

PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY COMMITTEE REPORT



Ref No: NP/15/0417/FUL
Proposal: Retention of agricultural building (Structure 13) and lay down area
Site Location: Trewern Farm, Felindre Farchog

Recommendation: Approve, subject to conditions

This application is being considered by the Development Management Committee as the application is a Major and is required to be determined by Committee.

Summary

This application is a retrospective application for an agricultural building (structure 13) and retrospective consent for the addition of a car parking area to the western end of the farming complex.

It is part of a wider complex of buildings, and the last to be regularised of the current Planning Enforcement Appeal which followed an Enforcement Notice issued in 2018 still 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. The design and siting of the building is considered acceptable within the wider complex of buildings.

Subject to conditions in relation to both landscaping and control of maximum milking 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.

Since the application was originally registered, Welsh Government legislation concerning the processing of Major application has altered, and the applicants have provide a PAC report which was publicly consulted on prior to the re-submission of this application. The red line was also expanded from the original to account for the car parking area.

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 signed agreement of this assessment by NRW being received.

The plans and accompanying documents can be found on-line at: [Citizen Portal Planning - application details](#)

Consultee Response

- **Natural Resources Wales:** No objection to the proposed development
- **PCNPA Planning Ecologist:** To be reported to Committee
- **Pembrokeshire County Council Public Protection:** No Objection
- **Cadw:** No Objection
- **PCNPA Built Conservation Officer:** No adverse comments

- **PCC Highways:** No adverse comments
- **PCC Drainage:** As the application is pre-2019, SAB conditions do not apply
- **Nevern Community Council:** Nevern Community Councillors would like to know how the 960 cattle limit is going to be policed and is there a way of ensuring an independent report on the number of cattle to be on site at any one time? Councillors would like reassurance that herd numbers will not be expanded. Biodiversity and Geological Conservation - Is there a full report on the habitats near the application site, that will/have affected the lichen and other important habitats or biodiversity features? As the important woodland is only two fields away, reassurance that no damage to protected and priority species is sought. Nevern Community Councillors have grave concerns.

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

National Policy

All planning applications in Wales need to be determined in accordance with the statutory National Development Plan:

- [Future Wales: The National Plan 2040](#) (FW)
- [Planning Policy Wales 12](#) (PPW12).

Technical Advice Notes

The Future Wales Plan should be seen and read as a whole, and in conjunction with National planning policy in the form of Planning Policy Wales (Edition 12, February 2024) as well as considering the following Welsh Government Technical Advice Notes (TAN's)

www.gov.wales/technical-advice-notes:

- TAN 5 – Nature Conservation and Planning
- TAN 12 – Design

Local Development Plan 2 (Adopted September 2020)

Additionally, within the Pembrokeshire Coast National Park, The Local Development Plan 2 (LDP2) is also the relevant development plan with the following Policies being applicable to this proposal.

- Policy 01 (National Park Purposes and Duty)
- Policy 07 (Countryside)
- Policy 08 (Special Qualities)
- Policy 11 (Nationally Protected Sites and Species)
- Policy 14 (Conservation of the Pembrokeshire Coast National Park)
- Policy 29 (Sustainable Design)
- Policy 30 (Amenity)
- Policy 32 (Surface Water Drainage)
- Policy 34 (Flooding and Coastal Inundation)
- Policy 54 (Community Facilities)
- Policy 59 (Sustainable Transport)
- Policy 60 (Impacts of traffic)

These policies can be viewed on the Policies page of Pembrokeshire Coast National Park website: <https://www.pembrokeshirecoast.wales/wp-content/uploads/2024/01/LDP-Text-for-Adoption-Web.pdf>

LDP2 Supplementary Planning Guidance

In addition, the Authority produces Supplementary Planning Guidance (SPG) on various topics, and these may be material considerations in the determination of any future application made. In respect of the proposal the most relevant SPG's are:

- SPG – Biodiversity
- SPG – Landscape
- SPG – Parking Guidelines
- SPG – Sustainable Design & Deve
- SPG - Archaeology

Constraints

- LDP Mineral Safeguard
- Historic Landscape
- Ancient Monument - within 500m
- Potential for surface water flooding
- Recreation Character Areas
- Affordable Housing Submarkets
- Landscape Character Area

1. 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 being erected without the prior benefit of planning permission, and having since been regularised through a combination of retrospective applications and certificates of lawfulness. The building subject of this application is believed to have been constructed in 2014.

The site currently comprises an agricultural shed immediately adjoining another shed and is used for cubicle housing.

A slurry lagoon, silage clamps and 12 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, this is the last of the outstanding agricultural buildings which are not lawful, and an enforcement notice was served in May 2018 requiring its removal. This notice was appealed in November 2019 and is currently being held in abeyance by the Planning Inspectorate.

2. 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
NP/24/0133/DOC Discharge of condition No. 5 of NP/23/0451/FUL - Soft Landscaping Plan – Approved 14/05/2024
NP/24/0081/FUL Retrospective application for agricultural welfare building – Approved at Committee June 2024
NP/24/0498/DOC Discharge of condition No. 5 of NP/24/0081/FUL - External lighting scheme- currently under consideration

3. Description of Proposal

The agricultural building being applied for retrospectively is described as ‘Structure 13’ which is located to the southern side of the farming complex.

The building is of steel-portal design and measures approximately 6 metres to the ridge and 4.2/4.4 metres to the eaves, 67.2 metres long, and is 16 metres wide.

The building is described as being designed to house cattle in a series of cubicles, and forms part of a longer set of buildings running along the southern section of the farming complex. The livestock numbers are not proposed for increase as a result of this application but will be as secured by planning consent NP/24/0081 restricted to no more than 960 milking cows with 1020 maximum excluding calves.

Translucent panels currently on the roof are proposed for removal in order to reduce the impact of the building with regards to lighting.

A lay-down area for machinery, which has also been used for temporary calf housing, machinery storage, and staff car parking has been added to the application and this runs the western boundary of the site. It is described as having been extended up till 2022 in the planning statement but appears to have been undergoing extensions and re-surfacing up to and including this year.

4. 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

4.1 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.

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.

4.2 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.

Parts of the Pembrokeshire Coast National Park are still relatively undeveloped with minimal impact of lighting on the night sky and a series of dark skies discovery sites have been identified within the National Park. Policy 9 seeks to conserve that character and limit the impact of lighting which could negatively impact on the special qualities of the National Park. The application proposes to improve the impacts of lighting by removing a number of translucent panels from the southern elevation and roof of the building, replacing with matching solid panels. This is reflected in Condition 6 below to ensure that the development does help to ameliorate the impact the building has had within the landscape and is enforceable.

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 that cannot be remediated with a suitably sufficient landscaping scheme.

No external lighting is proposed with this building, but a discharge of condition application relating to the wider complex as part of the previously approved building has been submitted for approval. This is currently under consideration.

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.

4.3 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. There is an impact, and this can be addressed through a suitable scheme of landscaping which can also be controlled through condition.

4.4 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 (2024) and the Environment (Wales) Act 2016 planning authorities are expected to ensure every development positively contributes to biodiversity.

The application has suggested that a bat box and two sparrow terraces will be provided on site on the southern elevation of the building in an effort to enhance biodiversity. More significantly, a landscaping scheme for Structure 13 has been submitted which shows a section of land to the southeast 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 milking herd (thereby ensuring there is no overall increase in livestock numbers on the holding resulting from this permission) is considered appropriate.

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 confirmed 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.

5. 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, 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.

6. 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. The maximum milking herd shall be capped at no more than 1093 cows. Evidence of herd numbers shall be submitted annually to the National Park Authority, no later than the 1st of December in each year to ensure that these numbers are not being exceeded.
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. Any new external lighting proposed to be added to the building shall first be agreed in writing through the submission of a scheme to the Local Planning Authority. Such scheme as is agreed shall be implemented and not added to thereafter without further written consent.

Reason: To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 and the Environment (Wales) Act 2016 and Policies 9 and 11 of the Pembrokeshire Coast National Park Local Development Plan.

- 6 The translucent panels suggested for removal and shown on Plan 1506 57 A for Buildings 1 and 13 shall be removed and replaced as per the plan within 6 months of the consent hereby approved.

Reason: In order to prevent light pollution and to comply with Policy 9 of the Pembrokeshire Coast Local Development Plan.

NP/15/0417/FUL

Trewern, Felindre Farchog, Crymych,
Pembrokeshire, SA41 3XETrewern,
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Pembrokeshire, SA41 3XE



Parc Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park

Graddfa/Scale: 1:2,500

