

Justification for Slurry Storage Lagoon on land at Home Farm, Rock Road, Chilcompton, Radstock, Somerset BA3 4HX

1. Introduction

The Farm Consultancy Group has been asked by my client, Mark Phillips of A G Phillips & Son to prepare this agricultural justification to accompany an application which seeks prior approval for the construction of an earth banked slurry lagoon on my client's farm land, which lies adjacent to the A367.

All data presented within this document is based on information provided by the client, farm records and standard costings data where appropriate.

My client operates a successful dairy business from Home Farm, with circa 200 cows in milk at the premises. In addition to this site, the business farms over 1,000 acres in the locality and their farming enterprises revolve mainly around dairy, arable and beef production.

The new lagoon has been deemed necessary owing to changing government regulations and policies surrounding the storage of slurry, and Farming Rules for Water. The existing slurry storage on site is not sufficient to accommodate the amount of excreta produced by the cows on site for the necessary over-winter period where the spreading of slurry and nutrient rich manures is prohibited.

The new lagoon will provide additional storage for the slurry, mitigating non-compliances and potential hazards, and will also make better use of the nutrient rich excreta by being applied to the 150 acre block of arable land that lies around the proposed site. This will enable my client to make better and more efficient use of his organic manures, reducing reliance upon bought-in artificial fertiliser and improving his crop-growing sustainability, as well as other significant benefits such as improving soil organic matter, which is a growing consideration under governmental policy and something that it is being considered a high priority by DEFRA and Natural England.

2. The Proposal

The proposed new lagoon would need to be capable of holding six months of slurry and dirty water, and a report commissioned by the applicant has determined that this equal 2,075 M³.

The lagoon proposed therefore will measure a total 49 Metres X 35 Metres along the inside top banks. The lagoon will be dug with a slope of 1 in 2 ½ the floor of the lagoon will measure 24 X 10 Metres. There will be a 1.5 metre 'freeboard' above the surface of the lagoon. A small bund will be created around the edge of the lagoon, but excavated material from the site will largely be levelled out in the surrounding land. A security fence of at least 1.3 Metres tall will be erected around the edge of the lagoon.

This total capacity will account for not only the slurry and dirty water produced by the unit, but also accounts for rainwater falling onto the surface of the lagoon itself.

The site currently forms part of the agricultural unit and is currently planted into arable crops.

3. Designations.

The site lies outside of any designated area (for example Area of Outstanding Natural Beauty) and is not near to any other specifically designated sites, such as SSSIs or Special Areas of Conservation. There are no Scheduled Monuments within 1 Kilometre of the site. The site is within a Nitrate Vulnerable Zone (hence the essential need for 6 months of slurry storage to be available on the farm). The site does not lie within Flood zone 2 or 3.

4. Permitted Development

Class A Permitted Development is permitted on units of more than 5 hectares, providing the following criteria are met. The table beneath describes the conditions of Permitted Development, and justifies why this proposal falls under the title of permitted development.

Permitted Development Requirement	Comment
<p><i>The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—</i></p> <p>(a) <i>works for the erection, extension or alteration of a building; or</i></p> <p>(b) <i>any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.</i></p>	<p>The unit is more than 5 hectares.</p> <p>The proposal is for the excavation of a slurry lagoon and it is reasonably necessary for the purposes of agriculture within that unit.</p>
<p>A.1 Development is not permitted by Class A if—</p> <p>(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;</p>	<p>The proposal is on an area of land that exceeds 1 hectare in size</p>
<p>(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;</p>	<p>There have been no Class Q or S developments carried out on the holding within the past 10 years</p>

<p>(c)it would consist of, or include, the erection, extension or alteration of a dwelling;</p>	<p>The proposal will not affect any dwelling</p>
<p>(d)it would involve the provision of a building, structure or works not designed for agricultural purposes;</p>	<p>The proposal is designed for the purposes of agriculture</p>
<p>(e)the ground area which would be covered by—</p> <p>(i)any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or</p> <p>(ii)any building erected or extended or altered by virtue of Class A,</p> <p>would exceed 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;</p>	<p>The proposal will not cover any ground area used for accommodating livestock or any plant or machinery arising from engineering operations, or any building erected or extended by Class A. The proposal does not exceed 1,000 square metres</p>
<p>(f)the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;</p>	<p>The proposal does not lie within 3 kilometres of an aerodrome</p>
<p>(g)the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;</p>	<p>The proposal does not lie within 3 kilometres of an aerodrome</p>
<p>(h)any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;</p>	<p>The proposal lies further than 25 metres from the road</p>

(i)it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

(j)it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

(k)any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i)would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii)is or would be within 400 metres of the curtilage of a protected building.

Conditions

A.2—(1) Development is permitted by Class A subject to the following conditions—

(a)where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

(b)where the development involves—

(i)the extraction of any mineral from the land

The proposal does not lie within 400 metres of a dwelling.

The land is not connected with fish farming.

The proposal will not be used for storing fuel or waste from a biomass boiler or anaerobic digestion system.

The proposal will not be used for storing waste or fuel of any kind

The proposal is not within 400 metres of a protected building.

The proposal is not within 400 metres of a protected building

(including removal from any disused railway embankment); or	Not Applicable
(ii)the removal of any mineral from a mineral-working deposit,	Not Applicable
the mineral is not moved off the unit;	Not Applicable
(c)waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.	
(2) Subject to sub-paragraph (3), development consisting of—	Not Applicable
(a)the erection, extension or alteration of a building;	Not Applicable
(b)the formation or alteration of a private way;	Not Applicable
(c)the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or	The proposal does not exceed 0.5 Hectares in size (5,000 Square metres).
(d)the placing or assembly of a tank in any waters,	Not Applicable

5. Agricultural Justification and Summary

The proposed lagoon is absolutely essential to the continued running of the established dairy unit at Home Farm, and is entirely necessary in ensuring that the applicant is able to farm in a legal, conscientious and environmentally sustainable manner.

The applicant has already commissioned the necessary permeability and percolation tests necessary for the construction of an earth banked lagoon and these have been satisfied. The location has been deemed a suitable one owing to the accessibility to the neighbouring block of land on to which the slurry will be applied as an organic fertiliser. The site is also 400 metres from any dwelling and does not exceed 0.5 Hectares in size, and therefore conforms to the requirements of the permitted development.