing No.TJ/LLAN/03, Location Plan Drawing No.TJ/LLAN/06, Floor Plan Drawing No.TJ/LLAN/01, Block Plan Drawing No.TJ/LLAN/05A, Details of Entrance Gates and Paddock Fencing Drawing No.TJ/LLAN/06 and Site Plan Drawing No.TJ/LLAN/04A.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP5, GP2, GP4, GP5, GP6 and CF7 were relevant to the determination of this application.

03 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.