

7. FULL APPLICATION - FOR THE CONSTRUCTION OF AN EARTH BANK SLURRY AND DIRTY WATER STORAGE LAGOON AT SNITTERTON HALL SNITTERTON ROAD SNITTERTON (NP/DDD/0924/0938 - GG)

APPLICANT: MR SIMON HASLAM

Summary

1. The application is for the construction of an earth banked slurry and dirty water storage lagoon in order to upgrade the facilities for waste management currently on the farm.
2. The slurry lagoon is considered to be of a justified size and its proposed location to be appropriate contextually to the farm operation, given the constraints of the land surrounding the farmstead, and its visual impact in the landscape can be mitigated.
3. Concerns have been raised with respect to the potential impact on the amenity of residents and sensitive ecological sites in the area, but it is considered that the potential impacts identified can be mitigated against with appropriate management.
4. The application is recommended for APPROVAL.

Site and Surroundings

5. Snitterton Hall Farm is on the west side of Snitterton, on the south-eastern edge of the National Park, and is associated with Snitterton Hall, a Grade I Listed Building to the east of the farmstead. A range of traditional stone buildings immediately to the east of the Hall are considered to be curtilage listed, and to the west of these there is a yard with a range of modern agricultural buildings built on a sloping site. A relatively new build farmhouse stands on the south-west edge of the farmstead.
6. The farmstead is owned by Snitterton Hall and, other than properties in this ownership, the nearest neighbouring properties are Meadows Cottage and Annie's Cottage which are approximately 190m and 210m respectively to the north-east of the application site. Public Footpath WD110/30 runs along the existing access to the south of the Hall and farm buildings. Public Footpath WD110/11 runs in an east-west direction beyond the immediate fields to the north.
7. The site is located within the Derwent Valley LCA, in the Valley Farmlands with Villages Landscape Character Type. This is a settled pastoral landscape, often with a low lying topography associated with a network of streams and damp hollows. This is an enclosed landscape, with views filtered through scattered hedgerow and streamline trees. Villages with outlying farms and dwellings are set within small to medium fields that are often bound by hedgerows.

Proposal

8. Planning permission is sought for a slurry lagoon for the farm. Lagoon storage is proposed so that the farm will have at least six months storage for all slurry and dirty water from the farm as recommended by the Environment Agency and DEFRA.
9. It is advised that the Farming Rules for Water (2018) require that only nutrients are applied when there is a crop requirement. Therefore, dirty water cannot be applied over the winter period to crops or seedbeds and increases the need for slurry and dirty water storage. The combination of the above regulations means that at least five months storage is required, but preferably six months as recommended by DEFRA and the

Environment Agency. This allows for contingencies if land is unavailable for spreading due to adverse weather conditions.

10. The current storage capacity is advised to be approximately 246m³, which provides for less than one month storage which is inadequate in capacity and also, due to potential extended wet weather in the spring and autumn, the need to have a completely empty lagoon in October is not always practical. It is advised that alternatives to storage have been looked at in detail, with the main options being the roofing over of the fouled rainwater areas but the capital investment required for roofing is prohibitive. Therefore, the lagoon is proposed as the most suitable means of achieving the required storage capacity to meet the regulations.
11. The lagoon is proposed to meet the regulatory requirements and would provide an additional 3,196m³ of storage, after allowing for 750mm of freeboard. The lagoon dimensions are proposed to be 45m x 35m (top of banks) with a catchment area of 1575m² and a total depth of 3.75m, the effective depth being 3.0m with internal slopes at 33°. The slurry lagoon is proposed to be of earth bank construction (to meet BS5502).
12. It is advised that no excavated soil will be removed from the site and all excavated material will be graded back into the field. Banks would be graded back and reseeded with long term grass mixture. Additional tree planting is proposed on the west side of the site and a hedge is proposed around the lagoon. The lagoon is proposed to be located to provide for the most effective means of additional storage and has been chosen primarily in order that slurry from the main cubicle building can be contained and utilised for plant nutrients. The location allows the lagoon to be filled by pumping from the existing slurry storage tank. The lagoon would be filled by an underground fill system reducing surface agitation and odour.
13. A biodiversity net gain (BNG) report by Elton Ecology is submitted with the application. The structure would be at least 10m from the watercourse and 50m from the borehole. A safety fence would be erected in accordance with health and safety requirements.
14. The Applicant advises that the proposals consider the requirements under Nitrate Vulnerable Zone legislation and also will allow the farm to meet standards as per the following:
 - The Code of Good Agricultural Practice (COGAP) or the protection of Water - also known as The Water Code.
 - The SSAFO Regulations - The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil Regulations)
 - The Farming Rules for Water (2018).

RECOMMENDATION:

That the application be APPROVED subject to the following conditions

- 1. Statutory time limit for implementation**
- 2. In accordance with specified amended plans**
- 3. Development shall not be operated other than in accordance with approved mitigation measure within the submitted air quality and odour report and construction traffic and managed plan.**
- 4. No development shall commence until a complaints procedure for odour and pests has been submitted and approved in writing by the National Park Authority. The**

development shall thereafter not be carried out in accordance with the approved details.

- 5. Submit and agree details of spoil disposal.**
- 6. Implementation of biodiversity gain plan in accordance with timescale to be approved.**
- 7. Notwithstanding submitted details a revised landscaping plan shall be submitted to and approved in writing by the National Park Authority before the commencement of the development and thereafter implemented in accordance with the approved details within first planting season following the first use of the development. Any trees or plants to be replaced within first 5 years.**
- 8. Remove development and restore the land in accordance with a scheme which shall have first been submitted to and approved development when no longer required.**

Key Issues

15. The key issues are:

- whether the slurry lagoon is reasonably necessary for the farming operation;
- whether it is appropriately located for its purpose;
- whether the proposed slurry lagoon, and the access proposed to it, have a harmful impact on the character and appearance of the wider landscape and the setting of the Grade I listed Snitterton Hall;
- whether the proposal would harm the amenities of residents of Snitterton and Oker in the site vicinity;
- whether it raises any issues with respect to amenity, flooding and water quality;
- whether there are any ecological impacts; and
- whether the proposed biodiversity net gain is adequate.

History

16. There have been a number of applications for agricultural development on the site over the years, the most recent being:

2017 - a steel framed agricultural barn was accepted under NP/GDO/0915/0890

2017 - an agricultural building was granted by NP/DDD/0117/002

2023 - a proposed machine store was accepted under NP/GDO/0623/0722

Consultations

17. Derbyshire County Council (Highway Authority):

- No objection
- Public Right of Way, South Darley, Footpath No. 30, as shown on the Derbyshire Definitive Map, must remain open, unobstructed and on its legal alignment at all times.

18. Derbyshire Dales District Council Environmental Health:

- No objections in principle
- Satisfied that no significant impacts should be caused in respect to ammonia and air quality
- Defra guides such as Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers should be followed when operating

the proposed lagoon, and any subsequent updates to the current guide - this recommends a manure management plan, and this should be implemented

- Recommend a complaints procedure be prepared by the farm in case of complaints of odour and pests, so if there were any issues arising these can be dealt with promptly.

19. South Darley Parish Council:

- Impact on Residents
 - The open slurry lagoon could be a potential source of air pollution and insect infestations
 - A cover or roof could significantly mitigate odour and insect attraction but is not included in the proposed design
 - Natural England has noted that a comprehensive air quality assessment, with particular reference to emission of ammonia gas, which is harmful to certain flora, has not been provided.

Officer comment:

An Ammonia Assessment (P&L Consulting) has since been submitted and Natural England and DDDC Environmental Health duly consulted.

- Visual Impact
 - Photograph included in the application documents under-estimates the visual impact of the slurry lagoon when viewed from Oker's elevated position, and many residents will have a less favourable view than depicted.
- Screening
 - Application mentions planting trees and a hedge around the perimeter of the lagoon but lacks detail, and also states that the lagoon will be well screened by the grass banks and existing hedges
 - There are no existing hedges, and the insufficient screening has been noted by the Peak District Landscape Architect with a proposed plan providing a significant number of trees to the north and west, and an additional hedge along the existing field boundary to the north of the site
- Final response on 17/01/25 to amended plans and additional information
 - Object - wish to reiterate previous comments, over the open nature of the slurry pit and the potential for air pollution, emission of ammonia gas, odours and insect infestation.

20. Natural England

1st response 09/10/24:

- Insufficient information to enable Natural England to provide a substantive response to this consultation
- If the consultation is regarding the Slurry Infrastructure Grant (SIG) please re-consult and confirm to Natural England clearly stating this is a SIG consultation in the first instance and we will provide further advice
- Manure stores, slurry lagoons and livestock sheds are a major source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens)
- Ammonia is also a major contributor to the deposition of nitrogen, which reduces habitat biodiversity by promoting the growth of a relatively small number of the more vigorous plant species which then out-compete the other species present
- Unable to provide specific advice on this application and therefore has no comment to make on its details
- The interest features of designated sites may be sensitive to impacts from aerial pollutants, such as those emitted from this proposed development.

2nd response 06/12/24:

- The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal’.

Final Response following receipt of Ammonia Assessment 06/01/25:

- ‘Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice’.

21. Environment Agency:

- No objection provided the lagoon is constructed in accordance with the Water Resources (Pollution Control, Silage, Slurry & Agricultural Fuel Oil, and England) Regulations 2010 and the Environment Agency (England) and to be notified 14 days before work on the lagoon construction is started as stated in the design and access statement.

22. PDNPA Landscape Architect:

- ‘The scheme is likely to be locally prominent feature and the proposed mitigation (a hedge running around the lagoon) would not be adequate to screen the structure and would likely look incongruous in the landscape.

As such, my view is that the scheme conflicts with Policy L1.

However, a suitable scheme of mitigation would help accommodate the development into the landscape. A landscape plan showing native tree/shrub species, numbers, locations, tree protection and establishment maintenance is required. This could be conditioned’.

23. PDNPA Ecologist:

1st response 24/10/24

- Overall there is on-site Baseline Units Habitat 0.93 units with an on-Site Post-Intervention Units Habitat of 1.08. Total Net Unit Change Habitat 0.16 habitat units (17%). This satisfies the mandatory BNG requirements.
- The areas of habitat creation or enhancement are not considered significant in area relative to the size of habitat area and baseline conditions; therefore, in this case, it is not considered proportionate to require monitoring for 30 years.
- However, it is noted that the plans include hedgerows which have not been included within the BNG calculations. As highlighted by the Landscape Architect, an alternative landscape scheme (in addition to the enhancement of the grassland as detailed within the BNG assessment) would be welcomed and this would provide greater biodiversity for the application site as well as accommodating the development into the landscape.
- It is recommended that full details of habitat creation and maintenance within a Landscape Ecological Management Plan, including additional enhancements suggested above (and by the landscape architect) along with grassland enhancements detailed within the BNG assessment should be submitted to the authority for approval.

2nd response 08/01/25

- Revised landscaping plan (dated 15th November) is supported, including the accompanying Landscaping and Tree Planting Proposals by P&L consulting Ltd document (15th November 2024)
- The document includes hornbeam as part of the planting, (although this is not included on the actual landscaping plan) - recommend this species is omitted from

the plans as the species is not generally suited to the area; the other (native) trees proposed are suitable and welcomed

- It is noted that the plans include hedgerows which have not been included within the Biodiversity Net Gain calculations
- The revised landscape scheme should be secured and the submitted Landscaping and Tree Planting Proposals by P&L consulting Ltd document (15th November 2024) should be adhered
- The Landscaping and Tree Planting Proposals document does not include details regarding management of the grassland enhancements detailed within the BNG assessment - an updated landscape and Environmental Management Plan should be submitted to the Authority for approval which includes these details – this can be a condition of any planning permission.

3rd response 30/01/25

- Biodiversity Net Gain as detailed within the submitted BNG metric, as it stands, is not considered to be 'significant'.
- However, the proposed hedgerow has not been included in the BNG metric. Although the proposed grassland meets the statutory requirement of providing 10% biodiversity uplift, a hedgerow is considered potentially very important (subject to the use of suitable species etc) in the context of this development, given its screening purposes and additional biodiversity benefits
- Recommended the provision of an alternative landscaping scheme (including full details of habitat creation and maintenance) and request this to be secured through condition
- Ideally, the hedgerow would have been secured through the mechanism of the BNG condition because of the overall benefits it would provide (potentially significant in the context of the development)
- If it could be secured and enforced by other means, then would be satisfied.

24. Ramblers Derbyshire Dales Group:

- No objection providing that:
 - South Darley FP 30 remains unaffected at all times, including the path surface, both during and after any development
 - consideration should be given to the safety of members of the public using the Right of 2 Way both during and after the proposed works
 - there should be no encroachment of the path
- The DCC Rights of Way Team should be asked for advice over any RoW matters.

Representations

25. During the publicity period, the Authority received seven representations objecting to the proposals. The following reasons are given in the representations:

26. Principle

- Application does not explain why this is essential over and above the existing farm practices
- Farm has run for many generations without the need for this intrusive development

27. General impact on residents

- Villages of Snitterton and Oker are less than 800m away from the proposed lagoon
- Clear that the proposed pit has potential to generate significant odours, including noxious fumes, affecting both air quality and the general enjoyment of the area, particularly with the associated increased quantity of flies
- The potential impacts of ammonia on both wildlife and human health must be thoroughly evaluated and communicated.

- Appears Natural England is mainly concerned with impact on flora
- Given proximity of dwellings (approximately 400 metres) to the proposed site, request a publicly available evaluation of the impact on humans of potential air pollution and insect infestations

28. Air quality assessment

- Natural England has noted the absence of a comprehensive air quality assessment
- While a report on ammonia is being commissioned, it should also consider other gases such as methane and hydrogen sulphide
- Believe it is crucial that a comprehensive air quality assessment be made available to the public before the consultation period closes.

Officer comment:

An Ammonia Assessment (P&L Consulting) has been submitted and consulted upon with Natural England and DDDC Environmental Health.

29. Water pollution

- There are often rivulets of water running down into a stream at the bottom of the valley which in turn discharges into the river Derwent - what provision is there to ensure that this water cannot be contaminated by slurry from the pit?

30. Visual impact and screening measures

- Village of Oker overlooks the site and the slurry would be a significant eyesore
- The provided photograph underestimates the visual impact of the slurry pit from Oker's elevated position
- Many residents will have a less favourable view than depicted, highlighting a lack of consideration for local impact
- Current plans do not provide a convincing strategy for screening to the north, particularly given Oker's elevated position
- Application mentions planting trees and hedges but lacks details on the necessary screening, particularly on the north side facing Oker
- A clear plan with a timeline for effective screening is essential
- Proposed screening seems defective and a poor visual fit within the existing landscape
- Any effective landscaping will take considerable time to mature and screen the pit
- Disappointing that the application is by the owners of the adjacent Snitterton Hall – this development can only be detrimental to the surroundings of this Grade 1 listed 'gem of an Elizabethan Manor House' (Nicholas Pevsner) but there are also historic earthworks in the neighbouring hamlet of Snitterton

31. Tank replacement

- Would like clarification on why the existing underground tank is not being replaced with a larger model or multiple tanks - alternative may require fewer earthworks and permissions and a more thorough explanation is required for why this is not proposed
- Has a Biodigester been considered?

32. Slurry pit cover

- Application dismisses the idea of a cover/roof for cost reasons but provides no supporting figures. A cover/roof could significantly mitigate odour and insect attraction, and the claims of impracticality should be substantiated
- According to DEFRA's Slurry Infrastructure Grant guidance, new stores must be fitted with impermeable covers - absence of a cover in this application raises concerns about compliance with best practices, even if a SIG is not being applied for

33. Operational concerns

- Unable to discover how the pit will be filled and emptied - does this involve machinery and or pumps, which are likely to be noisy and affect the environment adversely
- Will the pit and or the charging and discharging release smells and will the area be contaminated by flies and other winged insects?

34. Highway matters

- The road through Oker and Snitterton has been closed for four years because of landslip; the road between Matlock and Snitterton is very narrow and in a poor state partly because of the use by heavy vehicles, for which it was not designed
If the slurry pit is going to require heavy tankers as part of its operating procedure, this is going to make a bad situation even worse

35. Employment claims

- Assertion that the slurry pit will benefit local employment is questionable - application states there will be no increase in cattle numbers, and it's unclear how this development will create jobs

36. Public consultation

- Regular use of the lanes and footpaths around Oker and Snitterton has not revealed any planning notices nor are any members of the community encountered aware of application – clarification sought as to where the notice was displayed

Planning Officer comment:

The public consultation was undertaken in accordance with the statutory and local requirements for consulting on planning applications. A site notice was posted close to the application property/site and the Parish Council were consulted.

37. Other matters

- Recognise that this is a working farm, but it is located in the National Park where higher standards might be expected to apply
- If permission is granted request that adequate conditions attached to ensure that nearby residents living are not adversely affected and that there are adequate measures to ensure that the conditions are met

38. Comments on additional information

- Assertions about likely absence of odour and insect problems seem to come from the contractor and not from an independent analysis
- Ammonia report is reassuring but focuses mainly on non-human impacts - perhaps the planning officers have, or can obtain, the necessary expertise to comment on the likely accuracy of the statements made by the contractor in this regard
- Proposed odour complaint form and associated process is a positive offer, especially regarding its visibility to Environmental Health and others but appears the buck stops with the farm manager, partly because hard-pressed Environmental Health staff are unlikely to intervene vigorously - accountability may be limited
- Continued absence of a cover or roof in the proposal is disappointing
- Applicant seems keen to comply with DEFRA guidance regarding the amount of slurry storage but not keen to comply with guidance about how it is stored
- Even though it appears a DEFRA grant for this slurry pit is not being applied for, DEFRA's expectations of grant applicants are a clear indication of what they regard as good practice and say:

“Eligible slurry stores include tanks, lagoons and concrete stores fitted with impermeable covers and large permanent bags. You must fit grant funded stores with an impermeable cover, unless you are installing a slurry bag or you treat your slurry through acidification”

- not clear that the proposal conforms to this good practice
- Applicant emphasises that this application is about better management of existing farm operations, not an expansion of them - think that is clear, and welcome, but it also probably means that the claim in the original proposal that it would create additional employment is not accurate.

Main Policies

39. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, CC1, CC4, CC5, L1, L2 & L3
40. Relevant Local Plan policies: DM1, DMC3, DMC5, DMC7, DMC11, DMC14, DME1, DMT3
41. Supplementary Planning Documents:
 - Design Guide (2007)
 - Climate Change and Sustainable Building (2013)
 - Agricultural Developments in the Peak District National Park (2003).

Wider Policy Context

42. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
 - When national parks carry out these purposes they also have the duty to:
 - Seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

43. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan the NPPF.
44. Paragraph 189 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
45. Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

46. Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Peak District National Park Core Strategy

47. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
48. GSP3 - *Development Management Principles*. This states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
49. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
50. CC1 – *Climate change mitigation and adaptation*. This requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
51. CC4 - *On-farm anaerobic digestion of agricultural manure and slurry*. This advises that applications for single, on-farm anaerobic digester units, and any associated development for management of waste, must only use agricultural manure and slurry arising on the planning unit and crops grown for the purpose on the unit.
52. CC5 - *Flood risk and water conservation*. This advises that development proposals which may have a harmful impact upon the functionality of floodwater storage, or surface water conveyance corridors, or which would otherwise unacceptably increase flood risk, will not be permitted unless net benefits can be secured for increased floodwater storage and surface water management from compensatory measures.
53. L1 - *Landscape character and valued characteristics*. This states that all development must conserve and enhance valued landscape character and valued characteristics and, other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
54. L2 - *Sites of biodiversity or geodiversity importance*. This advises the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
55. L3 - *Cultural heritage assets of archaeological, architectural, artistic or historic significance*. This states that development must conserve and, where appropriate, enhance or reveal the significance of architectural or historic assets and their settings.

Local Plan Development Management Policies

56. DM1 - *The presumption of sustainable development in the context of National Park purposes*. This states that when considering development proposals, the National Park Authority will take a positive approach that reflects the presumption in favour of

sustainable development and work proactively with applicants to find solutions that are consistent with National Park purposes.

57. DMC3 - *Siting, design, layout and landscaping*. This states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
58. DMC5 – *Assessing the impact of development on designated and non-designated heritage assets and their settings*. This relates to development impact on designated and non-designated heritage assets.
59. DMC7 – *Listed Buildings*. This relates specifically to listed buildings and advises that planning applications for development affecting the setting of a listed should be determined in accordance with Policy DMC5 in terms of how their significance will be preserved and why the proposed development and related works are desirable or necessary.
60. DMC11 - *Safeguarding, recording and enhancing nature conservation interests*. This relates to the safeguarding, recording and enhancing nature conservation interests.
61. DMC14 - *Pollution and disturbance*. This states that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
62. DME1 - *Agricultural or forestry operational development*. This states that new agricultural buildings, structures and associated working spaces or other development will be permitted provided that it is demonstrated to the Authority's satisfaction that the development is, at the scale proposed, functionally required for that purpose.
63. DMT3 – *Access and design criteria*. States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Supplementary Planning Guidance

64. The PDNPA Design Guide refers to the principles of good design and designing in harmony with the local building tradition. However, this must only be applied where a development is otherwise justified by other policy criteria.
65. Climate Change and Sustainable Building (2013) seeks to ensure that development mitigates against its carbon footprint.
66. Agricultural Developments in the Peak District National Park (2003) seeks to support the positive contribution farming makes to the special qualities of the Peak District and offer guidance on the most appropriate ways for future development.

Assessment

Policy principle

67. Policy DS1 of the Core Strategy sets out the development strategy for the National Park. This states that in the countryside, outside the Natural Zone, agricultural development will be acceptable in principle. Policy GSP3 of the Core Strategy states that all

development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities. To this end, the visual impact of the development, and the potential impact on local amenity need to be assessed and, where appropriate, mitigated against. This is also reflected in the aforementioned policies by which this application needs to be assessed.

68. Policy DME1 states that new agricultural structures, associated working spaces or other development will be permitted provided that it is demonstrated that it is functionally required for its purpose. The Authority's Agricultural Developments in the Peak District National Park (2003) SPD seeks to support the positive contribution farming makes to the special qualities of the Peak District. With regard to slurry and liquid storage, it is recognised that this can be very intrusive in the landscape if poorly sited. Drainage to the store is a major factor in determining the exact site but, by using natural topography and buildings to best advantage, the visual impact can be significantly reduced and additional landscaping, such as forming earth banks for screening and tree planting, introduced if deemed appropriate.
69. Policy DMC14 of the DMP (Pollution and disturbance) advises that development that presents a risk of pollution or disturbance, including soil, air, light, water or noise pollution, or odour, will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
70. Given the above, it is accepted that the slurry storage facility is reasonably necessary for the purposes of agriculture and would result in benefits to the storage of slurry generated by this specific agricultural enterprise. The proposal is therefore acceptable, in principle, under the provisions of policy DME1. However, there are a number of other key issues that need to be considered, which include the design and siting of the lagoon and its impact in the landscape and on the setting of heritage assets, the potential for impacts on the amenity of residents in the locality, pollution with respect to the water environment and ecology and whether the development would raise any highway safety matters.

Impact on the landscape and the setting of Snitterton Hall

71. The site is within Derwent Valley Landscape Character Area, in the Valley Farmlands with Villages Landscape Character Type. This is defined as a settled pastoral landscape, often with a low lying topography associated with a network of streams and damp hollows. This is an enclosed landscape, with views filtered through scattered hedgerow and streamline trees. Villages with outlying farms and dwellings are set within small to medium fields that are often bound by hedgerows.
72. The site is visible from an east–west running footpath, approximately 100m to the north, from another north-south running footpath and from Oker Road between Wensley and Snitterton. Due to its size and form, it is considered that the development would be apparent in the landscape and landscaping would not be adequate to fully screen the structure. To this end, it would appear as an engineered form and would have a degree of incongruity in the landscape. Notwithstanding this, this impact needs to be considered in the round, and with policy that generally seeks to support agricultural developments where these are needed to allow the enterprise to reasonably function.
73. It is impractical to site the lagoon in a less prominent location. It cannot go to the east of the farmstead given constraints. If this was closer to the farm buildings, on their north and west sides, there would be a likely need for a substantive embankment and the facility, for functional and practical purposes, cannot be sited to the south of the

farmstead given the land fall. To this end, it appears that the proposed site is the most practical solution for providing such a facility, notwithstanding this does set it away from the complex of farm buildings.

74. It has been advised by the Authority's Landscape Officer that the impact of the development in the proposed location could be mitigated with landscaping and that planting should be provided between the lagoon and the field boundary wall to the north, which would help accommodate the development into the landscape. A landscape plan showing native tree/shrub species, numbers and locations, has been submitted which is considered acceptable in principle, but details of tree protection and establishment maintenance will be required, albeit this can form part of a condition of any planning permission.
75. The views of Snitterton Hall, a Grade I Listed Building set contextually to the farmstead, are principally across from Oker Road. In such views, the Hall itself is nestled within mature planting. To this end, whilst set down the slope of the field to the north of the farmstead, the slurry lagoon would nevertheless be read contextually with the farmstead and is not considered, with appropriate mitigating landscaping, to be harmful to the setting of the Grade I listed Hall. Any impact would be minimal and substantially outweighed by the public environmental benefits that would arise from the development.
76. The applicant advises that alternative stores have been considered, A concrete slurry store located closer to the farm buildings would be very expensive and would have a significant visual impact. This type of structure would be partly above ground and would be concrete rather than a grass bank. A circular slurry tower is considered to have the most significant visual impact with a tower 5m above ground. These alternative options would still hold similar volumes of slurry whereas the lagoon would be a maximum of 1.5m above existing ground level and there would be no difference in odour management with these alternatives. A lagoon is considered by the Applicant to be the most economical option and that unsightly above ground circular stores will not be required.
77. On this basis, it is the view of Officers that the proposal is the most appropriate approach to addressing the need for such storage capacity in the landscape. Whilst there would be a degree of harm in the landscape by introducing such a development, this is nevertheless deemed to be required by the farm to meet with legislation and is of a design and form not uncommon in the rural landscape. Given the constraints of the surroundings, it is considered that the structure would be appropriately located from a visual and functional perspective to the farm complex.
78. As such, it is considered that, with appropriate mitigation, that the development will be acceptable in the proposed location, as being the most practical functional and visual location for the development. To this end, the proposal is considered to accord with the aims of Policies GSP1, GSP2, GSP3, DS1, L1 and L3 of the Core Strategy and Policies DM1, DMC3, DMC5, DMC7 and DME1 of the Development Management Plan with respect to impact on the character and appearance of the open countryside and the setting of Snitterton Hall.

Amenity

79. Local residents and the Parish Council have raised concerns with regard to the impact of the slurry lagoon with respect to their amenity, including air quality, odours and pest/fly. The applicant has subsequently submitted an ammonia assessment.

80. With regard to odour from slurry lagoons, it is advised by the Applicant's Agent that this occurs primarily when the surface is broken or agitated, which is when the lagoon is emptied and the contents are spread. To reduce the potential for odours the following measures are proposed:
- The lagoon will be filled from below the surface
 - The lagoon will not be agitated and a crust will be formed
 - The lagoon will be filled from the reception tanks which will be approximately once per month to keep potential odour nuisance as low as possible
 - The spreading of slurry will be carried out under the Code of Good Agricultural Practice (COGAP)
 - Spreading to be carried out, whenever possible, when wind conditions will quickly disperse any odours
 - No spreading at weekends or holidays and no spreading in the evening.
 - Time restrictions will be:
 - Mon-Fri between the hours of 8am and 6pm
 - Saturdays between 9am and 1pm
 - Sundays and Public Holidays – pumping will be avoided if possible on these days unless absolutely necessary and within the 40 minute time allowance.
 - Contingencies would include adding straw to promote a better crust formation or to trial slurry bugs which help to retain ammonia within the stores, to be adopted if further odour reduction measures are required and/or verified odour complaints are received.
81. The current system transfers cattle slurry from the cubicle house to the existing reception tanks located to the north of the farm buildings, which will not change. Currently there is not enough capacity in the tanks and, therefore, slurry has to be spread over the winter potentially contravening environmental regulations. The proposed lagoon will eliminate spreading when conditions are not suitable, with slurry transferred from the existing tanks to the proposed lagoon.
82. With regard to flies, due to the distances from neighbouring dwellings, it is unlikely that there will be any adverse impacts due to flies. As the Applicant has advised, house or common flies tend to not frequent slurry stores and dung flies will tend to stay at the store and the farm rather than go distances.
83. It is accepted that to qualify for DEFRA's Slurry Infrastructure Grant guidance (SIG), new stores must be fitted with impermeable covers. However, the current scheme will not be grant funded and outside of this scheme it should be highlighted that covers are not mandatory and that there are other accepted methods to reduce ammonia and odour. It is considered that the current proposal incorporates a number of these methods that would ensure there would be no undue harm to wider air quality. The lagoon would have a natural crust formed due to straw included in the bedding and no agitation except when spreading to empty the lagoon contents.
84. Other methods include covering the lagoon with floating clay balls and additives can be included; these methods are proposed as a contingency if odour or ammonia issues occur. The Applicant's Agent has also set out problems with covers, including agitating the lagoon contents when being emptied, the longevity of the cover, the need to remove rainwater from the surface through pumping, the lack of access to the lagoon and health and safety risks associated with unblocking agitators and spreaders with a cover in place.
85. Notwithstanding the above, the Environment Agency has been consulted they have no objections. Ultimately, the lagoon will need to be constructed in accordance with the Water Resources (Pollution Control, Silage, Slurry & Agricultural Fuel Oil, and England) Regulations 2010. The Environment Agency should be notified 14 days before work on

the lagoon construction is started as stated in the design and access statement and the applicant will be reminded of this by way of an informative.

86. Taking the above into account, Derbyshire Dales District Council Environmental Health has assessed the proposals and raised no objections in principle. It is recommended that a complaints procedure be prepared by the farm in case of complaints of odour and pests, so if there were any issues arising these can be dealt with promptly; this can be attached as a condition to any grant of planning permission.
87. Given the above, it is considered by Officers that the proposals will be compliant with the aims of Policy DMC14 of the Development Management Plan and that there are adequate control measures to manage the lagoon within reasonable and acceptable limits.

Impact on ecological Sites

88. Redmore Environmental have prepared a Simple Calculation of Atmospheric Impact Limits (SCAIL) Report looking at ammonia levels. It is advised that not only was this specifically for the proposed lagoon at Snitterton Hall Farm, but it takes into account the 'in-combination impact' i.e. taking into account other farms and the combined effect. In terms of air quality, it is advised that no likely significant effects, as a result of the development in relation to annual mean NH₃ concentrations and nitrogen and acid deposition, both alone and in-combination, could be reached for the identified ecological designations.
89. Natural England was consulted on the Ammonia Assessment and advised that, although they have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, they offer further advice and references to Standing Advice and advise that non-detailed advice from Natural England does not imply that there are no impacts on the natural environment and it is for the Local Planning Authority to determine whether or not the proposal is consistent with national and local environmental policies.
90. The Applicant's consultant has advised that the Ammonia Assessment has been undertaken in accordance with the stages outlined within the Habitat Regulations Assessment (HRA) guidance produced by DEFRA. This Assessment identified 33 ecological designations that may be affected by emissions from the development, of which 24 have features that are considered sensitive to air pollution. As such, these sites were progressed through to assessment and it is advised that the results indicated that a screening conclusion of no likely significant effect with regard to acid deposition as a result of the development, both alone and in-combination with other potential sources, could be reached for all designations.
91. The DEFRA guides, such as Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for Farmers, Growers and Land Managers (and any subsequent updates to the current guide), would be expected to be followed when operating the proposed lagoon. This recommends a manure management plan which should be implemented.
92. To this end, it is considered by Officers that a robust assessment has taken place with the regard to the potential for impact on ecological sites and there are legislative measures and guidance in place. It is determined that the development would not have any likely significant effect on any designated nature conservation site and can be screened out for the purpose of the Habitat Regulations. The development would accordingly comply with policy L2 of the Core Strategy.

Ecology and Biodiversity Net Gain

93. Policy L2 of the Core Strategy and Policy DMC11 of the Development Management Plan specifically seek to ensure that impacts on ecology are mitigated and that biodiversity net gain is provided as a result of development. Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.
94. The Authority's Ecologist has assessed the proposals and advises that revised landscaping plan, including the accompanying landscaping and tree planting proposals, are acceptable. However, the document includes hornbeam as part of the planting, (although this is not included on the actual landscaping plan). To this end, it is recommended that this species is omitted from the plans, as the species is not generally suited to the area; this can be attached as a condition on any grant of permission. The other (native) trees proposed are advised to be suitable.
95. The applicant has submitted a Biodiversity Net Gain Assessment. It is noted that the landscaping plans include hedgerows, which have not been included within the Biodiversity Net Gain calculations. It is also noted that the landscaping and tree planting proposals document does not include details regarding management of the grassland enhancements detailed within the BNG assessment. It is advised that an updated landscape and environmental management plan should be submitted to the Authority for approval which includes these details but that this can be a condition of any planning permission.

Flooding & drainage

96. The site is in an area at very low risk of flooding (Flood Zone 1). The Applicant advises that SSAFO Regulations determine the standards required by the Environment Agency to control and eliminate pollution risk to watercourses and groundwater from farms and that the new lagoon proposals will need to meet all the requirements of the regulations. All slurry and dirty water would be contained within the storage lagoon, and existing stores, and spread on farmland in accordance with both SSAFO and the Code of Good Agricultural Practice for the Protection of Water (COGAP).
97. The Environment Agency has advised of no objection provided the lagoon is constructed in accordance with the Water Resources (Pollution Control, Silage, Slurry & Agricultural Fuel Oil, and England) Regulations 2010 and the Environment Agency (England). As such, it is considered that the development would not have an impact on flooding capacity and nor pollution of a watercourse.

Highway Matters

98. The lagoon would be accessed from the existing farm track and no new access is required. The Applicant has submitted a Construction Traffic and Management Plan. It is advised that the development would commence when weather conditions permit and all excavation vehicles/equipment will enter via the farm entrance and would be likely to remain on site for 3-4 weeks and would be collected at the end of the construction phase. The works would be undertaken as follows:

Mon-Fri - between the hours of 8am and 6pm

Saturdays - between 9am and 1pm

Sundays and Public Holidays – pumping will be avoided if possible on these days unless absolutely necessary and within the 40 minute time allowance.

The machines will only operate when stationary. The other vehicle movements would be associated with the delivery of the liner, fencing and landscaping. Compliance with the Construction Traffic and Management Plan shall be secured by condition.

99. The Highway Authority has raised no objections to the proposal. They have raised the matter of potential impact on public rights of way but the site is considered to be too distant from such that the footpath function would be impacted upon during or after construction of the proposed development.

Sustainability

100. Policy CC1 requires development to make the most efficient and sustainable use of land, buildings and natural resources in order to build in resilience to and mitigate the causes of climate change. To this end, the proposed development will involve some materials, such as the lagoon lining and fencing to be brought to site. The formation of the lagoon should not necessitate the importing of other materials and the landscaping proposed would serve to mitigate against the carbon footprint of the development. To this end, the proposals are considered to meet the aims of Policy CC1 of the Core Strategy and the guidance contained in the Climate Change and Sustainable Buildings SPD.

Conclusion

101. The slurry lagoon is clearly necessary to meet the environmental requirements for the management of a farm enterprise of this scale and there are a number of factors which have been taken into consideration in the appropriateness of its siting and its mitigation in the landscape. To this end, the proposed slurry lagoon is considered to be of a justified size and its proposed location to be appropriate contextually to the farm operation given the constraints of the land immediately surrounding the farm complex.
102. Whilst the facility will be clearly visible from Oker and to users of the public footpath to the north, it would be read contextually with the farm complex in the backdrop and its impact would be mitigated by the landscaping scheme which has been submitted, subject to conditions. As such, it is considered that the development will have an impact in the landscape but that this needs to be balanced with the reasonable necessity for the agricultural operation in this countryside location. It is appreciated that there are concerns with regard to odour, air quality and the potential for flies. However, there are no objections raised by the Environment Agency, nor DDDC Environmental Health, subject to a management plan being provided and any concerns can be reported.
103. With regards to impact on ecological sites, Natural England was consulted on the Ammonia Assessment which was submitted and advised that it is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. To this end, it is considered that the report which has been prepared by the Applicant's consultant identifies no significant impact on such receptors, whether alone or in combinations with other emitters and that there are again controls in place for such within environmental legislation.
104. Having regard to the above, it is considered that the proposed development, subject to appropriate conditions, will comply with the aims of policies GSP1, GSP2, GSP3, L1, L2, L3 and CC1 of the Core Strategy and with policies DM1, DMC3, DMC5, DMC7, DMC11, DMC14 and DME1 of the Development Management Plan.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author and Job Title

Gareth Griffiths – Planner – South Area