

DELEGATED DECISION REPORT

DET/2024/0020
Valid 14/06/2024

BATE FARM BATE LANE
DILHORNE

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR -
SLURRY TOWER

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

The siting, design and appearance of the development.

DESCRIPTION OF SITE

The site lies in the countryside (and within the Green Belt) about a mile to the north-east of Dilhorne village. It comprises part of a field and is located next to the southern edge of a group of farm buildings which lies a short distance to the west of Bate Lane. There are open concrete storage areas immediately to the north. The group of buildings is surrounded by fields. There is a public footpath crossing fields a short distance to the south of the site. The farm has a size of 138 hectares and has been in operation for 40 years.

PROPOSAL

The application is a "Notification of Prior Approval" application for a new slurry storage tower with a circular footprint and a conical domed roof cover. It would have a height of 11.3m to the tip and 7.30m high walls. The diameter would be 31 metres. A Reception Pit of 4 x 4m would be placed next to it. The walls would have a green metal finish and the domes cover would be grey. A Planning Statement has been submitted which states the following:

The holding in its entirety extends to approximately 340 acres (138 ha) of permanent grassland and keeps approximately 200 dairy cows plus followers. The dairy cows are currently part of a robotic milking system, which has significantly reduced the labour requirement on the farm. This has allowed for the expansion of the dairy herd, which presents a need to provide sufficient slurry storage to ensure the necessary capacities required from updated guidance can be adhered to. The Hollins family are currently in the process of gaining grant funding from DEFRA under the Slurry Investment Grant which will provide a minimum of 6 months storage.

The proposed steel slurry tower is essential to rectify the farm's current deficiency in slurry storage capacity. The existing storage facilities are inadequate and fail to meet regulatory requirements, as identified in the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 (SSAFO). The proposed tower, combined with existing storage, will provide sufficient capacity for a continuous six-

month period, ensuring compliance with regulatory standards and facilitating efficient management of agricultural waste.

Therefore, in order for Bate Farm to facilitate this additional storage, a suitable and fit-for-purpose slurry storage tank is required to accommodate the increased number of dairy cows following the shift from a conventional, labour-intensive milking system to a robotic milking facility.

The total floor area of the tank and concrete base would amount to approximately 765m².

The proposed facility for cattle slurry storage has been designed to provide sufficient 6-month capacity and includes appropriate covering to control ammonia emissions. It complies with SSAFO Regulations and will accommodate the expanded dairy herd.

Under Part 6 Class A of the GPDO, a full planning application is not required for new agricultural or horticultural buildings on farms of over 5.0 hectares, subject to the proposal meeting all the other criteria set out in Class A.1 of that part. However, the same part of the GPDO requires the submission of a “Notification of Prior Approval” application and the Council must determine whether or not Prior Approval is required for the siting, design and external appearance of the building and if necessary request further information in which to determine the proposal, or whether or not on the basis of the information submitted, the application should be refused.

On 12th July 2024 it was decided that Prior Approval was required for the development.

On 15th November 2024, an amended site plan was received showing the trees and hedges on the south boundary of the farm supplemented with new proposed native hedge planting with details of species, densities and sizes.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant.

CONSULTATIONS

Publicity

Site Notice expiry date: A site notice was put up outside of the site on 15.7.24 by the applicant as required under Part 6 of the GPDO and is required to be in place for at least 21 days.

Neighbour consultation period ends: N/A

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

OFFICER COMMENTS

The Council issued a Decision that Prior Approval was required for the proposed farm building. The Council must now determine the siting, design and appearance of the development.

This is a very large structure with a height which potentially exceeds all the other farm buildings. It would also be placed very close to a public footpath and it would appear to be visible and prominent from the path and also Bate Lane to the east. It would not benefit from much screening to the south, west and east. It is considered there is a potential for an impact on the landscape and the appearance of the area.

In order to try and minimise landscape impact, it was recommended to the applicant that the slurry tower be re-sited to a position further to the north or west, further away from the road and footpath and also where it would potentially also be partly screened from the path and road by the existing farm buildings. A response from the agent is as follows:

"The reason for the siting proposed was to keep in line with all the existing sheds, to keep away from the ditch to the west (we have to be at least 10m away) and to keep away from the overhead wires to the east.

If we move towards the north west it would move into another field and would be more visible from the farmhouse. The ground gradually rises up to the NW. Also there will be a similar risk to the ditch.

The field to the NW is one of the farms more productive fields which would be more affected than the proposed siting which is tucked away in an awkward corner and of less value agriculturally."

I consider that the reasons for the chosen siting given above, in particular to avoid and ditch and one of the farms more productive fields (online images show the field to the north-west to be in use by livestock), are sufficient to justify the siting.

Although the tower would be prominent from the footpath to the south, mature continuous hedgerows along the lane to the east would limit views of the tower from the lane and glimpses of the farm would show a tower adjacent to the group of buildings and not isolated on more detached open land. An amended plan was received in November 2024 showing new proposed native hedge planting which would provide a greater degree of screening of the proposed structure from the public footpath. Furthermore, the land slopes downwards from the north to the south

and so the tower would be placed on the lowest part of the farm. Although it may be the highest structure at the farm with a height of over 11.0 metres, it would not appear significantly higher than the other buildings when viewed across the landscape. The dark green metal finishing materials would also help the building assimilate into the landscape and many modern farm structures are typically this colour.

Overall, it is not considered the proposed development would lead to significant harm to the character and appearance of the surrounding area or the wider landscape.

It is considered that the siting, design and appearance of the development is therefore acceptable.

CONCLUSION

The proposed development meets the tests in Part 6 Class A.1 and can be provided under permitted development not requiring a full planning application, via the Notification of Prior Approval process. It was decided that Prior Approval was required for the development. The proposal is assessed as having an acceptable siting, design and appearance on the basis of the additional boundary hedge planting to help screen the development from paths and therefore passes the tests in Part 6 Class A.2. Approval for the building to be built under permitted development in accordance with Part 6 of the GPDO, can therefore be given and there is no requirement of the provision of any further information including a full planning application.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 18/11/2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council