**WELFORD PARISH COUNCIL**

CLERK TO THE PARISH COUNCIL – MR IAN KELLY

For the attention of:

Nisar Mogul

Senior Planning Officer (Daventry Area)

Economic Growth and Regeneration Team

West Northamptonshire Council

Lodge Road

Daventry

NN11 4FP

Dear Nisar,

**Re: WND/2022/0633 Excavation of a slurry lagoon, Court Lane, Welford**

Welford Parish Council Planning Committee met on Friday 23rd September 2022 to discuss the above application. I can advise you that there were also 25 residents present who had all attended the meeting for this item.

The issues that had been identified by Councillors that were lacking in detail from the Planning Statement as below were read to the attendees:

*1. A quantitative impact assessment of odour and ammonia together with a mitigation proposal*

*2. A safety audit in relation particularly to the adjacent public footpath, highway and village generally*

*3. Reference to Natural England in relation to the Four SSSI within the screening distance*

*4. A Landscape and Visual Impact assessment with appropriate mitigation proposals*

*5. A consultation response from Environment Agency especially regarding covering of the lagoon and operational procedures to mitigate odour and noxious gases*

The reply that was received from GP Planning Ltd received on the 23rd September 2022 and copied to you was read out.



A number of issues were raised by residents and Councillors which leads Welford Parish Council to strongly object and oppose the planning application for the following reasons.

**Odour**

The first concern are the odours released from the lagoon. The GP Planning letter stated the following:

*While the proposals do not currently make provision for a cover, the Applicant is content to make provision for a cover in accordance with any advice received from the Environment Agency. It should be noted that similar sized and engineered lagoons 400m from a protected property would be permitted development and could be built without any such controls.*

*The Environment Agency’s formal response is awaited and any requirements will be incorporated into the proposed development.*

The concern is that as slurry gas includes methane, carbon monoxide, ammonia and hydrogen sulphide they will be a risk to human and animal health. An unsuitable cover will continue to allow flies and other flying insects to increase as some residents in nearby houses are affected by these already.

There are at least 20 properties within the defined zone of 400m and many others within another 100m of this zone. The prevailing wind as indicated by the Met Office is south westerly, and as a guide they state that *‘the annual wind rose for Birmingham airport (Elmdon) is typical of open, level locations across the region, with a prevailing south-westerly wind direction through the year.’* Therefore large swathes of the village will be affected by these winds and especially those coming from the direction of the lagoon including the village Sports Field.

Preventative covers need to be both secure in keeping children out and noxious smells in. With an unsuitable fence this will not keep children out which is the primary concern as we know children like to explore. The secondary effect of flies is most unpleasant especially if we are to have warmer summers and need to keep doors and windows open to vent homes.

Furthermore, summer sports and events will be affected on the Sports Field, located approximately 200m of the site, by smell and flying insects which would result in a significant impact on this key local amenity highlighted in the Neighbourhood plan. The village accepts that being a rural village there will be times when rural smells occur, but these should be managed and not detrimental to health and well-being or impact amenities within the area.

The HSE briefing sheet states the following:

*If you are planning to build a new slurry storage facility, aim for a slurry storage system designed to operate without the need to enter any part of it at any time.*

Therefore the application is incomplete in that the requirement to have a cover is incomplete and not stated as to what it will be, how effective in keeping smells in and compliant with any requirements of HSE especially in light of the above.

There is widespread evidence that continued exposure to the gases emitted from such a facility has a material impact on the health of nearby residents particularly those with other conditions and could in certain circumstances contribute to death.

**WNC Planning Policy**

As the application involves large volumes of slurry handling and storage giving rise to environmental, safety and health issues the chosen site and method of storage does not conform to the requirements of NPPF paragraph 119:

‘Planning decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions’

The safeguarding requirement is repeated in the Daventry Pt. 2 Local Plan in Policy RA 6 Open Countryside:

‘Development for agriculture that is justified and of an appropriate scale for its location and has no significant impacts on its character, beauty and tranquillity’

Which is re-emphasised in the WNJCS Policy R2:

‘Proposals which sustain and enhance the rural economy by safeguarding jobs and business will be supported where of an appropriate scale for their location, respect environmental quality and character of the rural area and protect the best and most versatile agricultural land.’

So, apart from the safeguarding issues contained in the above policies, evidence has to be submitted regarding the status of the land.

It is known to be grade 3, but this grade is sub-divided into 3a, Versatile or 3b, of lesser versatility, an independent analysis is required to establish which sub-grade exists.

* Grade 3: Good to Moderate Quality Land

This land has moderate limitations that affect the choice of crops to be grown, timing and type of cultivation, harvesting or yield. The yield of more demanding crops grown on this land is generally lower or more variable than on Grade 1 and 2.

* Subgrade 3a: Good Quality Agricultural Land

This is land that is capable of consistently producing moderate to high yields of a narrow range of arable crops (e.g. cereals) or moderate yields of a wide range of crops (e.g. cereals, grass, oilseed rape, potatoes, sugar beet and less demanding horticultural crops).

* Subgrade 3b: Moderate Quality Agricultural Land

This land is capable of producing moderate yields of a narrow range of crops (mainly cereals and grass) or lower yields of a wider range of crops, or high yields of grass (for grazing/harvesting).

We would like to know if the land being developed would otherwise be used for other agricultural benefits. We also assume the land to be of grade 3a as the surrounding fields are or have been used for arable crops. If the land is grade 3a then the proposed location will result in the loss of good quality agricultural land and a more appropriate site of lower agricultural grade should be used.

The proposal breaches Policy W5 of the Welford Neighbourhood Plan - Conserving and enhancing Local Landscape Character and Biodiversity, as it will have a significant impact, when constructed and secure fencing is erected, on the character of this specific area. The development will have a detrimental impact on the visual amenity of the area as well as odours impacting the enjoyment of the right of way running along the edge of the site. This will discourage visitors from using the right of way and have a negative impact on tourism income to the village. Tourism income is highlighted in the village Neighbourhood plan (Policy W11).

**Fencing/Security**

The fence that has been proposed is insufficient in deterring children from climbing into the lagoon. The Health and Safety Executive has a detailed paper on this matter, which is attached below, the salient points we would expect as a result of the HSE paper are:

* have been designed to deter access and are properly erected and maintained;
* are constructed of suitable material, such as small mesh wire fencing or sheet material which do not offer hand or footholds, particularly for children;
* have an overall minimum height of at least 1.3 m (see Figure 1), including at least two strands of barbed wire spaced 100 to 150 mm apart at the top;
* a maximum distance of 2.75m between supporting posts rather than the 4m spacing shown in the submitted plan
* will not be pushed up from the bottom by stock. Two strands of barbed wire at the bottom will help prevent this.



As has been acknowledged, the lagoon runs within a few metres of a public footpath, DU/011. It is also about 200m from Welford Sports Field which is used by both local school children from the Primary school and pre-school children for sports activities as well as youth and adult sports teams who use it year-round for various activities.

The location of the site within 400m of the boundary of the village, close to a public highway and adjacent to a public right of way also makes the location highly accessible to children and therefore significantly increases the risk associated with locating a slurry lagoon at this location, noting the comments by HSE that drowning in slurry lagoons and other similar areas

has resulted in many fatal incidents, with children being particularly at risk.

**Traffic and waste management**

Furthermore, the Council is concerned with the suggestion that ‘*similar sized and engineered lagoons 400m from a protected property would be permitted development and could be built without any such controls’.* The Council takes issue that this could in any way be considered a permitted development and as suggested in the next paragraphs will be on a more industrial scale.

At a recent planning meeting one of the applicants spoke to Councillors after the meeting and indicated that the lagoon would only be used for slurry produced on site. Yet, in the letter from GP Planning it stated

*‘As well as providing a facility for these units, there is capacity in the proposed lagoon to accommodate slurry from the Applicant’s wider land holdings. Overall, the total land farmed is around 1000 hectares, with pig rearing on a further two units.’*

If that is the case, this then becomes akin to a **waste management site**. The village will see increased traffic through an already busy High Street which is narrow in places and has numerous parked vehicles. If the High Street becomes impassable, the remaining village streets have a weight limit of 7.5 tons and any diversion would take the slurry lorries past a school and children’s playground.

Within the Planning Statement and GP Planning letter, there is no mention of traffic movements and the likely number of vehicles. The site also has restricted highway visibility to the east of the exit from the site due to a gate and high wooden fence, belonging to a strip of land adjacent to the highway, which is not part of this site or application. Court Lane is subject to the national speed limit of 60mph, it is not an ‘A’ or ‘B’ class road and not as wide as one of these roads and is unlit by street lighting.

The Parish Council also notes the comment from GP Planning ‘*similar sized and engineered lagoons 400m from a protected property would be permitted development and could be built without any such controls*’ which is not correct as the local Planning Authority can exercise their power of approval as to the siting of the excavation.

**Other issues**

The application does not consider any alternative form of storage such as slurry tanks (either above or below ground) which could be incorporated into the existing pig farm site. There is also no assessment of the current approach to collecting slurry from the pig pens and whether enhancements could significantly reduce the amount of slurry produced by reducing the amount of rain water that becomes contaminated by the slurry produced on the site.

There are also outstanding matters that GP Planning have indicated in their letter that need to be seen and reviewed before any decision should be made:

 *• Environmental Protection Team - recommends a suite of planning conditions.*

*• Archaeology – recommends a condition.*

*• Conservation – no specific concerns but highlights opportunity for targeted planting (addressed above).*

*• Ecology - our ecologist is currently looking at the matters raised and will respond on the matter shortly.*

*• Highways – we can confirm that the proposal is unlikely to lead to a significant increase in vehicle movements in and out of the access.*

*• Responses from Natural England and the EA are awaited*

Finally, in relation to two questions answered in the application, we have concerns as to the answers given based on the above issues.

*Hazardous Substances Does the proposal involve the use or storage of Hazardous Substances?   They answered "no". It would appear that agricultural slurry is considered to be a hazardous substance.*

*Site Visit Can the site be seen from a public road, public footpath, bridleway or other public land? They answered "no". This is not true as it can be seen from the nearby public footpaths.*

**Summary**

Welford Parish Council has considered the concerns of residents and also using the knowledge and experience of the Councillors. The position of Welford Parish Council is that they strongly oppose the proposed slurry lagoon. The Parish Council recognises that there is a need for slurry from the pig farm to be stored and be used on the land, however there are other solutions that could be considered that would be more acceptable and environmentally suitable that would address these issues

Yours sincerely

**Ian Kelly**

**Clerk to Welford Parish Council**

Email: clerk@welfordvillage.org.uk

**26th September 2022**