

**Ref No:** NP/24/0206/FUL  
**Case Officer:** Jack Houser  
**Applicant:** Trewern Farms Ltd  
**Agent:** Mr Wyn Harries MRICS, Harries Planning Design Management  
**Proposal:** Proposed Nutrient Store and Associated Works  
**Site Location:** Trewern, Velindre, Crymych, Pembrokeshire, SA41 3XE

**The Development Management Committee is considering this application as the Community Council has objected to the application, contrary to the Officer's recommendation for approval.**

**Summary:**

This application is seeking planning consent for the proposed nutrient store, which will enable the farm to comply with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

Trewern Farm, a dairy enterprise, is situated about 1.8km west of Felindre Farchog, accessible via a narrow single-track road off the A487 to the north. It is surrounded by agricultural land in the countryside, with the closest neighbouring dwellings approximately 100m to the south. Over the years, Trewern Farm has grown gradually to meet the needs of the farming enterprise. It currently houses a milking herd of around 960 animals and covers around 195 hectares of owned and tenanted land. The existing nutrient store is located to the east of the complex.

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 will require Trewern Farm to increase its current slurry storage capacity from 120 days to 150 days to comply with the new regulations.

The new nutrient store is proposed to be constructed north of the main complex, in a neighbouring agricultural field, in accordance with SSAFO Regulations.

The proposed development is considered to be acceptable in terms of siting, design, amenity and biodiversity and therefore to be in accordance with Planning Policy Wales 12 and Local Development Plan 2 (LDP2).

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 have required appropriate assessment under the Habitat Regulations to assess potential impacts.

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 \(agileapplications.co.uk\)](https://www.agileapplications.co.uk)

## **Consultee Response**

**Nevern Community Council: *Objection and recommend refusal*** Once again documents relating to this farm are still in front of the W.G. Dept. The environmental issues are unresolved, and this is going to compound those issues. These are most important to the welfare of the surrounding environment and surrounding areas such as Ty Canol Woods. It is imperative that these issues are taken into consideration.

**PCNPA Ecologist:** Standard advice on protected species and lighting condition – awaiting final HRA

**Welsh Water :** No Objection

**PCC Public Protection :** No Objection

**Natural Resources Wales:** Further information required

## **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 representations have been received.

One letter of concern has been received and the contents of the letter is summarised below.

## **Policies considered**

### **National Policy**

- Future Wales: The National Plan 2040 (FW)
- Planning Policy Wales 12 (PPW12)

### **Technical Advice Notes**

- TAN 05 - Nature Conservation and Planning
- TAN 12 - Design
- TAN 21 – Waste
- TAN 24 - The Historic Environment

### **Local Development Plan 2 (Adopted September 2020)**

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 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

#### LDP2 Supplementary Planning Guidance

- SPG02 - Landscape
- SPG06 - Archaeology
- SPG07 – Biodiversity
- SPG16 - Sustainable Design & Development

#### Constraints

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

#### Officer's Appraisal

Trewern Farm, a dairy enterprise, is located approximately 1.8 kilometres west of Felindre Farchog and is accessible via a narrow single-track road off the A487 to the north. It is surrounded by agricultural land in the countryside, with the nearest neighbouring dwellings located approximately 100 meters to the south. Over time, Trewern Farm has undergone gradual expansion to meet the demands of the farming enterprise. Presently, it accommodates a milking herd of around 960 animals and spans approximately 195 hectares of owned and tenanted land. The existing nutrient store is positioned to the east of the complex.

The new nutrient store is proposed to be located north of the main complex in a neighbouring agricultural field. It will be constructed in compliance with the requirements of SSAFO Regulations. The size of the nutrient store has been determined based on a 5-month requirement and will not exceed the farm's 6-month capacity, as indicated by the submitted storage calculations. Additionally, the application is supported by a SCAIL Ammonia Report.

This is a full planning application for a proposed earth-banked nutrient store. The store/lagoon for slurry would have a capacity of around 11,850 m<sup>3</sup> after deducting the freeboard. It would have approximate dimensions of 51m x 26m and a depth of 3.5 to 4.5 meters. The lagoon would be enclosed by a 1.5-meter chain-link fence.

## **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**

**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

## **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:
- Biodiversity Protected Sites & Landscaping
- Green Infrastructure

### ***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 2 (LDP2) ensures that development is compatible with the Park’s purposes and duties.

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 supporting text expands upon the policy stating the policy seeks to protect the countryside from unacceptable and unjustified new development. In light of this the applicant must support their application with adequate justification for locating the proposal in the countryside.

The application seeks planning permission for the erection of a nutrient store/lagoon for slurry. The lagoon would be used in conjunction with the agricultural use on site and thus the countryside location would be justified in this instance. The proposed store will be located in an area that is currently being used as pastureland. It will be situated at a location separate but in reasonable proximity to the main yard, which also contains other buildings used for various agricultural purposes. Lagoons of this nature are usually positioned away from the farm complex and are centrally located in an area designated for slurry application.

Slurry from the main farm can be pumped to the proposed site, reducing road movements with tankers.

The reasoned justification for Policy 7 (Countryside) cross reference national planning policy as set out in Planning Policy Wales which advises that local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those necessary to achieve compliance with new environmental legislation. The reasoned justification also cross references national planning policy which seeks to protect the best and most versatile agricultural land for the future.

The application site land is classified as grade 3b which is classed as moderate quality agricultural land and therefore the proposal would not impact on best and most versatile agricultural land. In addition, it is clear that the proposal relates to an existing working farmyard and the proposal seeks to construct a store/lagoon in accordance with regulatory requirements.

The proposal is considered to be appropriate in terms of scale and use. Detailed matters of design are assessed below.

As such, the principle of the development is considered acceptable and to comply with the relevant policies of the adopted Local Development Plan (LDP2).

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

Policy 08 (Special Qualities), of Pembrokeshire Coast National Park Local Development Plan 2 (LDP2), 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 of the Pembrokeshire Coast National Park) of LDP2 seeks the conservation of the Pembrokeshire Coast National Park, resisting development that would cause significant visual intrusion, be insensitively or unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park.

Policy 29 (Sustainable Design) of LDP2 requires all development proposals to be well designed in terms of place and local distinctiveness.

The proposed store/lagoon is typical of slurry storage methods on working farms and would therefore not appear out of keeping in the context of an agricultural environment. The works will be mainly below ground level, with a small bank, circa 1m high and a 1.5 metre chain link fence enclosure. These works will have limited visual impact. As such, the proposed design of the store is considered acceptable.

The justification accompanying the application notes that the site of the nutrient store has been chosen for because it is on a plateau which helps the store to blend into the surroundings. The justification document notes that the existing hedgerow provides some screening from the road and additional planting is proposed to further this. The fact that the site is situated to the north and with some degree of separation from the main Farm buildings is considered to be necessary to increase the distance from the nearby SAC of Coed Ty Canol. The nutrient store may be observed as a faint feature when viewed from the unclassified road to the south and west, but its location is not prominent in the broader landscape. Therefore, the proposal is not considered to have a harmful impact on the visual amenity of the immediate site or wider rural character of the landscape in this location. Furthermore the landscaping proposed through this proposal will allow the nutrient store to be read as part of the landscape.

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 and Privacy:***

Policy 30 (Amenity) of LDP2 seeks to protect the amenity of people living in the National Park and states that development will not be permitted where it has an unacceptable effect on amenity, particularly where:

- g) the development would have a detrimental impact on the quality of the environment currently enjoyed by people living, working or visiting the Park; and/or
- h) the development is of a scale incompatible with its surroundings; and/or
- i) the development is visually intrusive.

Policy 30 (Amenity) supports Policy 14 (Conservation of the Pembrokeshire Coast National Park) in not allowing development that creates a visual intrusion.

The store would be a minimum of 400 metres distance from neighbouring residential properties. This distance is considered sufficient to ensure that the proposal does not result in detrimental impact to the amenities of neighbouring residential occupiers.

The Councils Pollution Control Team have not objected to the proposal.

The property lies within the countryside for the purpose of the LDP2, the lagoon is of a scale compatible with its surroundings and as such will not be visually intrusive within the landscape. The proposal therefore complies with policy 30 of the LDP2 and as such will have no adverse impact upon the amenity of the surrounding area.

Overall, the development is considered to have an acceptable impact on amenity and accords with Policy 30 of LDP2.

**Biodiversity Protected Sites & Landscaping**

PPW12, TAN5 and LDP2 Policy 11 (Nationally Protected Sites and Species) requires biodiversity considerations to be taken into account in determining individual applications. The presence of a species protected under UK or European legislation is a material consideration when dealing with applications that are likely to result in disturbance or harm to the species or its habitat.

To comply with Planning Policy Wales 12 (2024) and the Environment (Wales) Act 2016, planning authorities are expected to ensure every development positively contributes to biodiversity.

The application proposes around a hectare of native planting around the base of the proposed store and looks to add to the existing hedges.

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.

The covering letter submitting with the application states: *'This proposal seeks to be a storage facility for the farms nutrients. 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 requested further information but have not at the time of report writing responded to clarifications provided. A verbal update will be provided to Committee on any further response received.

The PCNPA Ecologist has advised that the proposal is likely to be acceptable following the completion of a Habitats Regulations Assessment. Furthermore, the Ecologist has requested information for bats, and a light mitigation condition. 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.

Overall, subject to the condition imposed the proposed development is considered acceptable in terms of its impact on biodiversity and in meeting the requirements of the Environment Act to deliver an enhancement, as such is considered to comply with Policy 11 of the LDP2.

### Green Infrastructure

Chapter 6 of Planning Policy Wales states that green infrastructure plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work and play in. It also states that a green infrastructure statement should be submitted with all planning applications and that the green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach has been applied.

A green infrastructure statement has been submitted with the application.



Therefore, it is considered that the proposed development, sufficiently demonstrates how the scheme would contribute to the sustainable management of natural resources, and in particular how it protects, maintains and enhances biodiversity and the resilience of ecosystems.

The proposal would have an acceptable impact on biodiversity and landscape features and is in accordance with policies 1, 8, 11, 14, and 30 of the LDP2.

### **Conclusion**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

The application is considered necessary to support regulatory compliance of an existing agricultural business. The proposed scheme is considered to be acceptable in terms of scale, form, use and design. The development will not cause an unacceptably detrimental impact to the special qualities of the National Park. It is not considered that the development will cause an unacceptable impact upon privacy or amenity of neighbouring properties. Ecology and landscape features will not be adversely affected by the development.

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 Generations (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. The development shall begin no later than five years from the date of this decision.  
**Reason:** Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
2. The development shall be carried out in accordance with the following approved plans and documents:
  - Drawing reference: Block Plan as Proposed 48 received 16/04/24
  - Drawing reference: Green Infrastructure Form 15/05/2024

- Drawing reference: Ammonia Assessment Report received 16/04/24

**Reason:** In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

3. Any additional external lighting in connection with the proposed development should be low level, hooded and downward facing to avoid light spill, avoid shining directly onto features such as woodland edge and hedgerows, and should be operated on a PIR activated timer. Lighting details should be submitted to be approved in writing by the Local Planning Authority prior to installation and retained in perpetuity.

**Reason:** In the interests of maintaining the special qualities of the landscape and habitats of the National Park through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value. Policy: Local Development Plan 2 - Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 11 (Protection of Biodiversity), 14 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity) and to comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 and the Environment (Wales) Act 2016.

4. 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: Block Plan as Proposed 48 received 16/04/24

- Document ref: Green Infrastructure Form 15/05/2024

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.

## Informative

All British bat species are European Protected Species by virtue of their listing under Annex IV of EC Directive 92/43/EEC ('The Habitats Directive'). This Directive has been transposed into British Law under the Conservation of Habitats and Species

Regulations 2017. British bats are also protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended).

The structure shall be designed and built by a suitably qualified engineer to meet the standards set in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading). NRW should be informed of any substantial changes at least 14 days before construction begins. Further information on what we require is available on the Natural Resources Wales website.

The slurry should be applied to land in accordance with a suitable manure management plan (MMP) based on an underlying nutrient management plan (NMP). The Code of Good Agricultural Practice (COGAP) has standard formats for the MMP and associated NMP.

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Pembrokeshire, SA41 3XETrewern,  
Velindre, Crymch, Pembrokeshire, SA41  
3XE



Parc Cenedlaethol  
Arfordir Penfro  
Pembrokeshire Coast  
National Park

Graddfa/Scale: 1:1,250

