

DELEGATED DECISION REPORT

SMD/2017/0358
Valid 25/05/2017

THE SPOND FARM
GALLOWES GREEN
ALTON

AGRICULTURAL SLURRY
LAGOON

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design / Landscape
- Amenity
- Highway Safety / Access
- Ecology
- Pollution

DESCRIPTION OF SITE

The site comprises part of a field closely connected to Spond Farm, which is a dairy farm with various associated farm buildings situated in an open countryside setting to the south west of Alton and is adjacent to the district boundary.

PROPOSAL

The application is for an agricultural slurry lagoon of earth bank construction. The new store will be 37m x 27m (top of banks) with a depth of 3.75m. The proposed will be sited within a field to the south west side of the farm and close to the existing storage tower. The site slopes away from the farm in a south westerly direction. The north section will therefore require a retaining wall (underground). A safety fence will be installed 1.3m above the finished height. The submitted plans show part of the existing ground levels raised to create an embankment. No excavated material will be removed from site.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

SS6 Rural Areas

SS6c Other Rural Areas Strategy

SD4 Pollution and Flood Risk

DC1 Design Considerations

DC3 Landscape and Settlement Setting

R1 Rural Diversification

NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework

Achieving Sustainable Development Paragraphs 1-17

Section 1 – Building a Strong Competent Economy

Section 3 – Supporting a prosperous rural economy

Section 7 - Requiring Good Design

Section 10 – Meeting the Challenge of Climate Change

Section 11 – Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2006/0100 – Extension to existing cowshed including new dairy and access – Approved – 15/06/2006.

SMD/2006/0155 – Erection of silage clamps – Approved 07/03/2006.

DET/2017/0014 – Agricultural building (agricultural determination) – Approved 19/07/2017.

CONSULTATIONS

Publicity

A Site Notice was displayed adjacent to the site and this expired on 19/07/2017.

Public Comments

None received.

Town / Parish Comments

Alton Parish Council - No objections.

Environmental Health

No objection. Standard separation distances for manure/slurry storage is 50m to allow odour/insect dispersal. The proposed development is sufficient distance from the nearest neighbouring properties.

Environment Agency

No objection in principle. The applicant should refer to the guidance on storing silage, slurry and agricultural fuel oil available on the gov.uk website. The Environment Agency advises that it must be notified at least 14 days before construction of the new lagoon begins.

Severn Trent Water

The application form states there is to be no drainage to be discharged from the site therefore STW do not require a condition to be applied.

Ecologist

The application will result in the loss of green field site of at least 2070m². An ecological survey of the land proposed for the slurry store should be provided before the application can be considered. In particular no details are provided of the species composition of the grassland where the proposed slurry store is to be sited. Surveys should be conducted according to recommendations for survey advocated by the Chartered Institute of Ecology and Environmental Management (CIEEM). Survey information can be provided in a short report or letter. The slurry lagoon embankment may provide an opportunity to create species rich grassland. Developments should aim to provide a net gain for biodiversity according to their size and scale as advised by National Planning Policy Framework (NPPF). Species rich grassland is a UK and Staffordshire Biodiversity Action Plan priority habitat. Details of species rich grassland seed mixes for the slurry embankments that will benefit wildlife, in particular pollinating insects should be considered. An Ecological Design Strategy (EDS) providing details of establishment, seed mixes, aftercare and long-term maintenance should be submitted as a condition of granting planning permission.

Following submission of further information from the applicant indicating that the field for the proposed silage lagoon is an improved ryegrass ley, the Ecologist queries whether there is any reason why the safety fence cannot be located at the bottom of the bank with gates for access to allow the grass banks to be managed as an improved species rich grassland. A late cut mid - July onwards (hay cut) with cuttings removed would be most appropriate.

OFFICER COMMENTS

Principle of Development

The site is an area of agricultural land outside of the development boundary and is therefore subject to policies SS6 and SS6c of the adopted core strategy. The site is not constrained by any restrictive NPPF policies listed at footnote 9 to paragraph 14 of the NPPF and as such the presumption in favour of sustainable development, set out in policy SS1a of the core strategy and paragraph 14 of the NPPF, is engaged.

Policy SS6 states that the rural areas comprise of Larger Villages, Smaller Villages and Other Rural Areas.

Policy SS6c refers to other rural areas which comprises the countryside (and green belt) outside of the development and infill boundaries of the towns and villages. The policy states that these areas will provide only for development which meets an essential local need, and supports the rural diversification and sustainability of the rural area.

The principle of the proposed development is considered to be acceptable, subject to

there being an essential need for this type of agricultural building in this location, and that the proposal constitute will not result in adverse harm to landscape character; residential amenity; ecology or highway safety.

Agricultural Need

Policy SS6a of the core strategy supports development in the countryside which meets an essential local need and supports the rural diversification and sustainability of the rural area. The policy aims to sustain the rural economy by supporting the diversification of existing farm enterprises in accordance with policy R1.

Policy R1 of the core strategy states that all development in the rural areas outside of the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets the rural community need and sustains the historic environment.

Spond Farm is a family owned and run dairy farm. 250 high yielding dairy cows are milked and replacement heifers are reared. The proposed lagoon is proposed to upgrade the facilities for waste management currently on the farm. Lagoon storage is proposed for a total of twenty-two weeks storage of all slurry and dirty water from the farm. This is a legal requirement under recent Nitrate Vulnerable Zone legislation. The proposed lagoon will allow the farm business to progress (4 people are employed on the farm) and it will ensure that the farm meets current waste management requirements and comply with agricultural regulations.

Given the above, it is considered that there is a reasonable justification for this type of development on this site and therefore the application accords with policy SS6a and policy R1 of the adopted Core Strategy.

Design / Landscape

Policy DC3 of the adopted core strategy states that the Council will protect, and where possible, enhance local landscape and the setting of settlements in Staffordshire Moorlands by supporting development which respects and enhances local landscape character and reinforces and enhances the setting of the settlement.

The site comprises part of a typical field within the open countryside and is well screened from most nearby public vantage points by mature hedgerows and trees. The proposal will however be seen from a footpath which is located from the south /south east of the site and heads north /north east to the north of the proposed store. The site is at least 15m from the footpath. However, the proposal will be situated as near to the existing farm buildings, including the existing storage tower, as is practically possible and it will therefore be seen within the context of the farm complex. The proposed design is of earth bank construction which will blend in with the rolling landscape. Safety fencing is proposed to the top of the banks but this would be of low height and therefore not significantly intrusive in the landscape.

The application is considered to be located in such a way as to minimise the impact on the immediate and wider landscape and thereby complies with policies SS7 and DC3 of the adopted core strategy. The application is considered to constitute high quality design and thereby complies with policies SS1 and policy DC1 of the adopted core strategy.

Amenity

Policy DC1 of the adopted core strategy requires all development to protect various aspects of residential amenity which includes satisfactory daylight, sunlight, outlook and privacy.

Paragraph 17 of the NPPF highlights twelve principles that should underpin both plan-making and decision taking. One such principle is that planning should always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.

The nearest neighbouring dwellings at Gallows Green are some 280 metres away to the north east. Due to the proximity of the farm buildings, cow accommodation and the existing tower and silage clamps, there is unlikely to be any change in odour levels as a result of the proposal. Given the separation distances involved and the intervening agricultural buildings, it is not considered that the amenities of the neighbouring occupiers would be adversely affected and the Environmental Health Officer raises no objection. As such the application is considered to comply with policy DC1 of the adopted core strategy and paragraph 17 of the NPPF.

Highway Safety

Policy T1 of the adopted core strategy aims to encourage sustainable modes of transport and ensure that all new development is located where the highway network can be satisfactorily accommodated in the existing highway network.

Paragraph 32 of the NPPF requires local authorities to consider, when determining applications, whether safe and suitable access to the site can be achieved.

The proposal is remote from the public highway and will be served by an existing access track. No alterations are proposed to the access arrangements and it is considered that the application will not result in any adverse impacts with regards to highway safety. The application thereby complies with policy T1 of the adopted core strategy and paragraph 32 of the NPPF.

Ecology

The Council's Ecologist advised that an ecological survey of the land proposed for the slurry store should be provided. In particular, there were no details of the species composition of the grassland where the proposed slurry store is to be sited. It was further commented that the slurry lagoon embankment may provide an opportunity to create species rich grassland - developments should aim to provide a net gain for biodiversity according to their size and scale as advised by the NPPF and species rich grassland is a UK and Staffordshire Biodiversity Action Plan priority habitat. The

Ecologist recommends that an Ecological Design Strategy (EDS) providing details of establishment, seed mixes, aftercare and long-term maintenance be submitted and this can be ensured by way of an appropriate condition.

Following the submission of further information from the applicant indicating that the field for the proposed silage lagoon is an improved ryegrass ley, the Ecologist queries whether there is any reason why the safety fence cannot be located at the bottom of the bank with gates for access to allow the grass banks to be managed as an improved species rich grassland. The applicant considers that the fence should be located as close as possible to the lagoon internal banks as fencing at the bottom of the banks would create maintenance difficulties for the farm.

Subject to the condition recommended requiring an Ecological Design Strategy, it is considered that the proposal would not harm ecological interests and is compliant with Core Strategy Policy NE1.

Other Matters

With regard to pollution, there is no indication that the proposal will present a significant pollution risk and the applicant states that it has been designed to meet Nitrate Vulnerable Zone legislation and the SSAFFO Regulations - The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil Regulations). The Environment Agency has raised no objection in principle and refers the applicant to government guidance on slurry storage. Other legislative regimes would provide effective pollution controls and the granting of planning permission does not remove the requirement to obtain the Environment Agency's approval.

The proposed development is not within a high flood risk area.

CONCLUSION / PLANNING BALANCE

The application seeks permission for a proposed agricultural slurry lagoon to serve the existing farm enterprise at Spond Farm. The site is within the countryside and therefore subject to policies SS6 and SS6a of the core strategy. The site is not constrained by any policies listed at footnote 9 to paragraph 14 of the NPPF and therefore the presumption in favour of sustainable development set out in policy SS1a of the core strategy and paragraph 14 of the NPPF is engaged.

It is considered that the proposed agricultural slurry lagoon is located within a sustainable location for the purposes of the agricultural unit and will allow the existing agricultural business to grow sustainably and meet current agricultural regulations without having a detrimental impact on the immediate and wider landscape character; ecological interest; pollution; residential amenity; or highway safety.

In conclusion, the application is considered to accord with all relevant local development plan policies and other material considerations including the NPPF. There are no adverse impacts which will significantly or demonstrably outweigh the benefits to this proposal, and therefore within the context of the presumption in favour of sustainable development set out within paragraph 14 of the NPPF, it is

recommended that this application be approved subject to appropriate conditions being attached.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw

Recommendation Date: 20/07/2017

X 

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council