

Application No: 12/2406N

Location: MONKS HALL FARM, MILL LANE, HANKELOW, CW3 0JD

Proposal: Proposed Slurry Lagoon to comply with Environment Agency requirements for storage of slurry in a Nitrate Vulnerable Zone

Applicant: Mr Angus Maughan

Expiry Date: 24-Sep-2012

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of Development;
- Need for the Proposal;
- Design;
- Amenity; and
- Public Rights of Way

REFERRAL

This application is included on the agenda of the Southern Committee as the proposed floor area of the building exceeds 1000m² and therefore constitutes a major proposal

DESCRIPTION OF SITE AND CONTEXT

Monks Hall Farm is a working dairy farm and is set back from the main road by a distance 450m. The farmhouse is a traditional 2 storey property constructed out of facing brick under a slate roof, which is located to the south of a farm complex which contains a number of structures. The application is located on the edge of the farm complex in a corner of the field, which is enclosed by mature native hedgerows. There are a few residential properties located at sporadic points along the local highway network. The application site is located wholly within the open countryside.

DETAILS OF PROPOSAL

This is a full application for a proposed slurry lagoon at Monks Farm, Mill Lane, Hankelow. The proposed lagoon and earth bunds measure approximately 60m wide by 60m long and is 3.15m deep.

RELEVANT HISTORY

7/10885 – Erection of Building for Cattle Accommodation – Approved – 5th April 1984
7/04786 – Cow Cubicle Building – Approved – 14th December 1978
P02/1285 – Steel Portal Frame Shed (GPDO Determination) – Approval Not Required – 12th December 2002
P05/0105 – All weather Outdoor Riding Manege (20mx40m) – Approved – 21st March 2005

POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

BE.1 Amenity
BE.2 Design Standards
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.5 Infrastructure
NE.2 Open Countryside
NE.5 Nature Conservation and Habitats
NE.14 Agricultural Buildings Requiring Planning Permission
NE.17 Pollution Control
RT.9 Footpaths and Bridleways

CONSIDERATIONS (External to Planning)

Environmental Health: No objections providing only slurry generated on the farm shall be stored in the lagoon

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received

OTHER REPRESENTATIONS

No representations received

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

OFFICER APPRAISAL

Principle of Development

The site is an operational farm, characterised by traditional farm buildings within the open countryside. The principle of an agricultural building that is essential to the agricultural practice is acceptable in the open countryside and accords with Policy NE.2 (Open Countryside). There is general policy support for agricultural development within the open countryside and paragraph 28 of the National Planning Policy Framework states that local planning authorities should:

'promote the development and diversification of agricultural and other land-based rural businesses'.

The Local Plan outlines the need to strike a balance between development which will sustain the rural economy and the need to protect the countryside for its own sake. It is also necessary to recognise the changing needs of agriculture.

The key issues, therefore, are whether the proposed slurry lagoon is appropriate in terms of safeguarding neighbouring amenities and the appearance of the open countryside and impact on the local highway network.

Need for the Proposal

According to the applicants Design and Access Statement recent NVZ (Nitrate Vulnerable Zone) regulations come into force on the 1st January 2012 requiring livestock farms to ensure they have five months storage capacity for slurry and dirty water produced on the holding. Currently Monks Hall Farm has insufficient storage to meet these regulations and as a result the business needs to construct the new lagoon in order to meet the legislation.

Design

Policy NE.17 (Pollution Control) states that all development proposals should ensure that appropriate measures are taken to prevent, reduce or minimise pollution. Policy NE.2 (Open Countryside) states that within the open countryside only development which is essential for the purposes of agriculture is permitted. There is also a need to ensure that development in the open countryside does not detract from the amenity of the surroundings.

The proposed location of the slurry lagoon is situated to the north west of the existing Farmstead. The proposed lagoon forms a square and measures approximately 60m wide by 60m long (which equates to an area of 3600msq) and will be 3.15m deep. The slurry lagoon will be excavated in the field. The agent has confirmed that the soil in the locality contains a high clay content, which will be used to line the base and banks of the lagoon, in order to prevent any leakage. The banks of the lagoon will be at a 45 degree gradient. The site is located within an undeveloped field in close proximity to the existing cow sheds and slurry pit. The application site is bounded on two sides by mature native hedgerows and open fields on the remaining elevations. Located immediately to the east of the application is a proposed turning area for vehicles.

According to the Design and Access Statement this location for the slurry lagoon has been chosen for a number of reasons. The position of the new lagoon has been sited adjacent to the existing cow sheds and farm buildings. The lagoon will be located immediately to the east of the livestock building, which will allow an extension to the existing slatted channels that run through the buildings to connect the proposal. Furthermore, the soil at this location has a high clay content, which will help to prevent leakage. Finally, the application site is well screened by mature native hedgerows located to the south and east. Whilst the lagoon may be visible from the public footpath, this is the type of structure expected within a farm complex. In order to assimilate the proposal into the local environment conditions relating to boundary treatment, surfacing materials and landscaping will be attached to the decision notice.

Amenity

Policy BE.1 (Amenity) states that development will be permitted provided that the development is compatible with surrounding land uses, does not prejudice the amenity of future or neighbouring occupiers, does not prejudice the safe movement of traffic and does not cause an increase in air, noise, water pollution which might have an adverse impact on the use of land for other purposes.

The impact of the development upon the amenity of nearby residential properties is a key consideration with this application and the nearest residential property which may be affected by the proposal is in excess of 340m away. Therefore, it is considered given the separation distance and intervening hedgerows and trees will help to mitigate any negative externalities caused by the proposals.

Whilst there is also a farmhouse associated with the farm complex in close proximity to the lagoon (approximately 120m to the south east), as this is occupied in connection with the existing farm complex any impact on the amenities of this property is within the occupant's control. Furthermore, the Council's Environmental Health Department has been consulted and they have raised no objection to the proposal. It is considered that the proposal will have a negligible impact on other properties in the area and the proposal complies with policy BE.1 (Amenity).

PROW

The proposal is located near a public footpath. It would appear from the submitted plans that the proposal appears unlikely to affect the public right of way. Colleagues in PROW have been consulted and their comments have not yet been received at the time of writing this report. When their comments have been received they will be referred to in the update report.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed slurry lagoon is appropriate in terms of scale, form, character and appearance for the purpose it will serve. The impact on residential amenity will be marginal given the separation distances involved and the existing agricultural buildings on the site. Therefore the proposal is in accordance with policies NE.2 (Open Countryside), NE.5 (Nature Conservation and Habitats), NE.14 (Agricultural Buildings Requiring Planning Permission), BE.1 (Amenity), BE.2 (Design Standards) and BE.3 (Access and Parking) of the Borough of Crewe and

Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.

Approve subject to conditions:

- 1. Standard Time Limit**
- 2. Plan References**
- 3. Boundary Treatment**
- 4. Landscaping Submitted**
- 5. Landscaping Implemented**
- 6. Surfacing Materials to be Submitted and Agreed**
- 7. Only Slurry Generated on the Farm to be Stored in the Lagoon**

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