

MID SUSSEX DISTRICT COUNCIL

DM/26/1442

Bolney Park Farm, Broxmead Lane, Bolney, Haywards Heath, West Sussex
Excavations and engineering operations associated with the construction of new manure store and slurry lagoon
Mr And Mrs D Rawlins

SUMMARY OF REPRESENTATIONS

There were no formal letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

MSDC Contaminated Land Officer: *'Our records do not indicate any potential contaminated land concerns at the application site beyond historical agricultural use. On this basis, the risk from ground contamination is considered to be low.'*

Slurry lagoons and manure stores do, however, present an inherent pollution risk if not designed and constructed in accordance with the relevant Environment Agency (EA) requirements. Compliance with these standards is necessary to prevent risks to controlled waters.

Environmental Protection has no objection to the proposed development. However, the applicant must follow EA guidance and obtain any necessary approvals or notifications from the Environment Agency before construction.'

The Environment Agency:

'The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review and ensure compliance with the SSAFO Regulations. Any agricultural development that will result in an increase in cattle numbers or water usage may adversely impact the storage of waste waters, slurry and other polluting matter.

The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. These regulations require you to inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask you to send us a completed WQE3 notification form before you start using the facility.'

INTRODUCTION

The application is to determine if prior approval is required for excavations and engineering operations associated with the construction of a new manure store and slurry lagoon.

RELEVANT PLANNING HISTORY

01/01232/AGRDET - Agricultural determination application for the infilling of the old bomb crater, levelling and re-seeding of area; easing of the slope of the field, and banking and planting of the lower slope. Permission 17.07.2001.

01/01613/AGRDET - New hardcore farm track. Permission 11.09.2001.

DM/26/0536 - Excavations and engineering operations associated with the construction of new manure store and slurry lagoon. Prior notification refused 15.04.2026.

SITE AND SURROUNDINGS

The land subject to the current application is set to the north side main farm building at Bolney Park Farm its other associated buildings. The land is located within a verdant and open rural setting with extensive views offered out towards Cuckfield to the east and the South Downs in the distance to the south. The farmland managed by the Applicant at Bolney Park Farm consists of 49 hectares of land.

The site is located outside of any built up area boundary and is set within the High Weald Area of Outstanding National Landscapes (formerly Area of Outstanding Natural Beauty).

APPLICATION DETAILS

The proposed development would consist of a manure and slurry storage system, including a 30 x 30 meter manure store which would be set on an impermeable concrete base surrounded by impermeable earth banks. This would capture both the manure leachate and surface water runoff and direct it using underground drainage towards a 60 x 30 meter slurry lagoon.

POLICY CONTEXT

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant Policies:

DP12 Protection and Enhancement of Countryside

DP16 High Weald Area of Outstanding Natural Beauty

DP26: Character and Design

Neighbourhood Plan

Bolney Neighbourhood Plan (September 2016)

Relevant policies:

Policy BOLE2 - Protect and Enhance the Countryside

Policy BOLD1 - Design of New Development and Conservation

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration.

Paragraphs 2, 8, 11, 39, 48, 131, 135, 139 & 189.

High Weald AONB Management Plan 2024-2029

High Weald Housing Design Guide (November 2019)

Planning Technical Advice Note: Dark Skies in the High Weald

ASSESSMENT

It was established under the initial first stage of the prior notification application that the prior approval of the Local Planning Authority was required in respect to the siting and appearance of the proposed slurry and manure system.

The initial submission was supported by several plans showing the location of the slurry lagoon to the north of the site. Some spot heights and sections have also been shown on the submitted plans. No elevation drawings had been submitted nor further information as to how the proposal would sit within the wider landscape.

The Applicant has since submitted a Landscape and Visual Impact Assessment (LVIA) to detail the proposed design of the slurry lagoon. It is considered that the findings of the previously dismissed appeal nearby at the land east of Dan Tree Farm (APP/D3830/C/23/3319435) the Inspector came to the view that the local landscape is of high sensitivity rather than medium sensitivity assessed by the appellant. The previous appeal related to the storage of waste and building materials as well as for the storage of plant machinery upon the land.

The submitted LIVA states that the overall landscape sensitivity of the Area of Local Landscape Character when judged against the scale of the development proposed would be low to medium.

The submission of the further landscape details have been reviewed and it is considered that the proposal would be read as a manmade and engineered intervention within the landscape. The proposal would appear utilitarian in its appearance and obtrusive within the sensitive landscape comprising nearby ancient woodland and historic field patterns. The proposed slurry and manure system would be visible from public vantage points to the north-east along the public footpath identified as 16CR. Whilst glimpsed views would be offered between the hedge planting, these views would likely be of greater visibility during the winter months whilst foliage is sparse.

Although the Local Planning Authority does not consider the policies within the Local Plan when determining prior approvals, it is considered that Policies DP12, DP16 and DP26 of the Mid Sussex District Plan, Policies BOLE2 and BOLD1 of the Neighbourhood Plan and the supplementary planning documents associated with the management of the High Weald National Landscapes are relevant in this instance as guidance for an assessment regarding the proposals visual impact. Particularly pertinent is the expectation that development will conserve or enhance the natural beauty of the High Weald National Landscapes as per DP16 of the District Plan. It is considered that due to the heavily engineered appearance of the proposal within a verdant setting, the proposal would neither conserve or enhance its National Landscapes setting.

CONCLUSION

The proposed works are considered to neither conserve or enhance its National Landscapes setting and would read as an engineered and manmade intervention in the wider landscape. The proposal would not be sympathetic towards its verdant countryside setting.

Decision: Refusal

Case Officer: Stefan Galyas