

Application Ref NP/24/0081/FUL
Case Officer Kate Attrill
Applicant Trewern Farms Ltd
Agent Mr Wyn Harries MRICS, Harries Planning Design Management
Proposal Retrospective application for agricultural welfare building
Site Location Trewern, Velindre, Crymych, Pembrokeshire, SA41 3XE
Grid Ref SN08763832
Date Valid 08-Feb-2024 **Target Date** 06-June-2024

This application is being considered by the Development Management Committee as the Community Council has objected to the application, contrary to the Officer recommendation for approval.

Summary

This application is a retrospective application for an agricultural building. It is part of a wider complex of buildings which are also the subject of a current Planning Enforcement Appeal following an Enforcement Notice issued in 2018 being held in abeyance by PEDW.

The close proximity of the site to the North Pembrokeshire Woodlands SAC which is an old sessile oak wood with an exceptional diversity of rare epiphytic lichens has meant that proposals to increase livestock numbers have required appropriate assessment under the Habitat Regulations to assess potential impacts. In this case the proposal is for an agricultural welfare building, described on site as the maternity suite. The design and siting of the building is considered acceptable within the wider complex of buildings.

Subject to conditions in relation to landscaping and control of maximum herd numbers, to ensure there are no potential additional ammonia impacts on the SAC, the proposal is considered acceptable and to meet relevant Local and National planning policy requirements. Provision of a lighting scheme is also considered to deliver appropriate biodiversity enhancements in accordance with the provisions of Planning Policy Wales Edition 12 and the Environment Wales Act 2016.

As the Habitats Regulations Assessment has not yet been signed by Natural Resources Wales (NRW), the recommendation is to delegate approval to Officers, subject to formal agreement of this assessment by NRW being received.

The plans and accompanying documents can be found on-line at: [Citizen Portal Planning - application details \(agileapplications.co.uk\)](https://citizenportal.planning-agileapplications.co.uk)

Consultee Response

Natural Resources Wales: No Objection to the proposed development: we note that it is not the Applicant's intention to increase stock numbers and that the development is intended to improve the welfare facilities for current stock levels.

PCNPA Planning Ecologist: More information required

Nevern Community Council: Object:

Nevern Community object strongly to this retrospective planning application. These buildings are currently being processed by the Welsh Government planning authority due to the many controversial elements involved. Nevern Community Council feel strongly that planning should not be granted at this point in time. Nevern Community Council recommend refusal.

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

No third-party representations have been received.

Policies considered

Future Wales - The National Plan 2040 (FW which was adopted on 24th February 2021

Planning Policy Wales 12

Please note that these policies can be viewed on the Policies page of Pembrokeshire Coast National Park website –

Local Development Plan 2 - Pembrokeshire Coast National Park

LDP2 Policy 01 - National Park Purposes and Duty

LDP2 Policy 07 - Countryside

LDP2 Policy 08 - Special Qualities

LDP2 Policy 09 - Light Pollution

LDP2 Policy 11 - Nationally Protected Sites and Species

LDP2 Policy 14 - Conservation of the Pembrokeshire Coast National Park

LDP2 Policy 29 - Sustainable Design

LDP2 Policy 30 - Amenity

LDP2 Policy 32 - Surface Water Drainage

LDP2 Policy 59 - Sustainable Transport

LDP2 Policy 60 - Impacts of Traffic

SPG02 - Landscape

SPG04 - Archaeology

SPG15 - Sustainable Design & Development

TAN 06 - Planning for Sustainable Rural Communities

TAN 12 - Design

TAN 21 - Waste

TAN 23 - Economic Development

TAN 24 - The Historic Environment

Constraints

LDP Mineral Safeguard

Historic Landscape

Ancient Monument - within 500m

Potential for surface water flooding
Recreation Character Areas
Affordable Housing Submarkets
Landscape Character Area

Officer's Appraisal

Site and Context

Trewern Farm is operated as a zero grazing style dairy farm with 304 hectares located on two separate parcels of land, one at Trewern with the remainder being at Penpedwast, adjacent to Castell Henllys. The farm has a dairy herd of approximately 950 cows.

Trewern Farm has expanded significantly over recent years with many of the buildings and structures on site having been erected without the prior benefit of planning permission.

The site currently comprises an agricultural shed immediately adjoining another shed and used as an animal welfare building for existing cattle to calf. All cows in this building are bedded on straw.

A slurry lagoon, silage clamps and 10 of the newer agricultural buildings are now lawful as Certificates of Lawfulness were granted for these whilst the Authority were awaiting an Environmental Impact Assessment to be submitted by the applicants for the 2015 planning application to regularise the unauthorised buildings.

However, there are now only 2 outstanding agricultural buildings which are not lawful, and an enforcement notice was served in May 2018 requiring their removal. This notice was appealed in November 2019 and is currently being held in abeyance by the Planning Inspectorate.

Relevant Planning History

NP/91/006 Outline permission for an agricultural dwelling at Trewern – Approved

NP/91/0454 – Agricultural dwelling – Approved

Pre-app PA/15/0201 Proposed anaerobic digestion plant - cancelled

NP/15/0582/SCR Request for an EIA Screening Opinion for a proposed 0.5MW Anaerobic Digestion Plant - EIA required

NP/15/0417 – Retrospective agri. buildings, slurry lagoon etc. – **currently undetermined** (description changed in 2020) to reflect certificates granted through NP/16/0603/CLE & NP/18/0320/CLE - which also includes the building subject of this current application and which includes an EIA received in 2020.

NP/15/0624 - Retrospective consent for a 2 storey extension and office to the agricultural dwelling – Approved

NP/16/0603/CLE November 2016 – a Lawful Development Certificate application was submitted to regularise the slurry store and silage clamps. This application was allowed on appeal in February 2018 (ref: 3174868).

NP/17/0533/FUL – Rural Enterprise workers dwelling – Refused 24/11/2017

May 2018 – Enforcement Notices issued re 3 unauthorised structures (above) – Appeal submitted to PEDW - **currently being held in abeyance by PEDW pending resolution of mitigation/HRA issues**
NP/18/0320/CLE – Certificate of Lawfulness for 10 agricultural buildings – Approved 17th July 2018
NP/18/0507/OUT - Outline application for the erection of permanent agricultural workers accommodation - Approved 21/08/2019
NP/19/0694/RES Detailed design, layout and access of the proposed agricultural dwelling. Approved
NP/23/0451/FUL Retention of agricultural building – Approved

Description of Proposal

The agricultural building being applied for retrospectively is described as ‘Structure 9’ which is located to the northern side of the farming complex.

The building is of steel-portal design with partially open sides on the southern elevation, enclosed on the western and northern elevations.

The building measures approximately with a floor area of 464.7 square metres. It is approximately 4.7/4.8 metres to the ridge and 4 metres to the eaves, 35.4 metres long, 21 metres wide its widest point with the western wall clad with timber boarding and the roof with profile fibre cement sheets.

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Siting, Design and Impact upon the Special Qualities of the National Park
- Amenity and Privacy
- Landscaping & Biodiversity

Policy and Principle of Development:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the National Park comprises Future Wales (the National Plan 2040) and the Local Development Plan 2.

Future Wales – The National Plan 2040 (FW), was adopted on 24th February 2021 and is the National Development Framework for Wales, and the national tier of the Development Plan. Policy 4 Supporting Rural Communities states that Strategic and Local Development Plans must identify their rural communities, assess their needs and set out policies to support them. On page 104, Future Wales states that: National Park Authorities are unique planning entities with a specific remit to reflect the distinctive characteristics of their areas...and that Future Wales policies respect the functions of National Parks in terms of their statutory purposes... Policy 01 (National Park Purposes and Duty) of the Pembrokeshire Coast National Park Local Development Plan (LDP) sets out the National Park’s purposes and duty,

in order to ensure that development within the Park is compatible with these. It requires that development within the National Park is compatible with the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the Park and the public understanding and enjoyment of the special qualities. It notes that in determining proposals, due regard will be paid to the need to foster the economic and social well-being of the local communities within the Park, provided this is compatible with the statutory National Park purposes.

Policy 07 (Countryside) of the Local Development Plan 2 identifies that outside the identified Centres all locations are considered countryside location in which development must be strictly controlled. New farm buildings are supported where these are necessary for agricultural purposes.

The proposal is in principle, acceptable, however matters of compliance with Policy 1 (National Park Purposes and Duty) depends on matters of detail relating to landscape impact, impact on the Special Qualities of the National Park, the environment and historic assets. These are discussed in greater detail below.

Siting, Design and Impact upon the Special Qualities of the National Park

Policy 08, Special Qualities, of the Pembrokeshire Coast National Park Local Development Plan, is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced. These qualities are characteristics and features which individually or in combination contribute to making the National Park unique.

Policy 14, Conservation and Enhancement of the Pembrokeshire Coast National Park, states that development will not be permitted where this would have an unacceptable adverse effect on the qualities and special landscape and seascape character of the Pembrokeshire Coast National Park including locally distinctive characteristics. Criterion b) of the policy restricts development that would introduce or intensify a use which is incompatible with its location.

The site lies within the Mynydd Preseli Landscape Character Area. The Mynydd Preseli is a distinctive upland area characterised by open moorland and heath with rocky summits and scree slopes evident on the higher parts. Conifer plantations are also present, particularly on the southern flanks. The upland area affords wide-ranging views across to the neighbouring Mynydd Carningli, and along the coast. The unenclosed moorland contains nationally important features, including Iron Age Hill forts, Round Barrows and Deserted Settlements. This archaeological wealth has led its designation as the Mynydd Preseli Registered Landscape of Outstanding Interest in Wales. The site of Trewern lies within the northern edge of the designated historic landscape area.

Management guidance contained within the LCA states that priorities should be to: --

- manage the wealth of upstanding archaeological sites to retain their integrity and their visual context
- encourage landowners to participate in agri-environmental schemes and leave overgrown areas around the margins of arable fields for the benefit of wildlife, and alter grazing pressure to allow areas of acid grassland to flourish.

The siting and design of the proposed building are largely contained within the farming complex, and as such there is no significant visual impact from this building. No external lighting is proposed with this building, however there is wider lighting on the farm as a whole.

The landscaping proposed through this proposal, as part of a wider and comprehensive landscape scheme will significantly improve the appearance of the complex within the wider landscape once planted which will help to mitigate for the significant expansion of the farm buildings between 2010 and 2015. This can acceptably be controlled via an appropriate planning condition.

It is considered that overall the development will not cause an unacceptable detrimental impact to the special qualities of the National Park. As such, subject to the imposition of a condition regarding control of external lighting, the development complies with policies 8 and 14 of the LDP and can be supported.

Amenity:

Amenity is protected by Policy 30 which states that development will not be permitted if:

- 'b) the development is of a scale incompatible with its surroundings; and/or
- c) the development leads to an increase in traffic or noise or odour or light which has a significant adverse impact; and/or
- d) the development is visually intrusive.

The building is contained within the existing confines of the complex, and it is partially surrounded by buildings which have been granted Certificates of Lawfulness, it is not, in itself considered to be significantly detrimental to the landscape of the National Park. Officers have also considered potential cumulative impact when in combination with the existing buildings and again conclude that this is not creating a significant adverse effect on the landscape.

Biodiversity & Landscaping:

Policy 11 of the Local Development Plan requires that any development which may disturb or harm protected species will only be allowed where the effects will be acceptable minimised or mitigated through careful design, work scheduling or other measures.

To comply with Planning Policy Wales (2021) and the Environment (Wales) Act 2016 planning authorities are expected to ensure every development positively contributes to biodiversity.

The application has suggested that a swallow nest cup and a bat box will be provided on site on the southern elevation of the building. PCNPA Ecologist has advised officers that a lighting scheme for the farm business as a whole in conjunction with the cup and bat box would in combination represent an acceptable biodiversity benefit as required by national planning policy and legislation. This can be controlled by condition.

A landscaping scheme for Structure 9 has been submitted which shows a section of land to the south east of the building complex planted with a mix of native species interspersed with swales and drainage.

There is a SAC (North Pembrokeshire Woodland) to the south of the site. The primary reason for the designation of this site is that it is an example of old sessile oak wood. The woods have an exceptional diversity of epiphytic lichens. These can be sensitive to and impacted by ammonia. To protect this area from any potential increase in ammonia a condition to restrict the increase of the current herd (thereby ensuring there is no overall increase in livestock numbers on the holding resulting from this permission) is considered necessary to ensure the proposal is acceptable under the Habitats Regulations Assessment. A final form of wording regarding the condition to control herd size was being discussed with the agent, Planning Ecologist and Natural Resources Wales at the time of report writing and therefore a verbal update on this condition will be provided to Committee.

The covering letter submitting with the application states: *'This proposal seeks to be used for calving and animal welfare for existing cattle on straw. This proposal does NOT increase the number of livestock on site. ALL cattle housed within the building will be bedded on straw. Therefore, this proposal will NOT create any additional nutrients. All livestock housed in this building are on straw and the resultant farm-yard manure (FYM) is stored in accordance with NRW guidance before being spread on the land. FYM is not impacted by The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 closed period for nutrient spreading and therefore, the farm has ample capacity to safely stored all farmyard manure produced by the existing herd'*.

Natural Resources Wales have been consulted and have not expressed objection. The PCNPA Ecologist has advised that subject to appropriate conditions relating to herd size the proposal is likely to be acceptable following the completion of a Habitats Regulations Assessment.

The HRA will need to be signed by Natural Resources Wales – this had not happened at the time of report writing and therefore delegated approval, subject to this is sought.

As such, the development can be considered to comply with national and local development plan policies and can be supported.

Conclusion

The proposal is for retrospective permission for an agricultural building as part of a wider agricultural business in the countryside.

Subject to the imposition of appropriate landscaping conditions and a specific condition restricting overall herd size and the submission of a lighting scheme for the farm, the proposed development is considered to comply with all relevant National and Local planning policies and the application is therefore recommended for approval subject to appropriate conditions.

A final Habitats Regulations Assessment has not yet been agreed by NRW and therefore delegation is sought to approve the application subject to their approval. In reaching a recommendation, regard has been given to the requirements of sections 3 and 5 of the Well Being of Future Generation (Wales) Act 2015. It is considered that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive, and resilient communities.

Recommendation

It is recommended that the application be delegated for approval to the Director of Placemaking, Decarbonisation and Engagement subject to receipt of a formal response from Natural Resources Wales in relation to the Habitats Regulations Assessment and subject to the conditions listed below.

1. This application is approved under Section 73A of the Town and Country Planning Act which relates to works already carried out.
2. The biodiversity enhancements and landscaping proposed shall be installed within the first planting season after the date of this decision.
Reason: To comply with Planning Policy Wales (2021) and the Environment (Wales) Act 2016.
3. The landscaping works shall be carried out in accordance with:
The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.
 - Document ref: 771/02 Schedules, Specifications and Management
 - Document ref: 771/01B – Landscaping Planting Plan (with Area 9).Development shall thereafter take place in accordance with the approved details. Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by this authority.
Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value of the site and surrounding area. Local Development Plan 2 – Policies: 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation and enhancement of the Pembrokeshire Coast National Park), 30 (Amenity), SPG 07 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders.
4. **Condition regarding herd size restriction to be presented at DM Committee.**
Reason: In order to ensure there is no increase in herd size as a result of this application and to protect the adjacent SAC.

5. A lighting scheme to reduce lighting impact from the site shall be submitted within 3 months of this decision date for agreement in writing to the Local Planning Authority. It shall be implemented in perpetuity thereafter.

Reason: To provide a biodiversity enhancement in accordance with the requirements of Planning Policy Wales Edition 12 and the Environment Wales Act 2016.

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Trewern Farm, Velindre, Crymych,
Pembrokeshire, SA41 3XE



Parc Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park

Graddfa/Scale: 1:1,250

