# SUPPORTING PLANNING STATEMENT

# FOR

# A SLURRY STORE

# TO COMPLY WITH

# THE WATER RESOURCES (CONTROL OF AGRICULTURAL POLLUTION) (WALES) REGULATIONS 2021

**Prepared on behalf of**

**Mr E H Morris**
**New Farm**
**Cobblers Lane**
**Burton**
**Rossett**
**Wrexham**
**LL12 0AH**

**Prepared by:**

**Sarah Gerrard**

**West View House**
**Whitchurch Road**
**Hatton Heath**
**Chester**
**CH3 9AU**
**Telephone: 01829 773000**
**Facsimile: 01829 773001**
**Email: sarahgerrard@rostons.co.uk**
**Ref: SG.CP15822**

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## 1. INTRODUCTION

1.1. I, Sarah Gerrard, am a Rural Chartered Surveyor who works for the firm Rostons.

1.2. I understand my duties in the preparation of this report and have complied with that duty. The substance of the instruction I have received and the information I have been provided with are set out within this report and its appendices.

1.3. I am also a probationer member of the Central Association of Agricultural Valuers and have a degree in Rural Enterprise and Land Management from Harper Adams University. I have been involved in the agricultural sector and country matters for the majority of my life. I act on behalf of farmers and landowners throughout Cheshire and surrounding counties. I specialise in agricultural planning matters.

### Purpose of Report

1.4. The purpose of this report is to fully justify the planning application for a slurry store at New Farm, Cobblers Lane, Burton, Rossett, Wrexham, LL12 0AH.

1.5. This report will demonstrate the necessity of the development for the business to comply with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 ("CoAPR").

### The Farm

1.6. New Farm is a family run dairy farm, comprising agricultural land and buildings. The farm partnership comprises 3 partners: the applicant Mr Morris and his two children, Mr Andrew Morris and Miss Anne Morris who have both worked on the farm full time since leaving education. The three family members work full time on the farm. Contractors are employed during the summer to harvest silage.

1.7. Mr Morris originally occupied New Farm as a tenant, before its purchase from Wrexham County Borough Council in 2004.

1.8. The agricultural enterprise totals approximately 346 acres, with 150 acres being owned by the farm partnership and an additional 196 acres nearby rented. The land is used for the dairy herd grazing and forage production.

1.9. The dairy herd comprises 200 milking cows which are housed in cubicles and fed under cover. The herd has an annual milk yield of approximately 6,500 litres. There are a further 180 head of youngstock. The herd calve all year round.

## 2. PROPOSED SITE AND SURROUNDING AREA

### Site Situation

2.1. New Farm is accessed from Cobblers Lane, Burton near Rossett and is approximately 2km from Llay. It is situated in the authority of Wrexham County Borough Council. The site is surrounded by agricultural land. Residential properties are sporadically sited throughout the landscape.

2.2. The store will be located as close as possible to existing farm infrastructure, providing for easy access from the farm's existing access and gateways. It will be sited adjacent to the existing farming complex consisting of large agricultural buildings and therefore will not stand out, being contiguous with the existing agricultural use of the property. The location of the proposed development is further shown in Appendix 1.

2.3. Appendix 2 shows the wider area farmed by the partnership.

## 3. PROPOSED DEVELOPMENT

### Context

3.1. Under the CoAPR, total nutrient containment is required throughout the 5-month winter period. The farm business recognises that the existing on-farm infrastructure does not currently meet these legal requirements and requires improvement.

3.2. The new slurry store will provide the holding with storage for 5 months winter storage capacity, in compliance with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. In addition to ensuring regulatory compliance, the development will reduce transport, spreading frequency, labour costs and ammonia emissions of the slurry produced on the holding.

3.3. The proposed store will enable greater control of application to maximise the efficient use of the stored nutrients on the land. This will reduce the need for inorganic fertilisers, reducing greenhouse gas emissions.

3.4. Spreading less frequently will reduce the cost to the farm business, improving the business's viability. It will also enhance soil health by reducing soil compaction and reduce the risk of run off into nearby water courses.

### Design

3.5. The scale of the proposal sits comfortably within the surrounding agricultural environment. The proposed slurry store is of typical character for agricultural nutrient storage facilities throughout the country.

3.6. The slurry store will be 22.616m in diameter. It will be juniper green in colour and constructed of metal wall panels.

3.7. The design is compatible with the development benefiting the business and environment.

**Farming Connect – Infrastructure Report**

3.8. The applicant is seeking to enhance the sustainability of the farming business and future proof the business for the next generation. As part of this, an Infrastructure Report was commissioned through Farming Connect.

3.9. Within this report, the following storage requirement was calculated:

| **Type of livestock** | | | | |
|---|---|---|---|---|
| **Cattle** | **Category** | **Number of livestock** | **Daily excreta /water volume (litres per head per day)** | **Volume produce in storage period (m3 per winter month period)** |
| Milking cows housed on cubicles | Annual Av. Milk yield 7,500 litres | 156 | 53 | 248 |
| Bulling heifers housed on cubicles | | 60 | 40 | 72 |
| Milking cows loose housed and bedded on straw | Farm Yard Manure only | 50 | | 0 |
| Youngstock loose housed and bedded on straw | Farm Yard Manure only | 170 | | 0 |

3.10. As can be seen from the figures above, five-month storage would require 1,600m3 capacity storage to comply with the CoAPR 5-month storage requirement.

3.11. The proposed capacity and nutrient production at the farm have been calculated based on regulatory requirements. The store will be designed to comply fully with BS5502 and to comply with the CoAPR.

3.12. Natural Resources Wales (NRW) will be informed of construction works at least 14 days prior to commencement of construction via their prior notification form.

3.13. Once the new slurry store is completed, the holding will have adequate capacity to meet The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

3.14. Slurry contains valuable nutrients. The development will increase the efficiency of nutrient management on the holding by reducing nutrient run-off and allow for greater control of its application.

3.15. Currently there is limited slurry capacity on the farm. The new infrastructure will enable spreading to be controlled to times when there is low risk of runoff and when there is growing crop which will be able to utilise the nutrients applied in the slurry. There will be reduced need to spread slurry when there is a high risk of surface runoff or when the soils are wet.

3.16. Increased slurry storage capacity reduces the risk of applying slurry to land during unfavourable weather conditions i.e. applying to wet or frozen soils and when there is high risk of surface water flow.

3.17. Applying slurry to land only when the land is suitable reduces the soluble phosphorus.

3.18. The frequency of slurry spreading will be reduced due to increased storage capacity.

3.19. A reduction in slurry spreading and field operations during times when the land is not suitable will reduce soil compaction, and subsequently reduces the likelihood of run-off and the risk of pollution to nearby water courses.

**Location**

3.20. The proposed site of the new slurry store has been chosen as it is adjacent to the current yard and does not spread development. It would not impact on the surrounding landscape.

3.21. The location has been chosen due to being the most appropriate given the context of the yard and farming operations. The proposed location of the slurry store has been chosen to sit within the existing yard area amongst the existing buildings and infrastructure which has been developed over a number of years. The chosen location is the only suitable area of the farmyard, given the watercourse behind the farmyard.

3.22. Access points to the site will remain unchanged.

3.23. The development will have no impact on the existing hedge boundaries to the fields. These will be maintained and provide natural screening of the lagoon. The store will be situated at least 10m away from the nearest watercourse.

3.24. The proposed slurry store will not stand out in the surrounding landscape as it will be located adjacent to the existing farming complex. Thus, it will not adversely affect the visual landscape of the surrounding area.

3.25. The new slurry store is essential for the continuation of the farm business and viability of the enterprise moving forwards. The slurry store is required to meet legislative requirements.

3.26. The farm building complex is bordered by the property boundary to the east side and a stream on the south side. In addition, agricultural machinery access is required to both ends of the clamp during the silage season. These

factors, along with the location of the existing effluent tank, restricts the location and design of a new slurry store.

3.27. The proposed location of the slurry store is currently rough ground on the fringe of the farmyard that is already of low ecological value.

3.28. The proposed location lies adjacent to the existing farm buildings which are already subject to frequent machinery movements during the day-to-day farming operations. The short-term increase in plant on the site during construction will not cause disturbance and habitat loss to species.

3.29. The development will not result in the removal of any trees or hedgerows. All existing nearby hedgerows are to be retained and improved. Wildlife corridors will not be adversely affected by the proposal.

3.30. The proposed development will not cause a loss of habitats.

3.31. The site is located within the established farmstead, being bordered to the north by existing farm buildings. This area comprises a regularly disturbed farmyard.

3.32. The applicant has ensured that the location of the slurry store will not have a detrimental impact on existing green infrastructure.

3.33. The location of the slurry store has been chosen to be situated as far away from nearby homes as possible, whilst being located within the existing yard area and with easy access from the existing farm buildings to allow for ease of use. The site chosen is the most suitable to prevent disturbance to other areas of the farm with greater ecological value.

## 4. THE POLICY CONTEXT

4.1. This section contains and describes the relevant planning policies commencing first with National Planning Policy Framework, before focussing on local planning policy. The following section then describes the material considerations that are relevant to this application.

4.2. The most recent legislation is in the form of Planning Policy Wales (PPW) which sets out the Welsh Government's land use planning policies. This is supplemented by a series of Technical Advice Notes (TANs).

4.3. At the heart of the PPW is a 'presumption in favour of sustainable development' which should be seen as a golden thread running through both plan-making and decision-taking. The Local Planning Authority must therefore have regard to the economic, social and environmental effects of any proposed development.

### National Planning Policy – TAN6

4.4. The Policy Framework relating to agricultural buildings is contained within TAN 6 'Planning for Sustainable Rural Communities'. Under 6.6.4:

> *"Regulations set minimum standards for new, substantially reconstructed or enlarged silage, slurry or fuel oil facilities. The Environment Agency is empowered to serve notice requiring action to improve existing installations when it considers that there is a significant risk of pollution. These Regulations form an important part of the Assembly's commitment to reduce agricultural pollution of rivers. Planning authorities are therefore encouraged to consider sympathetically development proposals aimed at meeting the requirements of these Regulations."*

4.5. The proposed development at New Farm would be consistent with this policy as the improvement to the on-farm infrastructure will mitigate the pollution risk and ensure compliance with CoAPR. This will prevent run-off into watercourses, safeguarding water quality and ecosystems.

4.6. The slurry store will enable better nutrient management to improve soil quality and reduce the need for inorganic fertilisers. The new store will meet all current legislative requirements set out in the CoAPR 2021.

### Local Planning Policy – Wrexham Unitary Development Plan

### Policy EC13 – Surface Water Run-Off

4.7. The proposed new slurry store will align with this policy by enabling the effective containment of slurry during the closed period. This will mitigate the need to spread when there is risk of surface water run-off, preventing potential contamination of local watercourses. This ensures environmental protection, safeguarding water quality and supporting sustainable agricultural practices.

**Policy EC3 – Agricultural Buildings**

4.8. New agricultural buildings are permitted unless the development has a detrimental impact on the environment or surrounding landscape. The proposed development at New Farm forms part of the existing farm complex.

**Policy EC4 – Hedgerows, Trees and Woodland**

4.9. The development will not adversely impact any hedgerows or trees on the site.

**EC6 – Biodiversity Conservation**

4.10. The new slurry store will not disrupt natural habitats. The proposed site is currently used by the intensive agricultural operations and therefore no negative impact on habits, shelter or resources for wildlife are anticipated. Careful management and storage of slurry will mitigate potential runoff and subsequent pollution, ensuring protection of nearby ecosystems.

**Policy GDP1 – Development Objectives**

4.11. Under GDP1, development should make a positive contribution to the appearance of the locality and be of appropriate scale, design and layout. Development should take account of personal and community safety. In addition, make the best use of design techniques, siting and orientation to conserve energy and water resources.

4.12. The development is in accordance with GDP1 for the following reasons:

- The new slurry store will be in keeping with the existing farming operations at New Farm, the proposed development will benefit the farming business by ensuring compliance with CoAPR and promote sustainability for future generations.

- The proposal will not affect surrounding properties or public/private spaces.

- The proposal will be sited adjacent to the existing farm complex and on an area already used as part of the farming enterprise.

- The proposal will be accessed via an existing established access.

4.13. Policy GDP1 also seeks to ensure the safety and amenity of the public and safeguard the environment from adverse effects on water pollution. In particular, this development seeks to enhance the management of slurry and in turn reduce the potential of surface water run-off.

4.14. The land is already used for intensive agriculture and therefore it is not anticipated that there will be any adverse ecological or biodiversity impacts.

4.15. Authorising this development would help to future proof the farm business to enable the applicant's family to continue farming.

**Other Legislation**

4.16. The new store will provide sufficient storage capacity to store all slurry and dirty water from 1st October – 1st March, to comply with the non-spreading period from 15th Oct – 15th Jan. Both of these are required within the CoAPR. The store provides the regulatory 5 months storage required.

4.17. The construction will be carried out in order to meet the required storage capacity of slurry storage system and will need to be in place by 1st August 2024 as required by the CoAPR.

4.18. The new slurry store will allow all slurry to be stored throughout the winter closed period and be spread to the land only when the land and weather conditions are suitable, allowing the maximum benefit to be achieved from the nutrients. Nutrients will only be applied to the land when the land requires the application.

4.19. The farm will adhere to recommendations of nutrient application, provided in the farm's nutrient management plan ensuring nitrogen application from the slurries produced is carried out in accordance with the regulations and does not exceed maximum N loading (170kg/h) unless a licenced derogation to 250kg/h is received.

4.20. Currently, the slurry is spread on a regular basis throughout the winter due to insufficient storage capacity. The slurry will be emptied at the end of the winter closed period in accordance with legislation.

**The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021**

4.21. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, herein referred to as 'CoAPR' include several provisions aimed to prevent and reduce water pollution, including ensuring storage facilities are designed and constructed to prevent leaks and the capacity of storage facilities must be sufficient to hold slurry produced during periods when land application is not possible due to weather or soil conditions.

4.22. This means that farms must have sufficient storage capacity to hold at least five months' worth of slurry production. Additional capacity may be required in areas with high rainfall or on farms with high livestock density.

4.23. The CoAPR will be enforced by Natural Resources Wales and penalties including fines can be issued for non-compliance.

4.24. The slurry should be applied to land in accordance with a suitable manure management plan (MMP) based on an underlying nutrient management plan (NMP). The Code of Good Agricultural Practice (COGAP) has standard formats for the MMP and associated NMP.

## 5. MATERIAL CONSIDERATIONS

### Environmental Sustainability and Regulatory Compliance

5.1. In compliance with the CoAPR, the new slurry store will ensure that winter storage of all nutrients and dirty water produced by the stock can be contained. This will reduce potential runoff, reducing ammonia emissions, odour emissions and noise pollution.

5.2. The proposed development will reduce vehicle movements over the winter months. This will also further reduce damage to fields and tracks, reducing the pollution risk when spreading nutrients and allowing greater control over spreading times.

5.3. Improved control of nutrients will reduce fertiliser costs improving the viability of the farm. There will also be a reduction in costs of spreading of the slurry due to reduced frequency of emptying the facility.

5.4. The new infrastructure will enable the business to sufficiently store slurry and dirty water for the required period and comply with the regulations which require at least 5 months slurry storage.

5.5. The infrastructure required to comply with the CoAPR requires significant investment for the farm business to be compliant with legislation and viable long term. The applicant is therefore making a parallel grant application to the Welsh Government Nutrient Management Scheme to secure partial funding to ensure this project can be realised.

5.6. The applicant is keen to ensure that the business complies with environmental legislation and is looking to invest to make a sustainable business for himself, his son and future generations.

### Vehicle Movements

5.7. Access to the site will be via existing entrances and gateways used by the farm workers when emptying the store. There is no public access to the site.

### Enhancing Biodiversity

5.8. There will be no adverse impact on the surrounding wildlife as there is already a farmyard nearby which is used to access existing buildings by large machinery.

### Community Safety

5.9. The proposed new store is located within the New Farm boundary. Public access is not permitted to the farm.

### Consultants Analysis

5.9.1. The applicant has shown willingness to comply with the regulations and has engaged Farming Connect to prepare an Infrastructure

Report as referred to in Section 3. A copy of this is included in Appendix 5.

## 6. GREEN INFRASTRUCTURE

6.1. In accordance with Section 6 of Planning Policy Wales Edition 12 February 2024, a stepwise approach has been taken to ensure the development will have a net biodiversity benefit.

6.2. Under 6.2.7 of Planning Policy Wales, protection, retention and restoration, creation and connection of green features is considered to deliver the most significant benefits. This application for a slurry store at New Farm proposes the protection and management of the existing hedgerows. This development also proposes the installation of two bat boxes.

### Mitigation Measures

6.3. There will be no disruption to habitats on adjacent sites and there is no reason why the development will have a negative impact on surrounding habitats and ecosystems.

6.4. The site is not located within any designated sites and the proposed location should therefore be acceptable.

6.5. It is proposed that two bat boxes will be installed on trees in the applicant's on-site wood. The siting of these bat boxes will provide a location for bats to shelter. The boxes will be positioned at least 3m from the ground.

6.6. This will result in an overall net biodiversity benefit to the site.

6.7. The applicant will ensure the bat boxes will be maintained in a useable condition for the future.

6.8. The slurry store will be situated to the south of the existing farm complex, mitigating the visual impact to neighbouring properties.

6.9. There is no proposed off-site compensation as there will be no negative effect on the biodiversity of the site.

6.10. The proposal does not have any adverse effect on biodiversity or ecosystem resilience. The installation of bat boxes and the management of existing hedgerows will enhance on-site species and habitats. This will result in a net biodiversity benefit in comparison to leaving the site undeveloped**.**

### Hedgerow Management

6.11. Hedgerows serve a number of functions including providing shelter, enhancing the landscape and acting as a vital habitat for birds, insects and small mammals. It is therefore important to ensure they are well maintained.

6.12. The farmland has existing mature hedgerow boundaries. The existing hedgerows comprise of species including Hawthorn, Blackthorn and Holly. These resilient species are common throughout the region and provide a range of habitats for insects and birds.

6.13. The existing hedgerows will be managed in accordance with the People's Trust for Endangered Species 'Hedgerow Management Cycle' (see Appendix 6).

6.14. Hedgerows will be managed with varying heights to ensure there is habitat for birds and animals that like to feed and nest closer to and further away from the ground. Plants will be managed to produce berries and have good structure, ensuring nesting sites for birds.

6.15. The existing hedgerows are flailed and managed during the autumn and winter.

**Biodiversity and Environmental Enhancement Conclusion**

6.16. The development will cause minimal disturbance to the existing on-site habitats. The site lies immediately adjacent to the existing farm buildings where there is frequent movement of heavy machinery and livestock, disturbing the area.

6.17. The maintenance of existing hedgerows as part of this development will increase the biodiversity of the holding. This, in conjunction with the erection of bat boxes will lead to a Net Biodiversity Benefit on the site.

6.18. The development will result in a net biodiversity benefit to the site, due to the siting of bat boxes and management of existing hedgerows.

## 7. SUMMARY AND CONCLUSIONS

7.1. Rostons have been instructed to provide a supporting statement for the slurry store to comply with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 and serve the existing farming system at New Farm. This need has been examined within the context of national and local planning policy guidance on the sustainability of agriculture and the rural economy.

7.2. National policy guidance clearly identifies how the agricultural industry is undergoing considerable change.

7.3. Local planning authorities are urged to take into account the need for farm businesses to adapt to the change in market conditions, and the need to maintain an efficient flexible agricultural industry to support future generations.

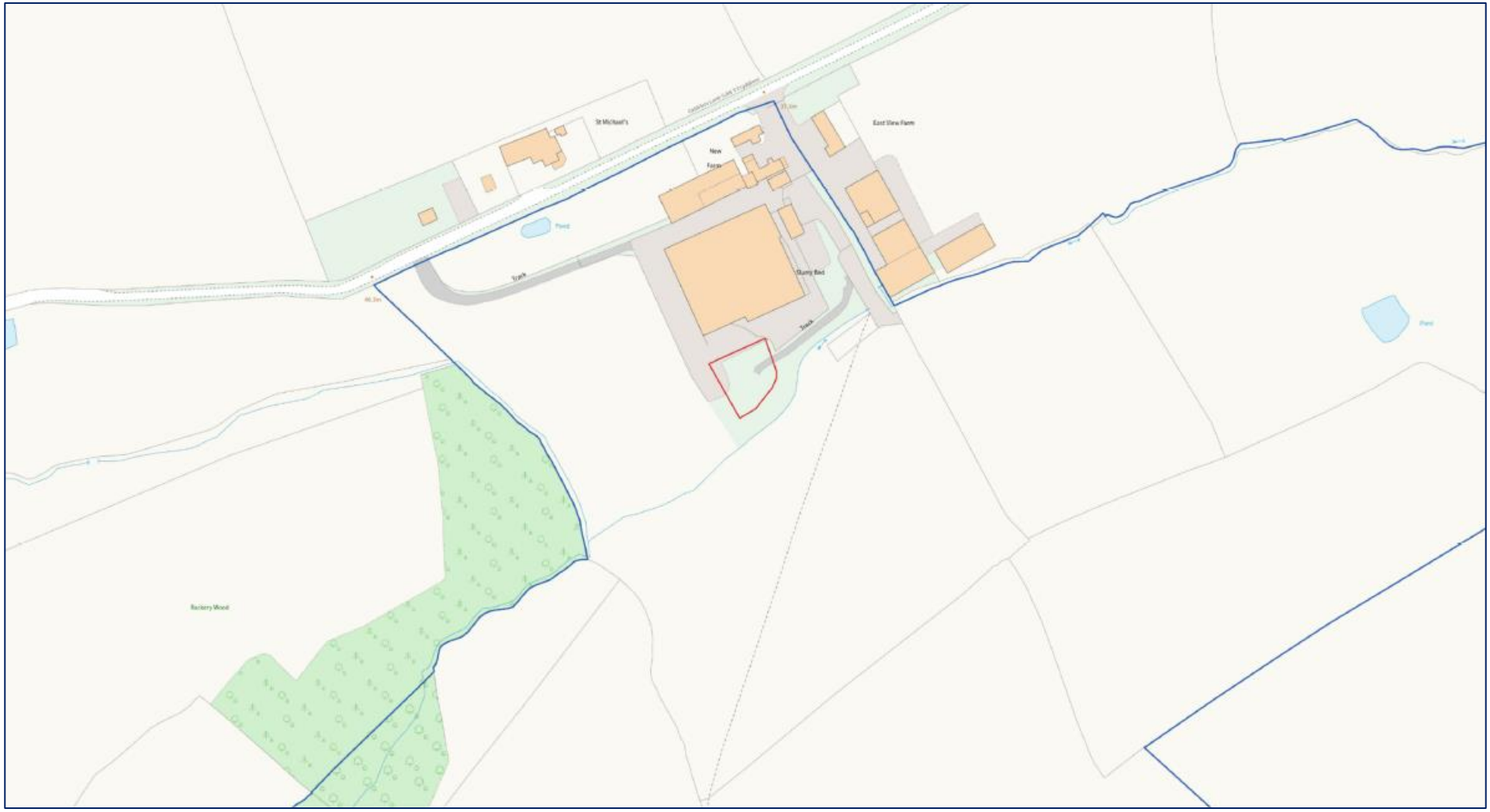
7.4. The applicant is the owner-occupier of the land on which the application stands at New Farm. The applicant is committed to improving the business sustainability and viability.

7.5. The proposed slurry store is essential for the farming business to continue to run successfully at New Farm and comply with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

7.6. New Farm currently supports three full time staff as well as seasonal contractors. The proposed development will help ensure the long term economic sustainability of the business and compliance with legislation.

**APPENDIX 1**

**Location Plan**


St Michael's
East View Farm
New
Farm
Pond
Track
Slurry Bed
Track
Rookery Wood
Pond

**APPENDIX 2**

**Site Plan**


Track
Slurry Store

**APPENDIX 3**

**Elevation Drawings**

A copy of this has been uploaded alongside the planning application.

**APPENDIX 4**

**Infrastructure Report**

Due to file size restrictions, a copy of this has been uploaded alongside the planning application separately.

# APPENDIX 5

## Hedgerow Management Cycle

# Hedgerow management cycle

Hedgerows are a dynamic system - it isn't possible to keep them at exactly the same point indefinitely. Managing them on a cycle ensures their health and long term survival.

## Tall and overgrown

**Manage as a line of trees**, if necessary undertake selective thinning










If left unmanaged, the hedge structure will start to deteriorate

**Coppice**, retaining a few trees and plant up gaps

**Lay or coppice.** Retain hedge trees, plant up any gaps.

## Rejuvenated recently layed, coppiced, or planted










**Coppice**, retain a few trees, plant up gaps, control invasive species

**Frequent trimming** in first five years

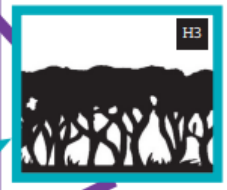
**"let up" for laying** plant up any gaps

## Over-trimmed





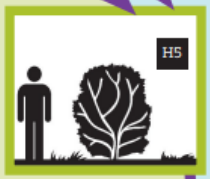





If trimmed to the same level repeatedly the structure will start to deteriorate

**Reshape**



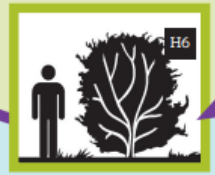




## Dense and well-managed

Raise cutting height and width slightly with each cut. **Trim on** a two or preferably three year **rotation**.



Enter hedge into **non-intervention period**




- Good condition hedge
- Fair condition hedge
- Poor condition hedge
- Management choices for healthy hedge cycle
- Neglect or poor management
- Management actions

people's trust for endangered species

Based on the 10 point hedgerow lifecycle developed by Nigel Adams and Hedgelink