

Ref No: NP/24/0213/FUL
Proposal: Retrospective Planning Application for Reprofilling of the Southern Face of Carew Quarry and Associated Landscaping Works
Site Location: Land immediately south of Carew Quarry Carew Newton, Kilgetty, Pembrokeshire, SA68 0TR
Applicant: A & C Aggregates
Agent: SLR Consulting Ltd
Case Officer: Thomas Boothroyd

This proposal is being brought to the Development Management Committee as the Director with responsibility for Planning considers it raises matters of Member and/or Public Interest.

Summary

This partly retrospective application is in relation to the reprofilling of the southern face of Carew Quarry and associated landscaping works.

An application for retrospective planning permission for reprofilling works on agricultural land to the south of Carew Quarry to include 2 temporary monitoring boreholes, was granted delegated approval at the June Development Management Committee meeting and subsequently issued on the 24th June 2024 following confirmation from NRW on the approach taken to the HRA. Both this application and the application for reprofilling works to agricultural land have been made following the serving of an Enforcement Warning Notice on the sites.

The extraction of minerals outside of the permitted extraction area can be considered acceptable in principle subject to the justification of this extraction, often for health and safety reasons. For example, there could be dangerous overhangs or other geological features that need to be excavated in order to make the site safe for both staff on site, and any nearby users of the countryside (for example, where a PRoW runs close to such sites).

Such operations outside of the site boundary can be considered permitted development (subject to the prior approval of the Local Authority) under Part 19, class C, of The Town and Country Planning (General Permitted Development) Order 1995. However, in this particular case, the extant permission relating to quarrying (NP/12/0601) withdraws any permitted development rights so a full application would have been required.,

The quarry is in a very sensitive landscape which is of outstanding historical value with a range of assets including Scheduled Ancient Monuments, Listed Buildings and the Carew Conservation Area, with Carew Castle and Tidal Mill in close proximity. A desk-based assessment of these historic assets has been submitted with the application. This concludes that there is limited potential for any archaeological remains within the site, additionally, that there would be no impacts on the heritage assets identified, or their settings.

A stability report for the area to the south of the quarry has indicated these additional excavation operations were required to reduce the likelihood of any stability issues, particularly due to the presence of a fault line running parallel to the previous position of the quarry face. Information relating to the water environment has concluded that, with the proposed mitigation measures, the development would not have any adverse impacts on the local water environment. In terms of ecology the proposal has sought to evaluate the value of the habitat prior its removal and the value of any mitigation measures put in place. These considerations, along with considerations relating to landscape and the setting of the nearby listed buildings, have also influenced the landscape design scheme and the species of trees and shrubs that have been included within this. In terms of the landscape, it is recognised that the removal of the ash trees has, and will, result in short term effects. However, with the inclusion of conditions, in particular in relation to a detailed planting scheme (with some amendments to species and density, from the submitted plan) it is considered that the planted bund would result in a longer-term benefit in replacing the felled trees and would provide sufficient screening of the quarry.

With regards to Green Infrastructure and the duty to enhance biodiversity under the Environment (Wales) Act 2016, a condition requiring a full planting and landscaping scheme in relation to the southern boundary will ensure sufficient biodiversity benefits through enhanced planting of hedgerows and other tree species.

Overall, the proposal delivers an acceptable form of mitigation for the development which has already taken place at the quarry. Given the nature of the operations it would not be possible to safely 're-instate' the land to how it was previously, so well-designed mitigation and compensation measures are the next option. It is considered that the proposed measures are suitable mitigation and compensation for the loss of the ecological and screening features at the site. The measures comply with the requirements of national and local planning policy and it is therefore recommended for conditional approval.

A draft Habitats Regulations Assessment has been carried out by the Ecologist for the council, this has concluded that, with appropriately worded conditions, there would be no adverse impacts on any of the designated features in the vicinity. The HRA has not yet been formally agreed by NRW and so the recommendation is to delegate approval to Officers, subject to signed agreement of this assessment by NRW being received.

The relevant plans and supporting documentation can be found on-line at: [Citizen Portal Planning - application details \(agileapplications.co.uk\)](http://Citizen Portal Planning - application details (agileapplications.co.uk))

Consultee Response

Carew Community Council – No adverse comments but requested that tree lines be re-instated and to ensure that surface water run-off and silt be controlled and taken into account

Heneb – The Trust for Welsh Archaeology - no response to date

Cadw – No objection

PCNPA Buildings Conservation Officer – following discussions regarding the density and size of the tree planting area, confirmed that, with the inclusion of

suitably worded conditions requiring revised plans for planting, he would support the proposal.

Natural Resources Wales – initial concerns with regard to silt run-off into the SAC but withdrew their objections following the submission of a silt management plan (as required under the cricket pitch permission)

PCNPA Access Manager – no objections, suggested informatives be attached.

PCC Drainage Engineers – SAB approval needed, suggested an informative in relation to a buffer zone to any watercourse

PCC Public Protection - Observations – relating to an acoustic assessment to be carried out prior to programmed works

PCC Historic Building Officer – no comments received to date

PCNPA Ecologist – HRA drafted – to be verbally reported to Committee

PCNPA Tree and Landscape – no objection to the application, subject to the submission of further landscape information, this could be conditioned if the information is not submitted prior to determination.

PCC Highways – no comments/objections

Public Response

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

To date, one objection from third a party has been received primarily of objection, comments relate to the following:

- The construction of a vehicular access on the southern face of the quarry
- Removal of hedgerow
- Landfill going into the water which drains into the river
- Visual impacts
- Noise and dust pollution
- Disregard for the planning system

The report below addresses the material considerations raised above.

Policies Considered

Planning applications need to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise. The development plan comprises two documents, namely:

- Future Wales, The National Plan 2040 (Future Wales), published by Welsh Government on 24 February 2021. On page 149, it states that “*Policies 4 and 5 will help to ensure that rural areas in the South West grow in an appropriate way, supporting rural economies and services.*” 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...*”

- The Local Development Plan (LDP2)

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

LDP2 Policies

Policy 1 National Park Purposes and Duty

Policy 7 Countryside

Policy 8 Special Qualities (Strategy Policy)

Policy 10 Sites and Species of European Importance

Policy 11 Nationally Protected Sites and Species

Policy 14 Conservation of the Pembrokeshire Coast National Park

Policy 22 Development in mineral buffer zones

Policy 30 Amenity

Policy 31 Minimising Waste

Policy 32 Surface Water Drainage

Policy 59 Sustainable Transport

Policy 60 Impacts of Traffic

PCNPA Supplementary Planning Guidance (SPG) –

Archaeology adopted May 2021

Landscape Character Areas adopted September 2020

Welsh Government Planning Policy Wales Edition 12

Welsh Government Technical Advice Note (TAN) 24 – Historic Environment

Welsh Government Minerals Technical Advice Note (MTAN 1)

Officer's Appraisal

Background and History

The application site is located immediately to the south of the permitted Carew Quarry. The location is to the northwest of the settlement of Carew which is a settlement within Pembrokeshire County Council's planning jurisdiction identified as a Conservation Area - within the settlement there are a number of Listed structures including those with Grade II listing.

Carew Castle is a Scheduled Ancient Monument and Grade I Listed Building and is located to the southwest of the site and separated from it by the Castle Mill Pond and bridge (which is also a Scheduled Ancient Monument and Grade II* Listed Structure).

Carew Newton (a small hamlet within the National Park planning area) is located to the northwest and separated from the application site by countryside and the existing working quarry. Carew Lane runs to the immediate east of the site and agricultural land to the immediate west. A public right of way traverses immediately to the southeast of the site but does not directly cross it. A further circular walk around the Castle and mill pond is a popular footpath route to the further south.

Carew Castle is operated by PCNPA but that is not material to this application which must be considered on its planning merits.

The Mill Pond itself is a Site of Special Scientific Interest to the south of the site at a distance of approximately 0.5km.

The Authority received reports of unauthorised engineering works and tree removal on the site in October 2023. This led to a site visit and the issuing of a Planning Contravention Notice. Following on from this Officers advised the applicant that the works along the southern boundary of the quarry (granted under planning permission NP/12/0601) were unauthorised. Initial advice was that the works were a breach of condition, but having investigated the matter further it was considered that the submission of a full application would be expedient. This would cover the area of works outside of the planning permission boundary and would also include the planned construction of a landscaping bund to help screen the quarry following the removal of the trees.

The tree removal and quarrying operation were halted at that point and a formal Enforcement Warning Notice was issued by the Authority on 14th March 2024. An Enforcement Warning Notice is used where an LPA considers that an unauthorised development causes unacceptable injury to public amenity, or damage to a statutorily designated site but could be satisfactorily removed or alleviated by imposing conditions on a grant of planning permission. The service of an EWN is used to provide a clear signal to the developer that, if a retrospective planning application is submitted, adequate control could be applied to the development to make it acceptable. Without it, it is unacceptable and further enforcement action is expedient and will be taken. Use of an EWN to secure a retrospective planning application can ensure that an acceptable form of development is achieved without the LPA having to over enforce.

Following on from this process, the Authority has received the current retrospective planning application. A separate planning breach and Enforcement Warning Notice has been issued in relation to the 'reprofiling works on land to the south of Carew Quarry'. This breach of planning has since been resolved and planning permission was granted for this (ref NP/24/0140/FUL) at the June Development Management Committee, with consideration of the Green Infrastructure Statement and final agreement of the HRA from NRW, being delegated to officers.

Planning History

The recent planning history identified is:

NP/24/0140/FUL - Retrospective planning application for reprofiling works on land to the south of Carew Quarry to include 2 temporary monitoring boreholes – issued etc - **approved 24 June 2024**

EC23/0316 – Enforcement Warning Notice served regarding unauthorised engineering operations

NP/12/0601 Review of Mineral Planning for Carew Quarry, Carew Newton – Thomas Scourfield and Sons, Carew Quarry, Carew Newton, Kilgetty, Pembrokeshire, SA68 0TR approved 13 Dec 2012 (issued 2019).

Current Proposal

This application seeks retrospective planning permission for the excavation of materials outside of the redline boundary for the quarry (as approved in NP/12/0601). The construction of a landscaping bund, to help screen the quarry (existing trees that were providing screening were felled to make way for the quarry operations) is proposed and works on this element of the application have not yet commenced. In total the site area is 1.16 hectares to allow for the additional landscaping that is required. It is anticipated that the bund forming and shaping operations will last 2-3 weeks (depending on the weather) using materials from the quarry itself. The proposed tree planting would then be carried out at the appropriate time (i.e. October to March).

The quarry face has been extended between 10- 25 meters beyond the planning permission boundary, the variation being mostly due to terrain and geological features. The justification for this extension is due to health and safety concerns raised in relation to a number of factors (these will be dealt with in more detail in the next section of the report). In order to facilitate the removal of the stone an existing screening bank of trees were removed. A tree condition survey was carried out prior to any felling, and this suggested that many of the species were ash that were in poor condition and suffering from ash die back, but the removal of trees had not been submitted for approval by the Authority at that stage.

In order to compensate for the loss of these trees, and other flora and fauna, and to reduce the visual impacts of the quarry, which is now more visible due to the removal of trees, a landscaping scheme has been proposed. This landscaping scheme consist of the construction and planting of a bund (see plan ref SF_004, Rev.1). The bund will be approx. 2 meters tall at its highest point, with a more shallow slope to the south (towards the castle) and a steeper slope on the northern side (which would be less visible). The shallow slope of the southern slope will also allow greater space for tree planting and a number of native species have been suggested, including oaks, alders, birch and blackthorn (see plans for more details). Larger specimens (circa 2-2.5 metres) will be planted on the crest of the slope to provide more immediate screening, with younger trees on the outer slopes.

One meter to the north of the toe of the bund, a 1.8 metre high security fence will be erected, there would then be a further 2 metre stand off to the new excavation limit. To the south of the bund a toe drain would be provided, across the length of the bund, with a 1.05 metre high stock proof fence forming the southern boundary of the bund and the agricultural field/cricket pitch. Part of this southern side of the bund also encapsulates the access track to the cricket ground, which will need to be diverted – this is included within the red line area of this application.

There are no proposed changes to the operational element of the quarry and this will remain as granted under NP/12/0601.

Key Issues

The application raises the following planning matters:-

- *Principle of the Development*
- *Justification for the development*
- *Impact on Special Qualities of National Park (Landscape Character and Historic Environment)*
- *Amenity and Public Rights of Way*
- *Biodiversity and Green Infrastructure*
- *Flood Risk and Drainage*

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 – is 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 30 (page 155/6) identifies the importance of minerals and aggregates and their role in supporting development across Wales and highlights the presence of quarries within the Park (whilst acknowledging this is mostly for sand and gravel).

The National Park’s LDP2 was adopted in September 2020. Policy 1 (National Park Purposes and Duty) is the overall strategic policy for the National Park’s LDP2. 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. In terms of minerals development, it notes that,

*No new mineral workings or extensions to existing mineral workings will be allowed within the National Park **other than in exceptional circumstances** (Policy 21 to Policy 25)*

This reflects the guidance enshrined in PPW 12, particularly at para 5.14.35 and furthermore in Minerals Technical Advice Note 1: Aggregates (especially para 51). In considering minerals development in National Parks one of the key considerations is highlighted as:

in the case of extensions to existing quarries and other mineral extraction sites, the extent to which the proposal would achieve an enhancement to the local landscape and provide for nature conservation and biodiversity.

The proposed development is within a location designated as Countryside under the PCNPA LDP2.

Policy 7 (Countryside) identifies that outside the identified Centres all locations are considered countryside location in which development must be strictly controlled. Policy 20 (scale of growth – strategy policy) reiterates that minerals development will only be permitted in ‘exceptional circumstances’.

Ordinarily, an extension to a quarry within the National Park would have needed to demonstrate that it would be required due to exceptional circumstances. In this instance, due to the retrospective nature of this element of the application, it is not possible for the applicant to do this, as the material has already been extracted. The applicant has provided a justification as to why the material needed to be removed, and this is examined in the next section of the report.

The second element of the application is the proposal for a landscaping scheme for the additional quarry development and this element of the development would be considered acceptable under the criteria of the relevant LDP2 policies.

The proposal (the landscaping bund) is, in principle, acceptable, however matters of compliance with the relevant policies within the LDP2, especially, Policy 1 National Park Purposes and Duty depends on matters of detail relating to the justification of the development, landscape impact, impact on the Special Qualities of the National Park, the environment and historic assets. These are discussed in greater detail below.

The justification for the development

Ordinarily, certain operations outside of quarry boundaries can be permitted development, by virtue of Part 19, class C, of the General Permitted Development Order (1995). This includes *‘the carrying out with the prior approval of the mineral planning authority of development required for the maintenance or safety of a mine or a disused mine or for the purposes of ensuring the safety of the surface of the land at or adjacent to a mine or a disused mine’*. There are numerous ‘tests’ that any proposed development would need to pass so that prior approval would not be required. One of these relates to the external appearance of the mine and whether or not the proposed development would materially affect this.

However, by virtue of condition 4 attached to planning permission NP/12/0601 permitted development rights relating to the quarry have been withdrawn, specifically parts 19 and 21, so the site does not benefit from these rights, as below:

4. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, replacing, or re-enacting that Order) no fixed plant or machinery, buildings

or structures other than any detailed in the application, shall be erected, extended, installed, rearranged or altered at the site.

Reason: To ensure the satisfactory development of the site in the interests of conserving the amenity of the area and local residents in particular. - Pembrokeshire Coast National Park Local Development Plan (adopted 2010) Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park) and 30 (Amenity).

In effect, this means that any development, even if it would be justified under Part 19, would require a planning application. There was no application submitted for the quarrying outside of the boundary and so this development is unauthorised, this application seeks to provide justification for why these operations were carried out.

The applicant has submitted a geotechnical report which highlights the geological instabilities that were present on site, prior to the unauthorised operations being carried out. In summary, it was concluded that, the southern face posed a substantial health and safety risk due to numerous factors, highlighted in the report, such as

- Highly fractured and jointed, steeply inclined rock
- Major sidewall instability on the southern faces – due to an east/west fault with a displacement to the north
- This fault line could act as a ‘release plane’ enabling steeply inclined strata to slip to the northeast
- The jointed nature of the rock and the steep angle of the bedding planes to the north increases the likelihood of failure

The report highlights that the usual options for safe working next to faults would be to provide a safe stand off or to excavate through the structure until stable ground behind is found. In this case the faces of the quarry have been worked back to the limits of the excavation (and the redline boundary) and so a standoff was not possible. Therefore, in this case it was determined that the best way to provide a long-term sidewall, and to enable the continued safe extraction of the permitted reserves on the site, the best option would be to work through the fault line to stable ground.

Given the information in this report, the extraction of the fault line was the best option to ensure the long-term safety of the site, which still has a substantial permitted reserve. Given the requirements of condition 4 a full planning application should have been submitted, prior to these works being carried out, this was not the case, but, given the nature of the operations it is not possible to put the land back to its previous condition – the land is no longer there. The applicant has, however, submitted a landscaping scheme which would help to mitigate any habitat lost and to replace lost screening, and enhance the overall screening at the site. The circumstances of this application are unfortunate, but the information submitted within the geotechnical report has at least provided some justification as to why the additional extraction needed to be carried out.

Impact on Special Qualities of National Park (Landscape Character and Historic Environment):

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. Particularly relevant to this application are criterion c which seeks to protect and where possible enhance the pattern and diversity of the landscape and criterion d which seeks to protect and where possible enhance the historic environment.

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.

Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990 requires that the Authority pays special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Section 66 of the Planning Listed Buildings and Conservation Areas Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The site location is within the Landscape Character Area identified as LCA28 – Daugleddau. The landscape character area is described by the SPG as a unique area of upper tidal river estuary, with a branched form and associated rolling lowland. The visual and sensory characteristics are described as a *“peaceful, enclosed and intimate landscape of estuarine river and associated riparian areas and mudflats, surrounded by rolling woodland mosaic landscape of parkland, mixed woodland and fields. The river is the dominating unifying factor, providing a strong sense of place for adjacent areas”*. The LCA describes this as a landscape of outstanding historical significance within Wales and notes that the working tide-mill at Carew is unique in Britain and contributes to the outstanding cultural value of this LCA. The Milford Haven Waterway Registered Landscape of Outstanding Historical Interest in Wales encompasses virtually all of this LCA. It is noted that the river valley and estuary landscape has an unsurpassed concentration of remains, reflecting maritime conquest, settlement, commerce, fishing, defence and industry spanning the prehistoric to modern periods.

In terms of management guidance within the SPG for this Landscape Character Area – actions identified particularly pertinent to this application include: conserving the unspoilt estuarine character, conserving the agricultural and woodland mosaic

character and ensuring that recreational pursuits are monitored to allow continued sport but also minimise the disturbance and ensure the long term survival of the estuarine habitats and associated species.

The one objection from the public raised concerns regarding landscape and visual impact and negative impacts on the historic environment.

The applicant has submitted a 'technical memorandum' relating to landscape impacts, and this assesses the development against the baseline – linked to the extant planning permission and the landscape and visual impacts set out during the determination of the ROMP. The assessment submitted with the ROMP concluded that visual effects from the Quarry were minimal. However, since then, a significant change in the baseline has occurred, due to the removal of the ash trees and associated vegetation, meaning the site is much more visible, particularly from the south, and from the Castle and its environs. The proposed landscape scheme (plan ref SF 004 Rev 01) has been designed to replace the lost landscape structure and value and to provide additional mitigation above what was previously offered by the ash tree screen.

The provision of the proposed landscaping bund will result in a localised change in the topography immediately south of the quarry. However, with careful shaping, and following the establishment of vegetation on the bund, it should, in time, blend with the surrounding landscape.

The report concludes that, whilst recognising that there would be some short-term effects associated with the removal of the ash trees, the creation of a planted bund would be a benefit in the longer term, replacing the felled trees and creating a more effective screen in general for the quarry operations.

NRW have also been consulted in their capacity as landscape advisors and have advised that a condition relating to the reporting of the landscape operations, on completion, to confirm works are as approved, and towards the end of the growing seasons in years 1, 2 and 3. They also suggest that a longer term management plan, beyond 5 years, should be conditioned to help ensure the retention of the feature in the long term.

Overall, with the inclusion of suitably worded conditions, the proposal is considered to accord with the relevant policies and guidance of the LDP2 in relation to landscape character and visual impact.

Historic Environment

With regards to the historic environment, the applicant has provided a Historic Environment desk-based assessment which has assessed the historic assets of an archaeological and built heritage nature.

In terms of Archaeology there are no designated archaeological remains within the site and the assessment established limited potential for remains of archaeological interest within the site. Heneb – The Trust for Welsh Archaeology in their capacity as historic environment advisors to Pembrokeshire Coast National Park Authority have

been consulted but have not replied at the point of report writing – a verbal update will be provided to Committee on their response. It is noted that, in relation to the application to reprofiling agricultural land to the south they confirmed that the submitted reports met their requirements and have not identified any further archaeological mitigation as a requirement in relation to that planning application. CADW have also been consulted on the application and have raised no objection to the application. The proposal is therefore considered acceptable in terms of potential impacts in relation to archaeology and the wider historic environment and setting.

With regards to impacts on Scheduled Ancient Monuments, CADW have identified the following Scheduled Ancient Monuments and registered parks and gardens, as part of their assessment of the development, these are:

Scheduled Monuments

PE001 Carew Castle
PE009 Carew Cross
PE083 Carew Bridge
PE261 Park Camp
PE328 Round Barrow N of Rosemary Lane
PE329 Round Barrow S of Rosemary Lane
PE396 Cresswell Castle 100m W of Cresswell Quay
PE492 Cresswell Quay
PE546 Defended Enclosure 800m NNE of Upton Farm

Registered Parks and Gardens

PGW(Dy)31(PEM) Cresselly
PGW(Dy)34(PEM) Lamphey Bishop's Palace & Lamphey Court
PGW(Dy)45(PEM) Upton Castle

CADW have reviewed the desk based Historic Environment Assessment and concur with its conclusions that the proposed development will have no impact on the settings of the above listed assets. The proposal is therefore considered acceptable in terms of potential impacts in relation to Scheduled Ancient Monument and parks and gardens.

The proposal is considered acceptable in terms of its impact on the Registered Landscape of Outstanding Historical Interest.

With regards to Listed Buildings, the Carew Bridge and Carew Castle both benefit from Listed Building status as well as Scheduled Ancient Monument status. The PCNPA Buildings Conservation Officer has been consulted, and whilst initially objected to the application, following further discussion with input from the PCNPA Tree and Landscape Officer, and with suitably worded conditions, the objection was withdrawn, noting the following;

- 1 The proposal by Mike to reduce the variety of species is welcomed.*
- 2. Similarly, Mike's suggestion to 'zone' the planting across the bund so as to create a central belt of mature trees with an undercloak of smaller species should*

retain the former appearance of a belt of trees with 'skyline' canopies during winter months.

3. It is very important to get this right - a solid block of woodland here would be out of character with the immediate area where trees tend to be in linear groups - seen especially in the early field systems between Carew and West Williamston.

4. On the basis outlined above, I am happy to support the proposal subject to either receipt of suitably revised plans prior to determination or a suitably worded condition.

It is recognised that the landscaping and mitigation proposed under the separate quarry operation has resulted in a slight reduction of the field size, and to a certain extent altered the character of the landscape fabric, as viewed from some of the listed buildings, (in particular the Castle) and the setting of these. However, it is considered, on balance, and with the proposed conditions, that the proposed landscaping bund would more effectively screen the operations at the site. The proposal would also balance the need of the ecological requirements to compensate for the loss of trees, and the need to be sympathetic to the historic environment. It is, therefore, necessary to try and strike a balance between the need to effectively screen the quarry, without having too great an impact on the setting of the listed buildings, whilst also providing sufficient compensation for the trees and habitat lost. The proposal would, in the long term, help reduce visual impacts from the site, and any impacts that this could have on the setting of listed buildings in the vicinity.

As mentioned previously, the works in relation to tree felling and additional quarrying have been completed. In this instance the provision of a landscaping scheme has been suggested to reduce the visual impact of the quarry – including on listed buildings. The proposed bund would offer an improvement over what is the current, 'new' baseline for the site, with the lack of ash tree cover, and unobstructed views into the quarry.

Notwithstanding the duty to have special regard to the setting of the Listed Building in determining this application, the impact on the setting of the proposed landscaping bund, as set out within the application is considered acceptable in terms of its potential impact on Listed Buildings, including Carew Castle.

Carew Village is located within Pembrokeshire County Council's planning jurisdiction. It has a Conservation Area and a number of Listed Buildings within the village. Considering the degree of separation from the site and the nature of the quarrying and felling operations that have taken place, the landscaping bund proposal is considered to have limited impacts on the setting of the wider Conservation Area. At the time of writing the report no response had been received from the PCC Historic Buildings Officer, however a verbal update will be provided to Committee.

In conclusion, the proposal, and the conditions proposed, is considered acceptable in terms of landscape impact, impact on the historic environment (including matters of archaeology, impacts on Scheduled Ancient Monuments, Listed Buildings and the Carew Conservation Area) the overall Special Qualities of the National Park. The proposal therefore accords with the relevant LDP2 policies, Supplementary Planning Guidance and national policy.

Amenity and Public Rights of Way:

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:

- a) 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
- b) the development is of a scale incompatible with its surroundings; and/or
- c) 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.

Limited direct amenity impacts on any residential properties are anticipated from the proposed construction of the bund, hours of work for the construction of the bund will be the same as the permitted quarry working hours and will be controlled via appropriate condition. The nature of the operations would be slightly different as the construction of the bund would involve the placement and shaping of soils, as opposed to the working of rock, which has a much higher potential to produce unwanted noise and/or dust. Nevertheless, the construction of the bund does have the potential for impacts relating to dust and noise in addition to being visually intrusive during the construction phase of the bund.

Any amenity impacts associated with the proposed operations would be short term (the applicant has indicated an approximate construction time of 2-3 weeks for the bund itself, with planting at the appropriate times, i.e. October to March). Once the construction and planting of the bund was completed any operations relating to this area would be minimal, mostly associated with routine maintenance. As previously mentioned, the trees have already been removed and cannot be immediately replaced with like for like size specimens. The bund would potentially cause some short-term impacts, relating to dust/noise but would help to provide a long-term solution in terms of improving the screening of the quarry, compared to the current situation.

Pembrokeshire County Council Pollution Control have advised that it would be appropriate for an acoustic assessment to be undertaken, prior to using heavy plant and machinery, along the lines of a BS5228-1:2009+A1:2014 'Code of practice for noise control on construction and open sites' in order to consider potential plant noise impacts. This should be undertaken in advance of any future programmed works using heavy plant or machinery near noise sensitive receptors such as housing. Should permission be granted this will be attached to any subsequent decision notice as an informative and will help to ensure that noise disturbance is kept to a minimum in accordance with the relevant British Standard.

Following the removal of the ash trees from the southern boundary the site is very visible from the A4075 which is a busy road. The application site also abuts 2 public rights of way (public footpaths SP5/16 and SP5/17) as well as being visible from a popular circular walk around the Castle Mill Pond. As set out within the section above, notwithstanding the short-term impacts during construction, the proposed

bund and landscape planting is considered acceptable and would provide a long-term beneficial solution to ensure that the quarry is effectively screened from users of the PRow. This will assist in ensuring that the quarry is not a visually intrusive element in the landscape.

The PCNPA Access Manager has been consulted and has not objected to the application but has flagged an informative in relation to public rights of way that should be attached to any permission.

The proposal is overall considered to protect public amenity including the visual amenity of the site and does not impact directly on any public rights of way.

Flood Risk and Surface Water Drainage

The application site lies outside of any flood zones and lies approximately 150 metres to the north of the tidal mill (Carew River) which is within Zone C2 of the Development Advice Maps as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004).

The nature of the proposed development does not introduce any highly vulnerable uses in this location but instead features a landscaping bund, including a proposed 'toe drain' approximately 6 inches deep running along the length of the bund. During the construction of the landscaping bund any soils stripped from the proposed bund area will be formed into a temporary bund along the southern edge of the works and this will retain any of the surface run off from the north of the temporary feature. Any runoff that accumulates behind this feature will be pumped back into the quarry void. Once the bund and the planting has become established surface water run-off in the area should see a net reduction, with incidence rainfall being diverted back into the quarry, or alternatively, into the toe drain. The diverted track to the cricket pitch will be constructed of a porous surface and would not increase the volume of surface water run off over and above the existing levels at the site.

Natural Resources Wales note that

'We advise that a more robust surface water management plan is implemented that will eradicate silt run-off from the site, which will include tackling the problem at source by minimising the area exposed to the elements, properly engineered and maintained silt fencing, and any other measures that may be deemed necessary in order to prevent soil run-off from the site.'

When permission was granted for the neighbouring planning application at Carew (NP/24/0140/FUL) conditions relating to the submission of a silt management plan and details relating to planting and landscaping at the southern boundary of the application site (this is adjacent to the public highway to the south). It is suggested that, should permission be granted for this proposal, similar conditions could be attached to any decision, and these would assist in making the proposals acceptable.

The Authority have written to NRW to check if the requirement for these schemes would also be adequate in relation to the concerns they have raised for the bund

application. NRW have not replied to this at the time of report writing and a verbal update will be reported to Committee on this matter. However, NRW will also be consulted on the HRA, which would need to consider the potential for silt laden surface water run-off polluting the tidal mill, so this will allow for full consideration of any potential impacts.

The drainage department for Pembrokeshire Council noted that no ordinary water courses in the vicinity should be affected in any way, that a 3 metre 'buffer zone' should be adhered to alongside any watercourse, in relation to any structures and finally, that SAB approval will be required for the proposed development.

Policy 32 (Surface Water Drainage) of LDP2 requires that proposals appropriately address surface water through sustainable drainage systems.

It is considered that subject to appropriate conditions and relevant informatives the proposal is acceptable with regard to flood risk, drainage and surface water.

Biodiversity and Green Infrastructure:

Welsh Government Planning Policy Wales 12, Technical Advice Note 5 and LDP2 Policy 10 Sites and Species of European Importance and Policy 11 Nationally Protected Sites and Species, require biodiversity and landscape 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.

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 Preliminary Ecological Appraisal was prepared to support the planning application. The PEA assesses the habitat present on site in December 2023 as well as any likely habitats lost during the vegetation clearance and reprofiling works carried out earlier in 2023. The assessment confirms that prior to the clearance works there is a reasonable level of certainty that the site consisted of woodland of moderate value (although in decline due to ash die back) but low value grassland habitat. There are four designated sites located within 300m of the site and three of these support significant bat roosts, notably greater and lesser horseshoe bats. It is considered that other bat species (brown long-eared, natterers, Brandt's, whiskered and pipistrelles) may have used the woodland for foraging and commuting as part of a wider resource.

The PEA concludes that the proposed new landscaping scheme to be established along the southern boundary would offer a wider and improved benefit to the landscape and more opportunities for improved biodiversity over time. Further

conditions, similar to those suggested by NRW, relating to the longer-term management of the plantings, would help to ensure that the planting is successful, and remains as such.

A Green Infrastructure Statement has been submitted with the application and this highlights that the proposals for the bund and the planting offer an opportunity for improvement over the current situation and would help to restore woodland habitat and connectivity with off-site habitat; and to reinstate visual amenity and screening. It also proposes further enhancement via a peregrine falcon nest box, along with bird and bat boxes in an around the quarry vicinity.

Carew River, Pembrokeshire Marine SAC and Milford Haven Waterway are approximately 160 metres to the south of the proposed position of the bund. They are significant for species including the tentacled lagoon worm and it is important that these waterways are protected in terms of pathways for surface water or silt run off. A required condition was identified in the adjoining planning application relating to the reprofiling of agricultural land (as mentioned previously) in order to address the Surface Water policy of the LDP2, but is also necessary to meet Biodiversity policy requirements. A Habitats Regulations Assessment is required to assess the impacts on the SAC.

The PCNPA Ecologist has advised that this condition, requiring a planting and landscaping scheme, along with the NRW requested silt management condition are required to be sufficient mitigation for the nearby SAC. It is considered that similar conditions could be applied to this application also, should permission be granted, and this would help to ensure any potential impacts on the designated sites would be kept to a minimum. The HRA is also sent to Natural Resources Wales to check that they do not disagree to the LPA assessment – this had not happened at the time of report writing and therefore delegated approval, subject to this is sought.

Having due regard to the above, the proposal is considered to meet the requirements of local and national planning policy in relation to biodiversity and green infrastructure.

Conclusion

The proposal is partly in retrospect, for the retention of the quarry workings beyond the permitted boundary, and for the construction of a landscaping bund and planting, within the extremely sensitive landscape of Carew and its environs.

No likely evidence of archaeological remains has been identified within the site and potential impacts on historic assets including the setting of Listed Buildings, Scheduled Ancient Monuments and the nearby Carew Conservation Area are considered acceptable, particularly when considering the requirements for ecological compensation.

The revised profile of the land and the proposed landscaping bund will result in an acceptable landscape form once shaped and planted in accordance with the submitted details.

Subject to appropriate conditions in relation to the final planting and long-term management of the planting and any further conditions relating to drainage, the proposal is considered to meet the requirements of national and local planning policy, including LDP2 Policy 01 National Park Purposes and Duty and to result in an acceptable form of development.

Whilst the County Ecologist has completed a draft HRA (which concludes that subject to conditions there would be no impacts on the nearby designated sites/species), the 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. The development shall begin not 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:
425.065051.00001.18.SF_001.0 Site Location Plan.
425.065051.00001.18.SF_002.0 General Arrangement.
425.065051.00001.18.SF_003.0 Section and details.
JA-ACA-CQ-6-1-24 Cross sections AA and B B.pdf
Green Infrastructure Statement, dated 21st June 2024
Appendix E - Landscape Technical Memo
Appendix E - Landscaping Scheme Drawing SF_004 Rev. 1
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. All retained trees, hedgebanks and hedge boundary features and/or any trees whose canopies overhang the site shall be protected by the duration of the development (in accordance with BS5837: 2012 'Trees in relation to design, demolition, and construction – Recommendations'). The type and position to be agreed with this authority prior to commencement. The

protection measures shall be implemented prior to any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any protection area, and the ground levels within those areas shall not be altered, nor shall any excavation (in relation to connecting to existing infrastructure) be made, without the prior written consent of the local planning authority. No works to trees will be carried out without prior approval from this authority.

Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity 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 12 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

4. No further development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme relating to the immediate landscape. The approved scheme shall include the following details:

- Clarification of planting / landscaping proposals
- Scale plan on proposed site layout showing precise site-specific locations
- Schedules of plants (trees and hedges)
- Plant species
- Plant supply sizes
- Proposed numbers of each proposed species
- Appropriate planting densities and methodologies

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

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme relating to the landscape management. The approved scheme shall include the following details:

- Implementation programme,

- Phasing of planting,
- Management and replacement of failures
- Management responsibilities
- Maintenance schedules for all landscaped areas
- Provison for annual review meetings between relevant parties of the LPA and the site operator/owner

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: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity 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 12 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

6. The annual review (as detailed in condition 5, above) will be discussed at a site management meeting to be held at least once a year with the person (s) responsible for the aftercare and representatives of the Local Planning Authority to review operations which have taken place on the land during the previous year and to approve the programme of management to be undertaken in the ensuing year.

Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity of the site and surrounding area and to ensure satisfactory aftercare of the proposed planting. 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 12 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

7. The date of the site management meeting shall be agreed in advance with the minerals planning authority and the annual programme shall be circulated at least 1 month before that date. At least 4 weeks before the agreed date of the meeting the operator shall provide the Local Planning Authority with a record of the management and operations carried out on the land during the review period.

Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity of the site and surrounding area and to ensure satisfactory aftercare of the proposed planting. 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 12 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

8. All aftercare operations shall be carried out in accordance with the annual programme or any amendment approved in writing by the minerals planning authority.

Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity of the site and surrounding area and to ensure satisfactory aftercare of the proposed planting 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 12 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

Informatives

Public Rights of Way

The site abuts the route of public footpaths SP5/16 and SP5/17)

- The footpaths must not be obstructed.
- There must be no diminution to the width of the footpaths.
- No items should be stored on the footpaths.
- No damage is to be caused to the surface of the footpaths.
- No additional barriers to be placed on the footpaths, either of a temporary or permanent nature, as a consequence of the grant of planning permission

Pollution Control

The applicant shall be aware that it is appropriate that an assessment is undertaken prior to using heavy plant and machinery to undertake an acoustic assessment along the lines of a BS5228-1:2009+A1:2014 'Code of practice for noise control on construction and open sites' in order to consider potential plant noise impacts. It is recommended that this is undertaken in advance of any future programmed works using heavy plant or machinery near noise sensitive receptors such as housing.

Works near watercourse

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with Natural Resources Wales Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website <https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/>

Land Drainage for Ordinary Water Courses

Should any ordinary watercourse be present within and or in close proximity of the proposals, the applicant should be made aware that ordinary watercourses must not be filled in, culverted, or the flow impeded in any manner without the prior written consent of Pembrokeshire County Council under Section 23 Land Drainage Act 1991 as amended by the Flood and Water Management Act 2010.

Consent is also required to alter a culvert in a manner that would be likely to affect flow of an ordinary watercourse, and for temporary as well as permanent works. The applicant can obtain further details from Mr Neville Davies, Pembrokeshire County Council, Infrastructure Division, County Hall, Haverfordwest, Pembrokeshire, SA61 1TP Email: ldconsent@pembrokeshire.gov.uk

Under no circumstances should any structure be built over ordinary watercourses or within a minimum of 3 metres measured each side from the top of bank of any watercourse, or within a minimum of 3 metres measured each side from the outer face of a culvert, without the prior written agreement of the local land drainage authority. This will ensure that access can be maintained for future maintenance.

SuDS Approving Body Approval

Pembrokeshire County Council as SuDS Approving Body (SAB) considers that by virtue of the fact that the proposals where the construction area that has drainage implications is 100 square metres or more, the proposed works will require SAB approval.

The applicant should be made aware that the granting of planning consent for this application does not remove the requirement to gain SAB approval.

The calculation of the area for SAB purposes includes all construction areas having drainage implications, which include, the footprint of all proposed buildings, pathways, patios, driveways, parking areas and any other works be they permeable or impermeable. (This list is by no means exhaustive). No deduction for the area of the footprint of any building or other structures which are demolished or removed is made when determining the construction area for SAB purposes.

The applicant should be made aware that if there is a breach of the requirement for SAB approval (i.e. when construction work is commenced without SAB approval); the SAB may issue an enforcement notice. The failure to obtain SAB approval may have a detrimental effect upon the future sale of the property, which could also result in insurance applications and or flood event settlements being compromised.

It should be noted that if an application for SAB approval has not been made and subsequently approved by the SAB Team as part of a formal SAB Application, we may not be able to support any future application for the discharge of any surface water drainage related condition in connection with this development since any proposals submitted for the discharge of the condition may be subject to change in order to meet Welsh Governments Statutory Standards for Sustainable Drainage Systems.

The applicant can obtain further information in relation to the requirement for SAB

approval from the Authorities Website at
www.pembrokeshire.gov.uk/planningcontacts/sustainable-drainage-approving-body-sab

The applicant should be informed that approval should be sought from:

SAB

Community Services Directorate

Infrastructure Division

Pembrokeshire County Council

County Hall

Haverfordwest

Pembrokeshire

SA61 1TP

e-mail: sab@pembrokeshire.gov.uk

telephone: 01437 776142

NP/24/0213/FUL

Carew Quarry, Carew Newton, Kilgetty,
Pembrokeshire, SA68 0TP
Carew Newton, Kilgetty, Pembrokeshire,
SA68 0TP



Parc Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park

Graddfa/Scale: 1:1,250

