

Date: 17 July 2025  
Our ref: 516701  
Your ref: PL/2025/03888



Jonathan James  
Case Officer  
Wiltshire Council

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**BY EMAIL ONLY**

Dear Mr James,

**Planning consultation:** Formation of slurry reservoir. Infilling of existing slurry reservoir and erection of new barn (part retrospective).

**Location:** Sharcott Pennings Farm, Wilcot Road, Pewsey, SN9 5NL

Thank you for your consultation on the above dated 16 June 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### **Objection – Lack of Information**

#### **River Avon Special Area of Conservation (SAC) / River Avon System Site of Special Scientific Interest (SSSI).**

The application includes provision for an increase in barn capacity and a large slurry lagoon site within the hydrological catchment of the River Avon SAC, a site of international importance. The River Avon is also designated as the River Avon SSSI, a site of national importance. The scheme therefore has the potential to affect its interest features through increasing phosphorus loads to the River Avon SAC / SSSI. International sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

To assist you in screening for the likelihood of significant effects on European sites, Natural England offers the following advice, based on the information provided:

- the proposal is not directly connected with or necessary for the management of the European site.
- It is stated that the application will facilitate an increase in total herd size from the current 1281 animals to up to 1678 animals. It is understood the livestock will be kept permanently in doors with the additional slurry produced from the facility applied to the Estate's agricultural holding. Any increase in slurry production within the hydrological catchment of the River Avon SAC has the potential to increase phosphorus loads within the SAC and therefore must be subject to a Habitat Regulations Assessment. Your Authority's HRA should demonstrate that the proposals will avoid increases in phosphorus entering the River Avon SAC.

In order to complete the Habitat Regulation Assessment (HRA) Natural England recommends the following further information is requested from the applicant:

- A copy of the current Farm Nutrient Management Plan (NMP) for the Estate with up to date soil testing that demonstrates the farm can utilise the current quantity of slurry currently produced by the farm. The NMP should demonstrate that the crop limits for nitrogen and phosphorus are not currently exceeded, i.e. that the farmed land available has sufficient capacity for the existing herd size.
- Confirmation that the additional slurry that would result from the increase in herd size can be accommodated within the farm's NMP without exceeding crop limits for the land.

The submitted nutrient neutrality assessment states that no artificial phosphorus fertilisers are used on the holding and therefore the additional slurry produced by larger herd size that would result from the current application would not be used to replace existing artificial fertiliser applications. It would therefore appear likely that the scheme would result in an increase in slurry applications which will result in an increase phosphorus inputs to the land. Please note any such additional inputs, whether required for current crop or future crop need, are unlikely to achieve phosphorus neutrality without additional mitigation measures being applied.

In order to assess the likely impacts of the scheme on phosphorus export from the farm Natural England recommends that a detailed assessment of the proposals is completed using the Farmscoper tool. The assessment should compare the current slurry application rate to the future application rates that would result from the proposals. Mitigation measures, such as buffering of watercourses, might then be applied to ensure future phosphorus export rates do not exceed current export rates and thereby demonstrate phosphorus neutrality. Natural England would be happy to discuss with the applicant how this might be achieved.

Please note this advice also applies in meeting legislative and policy considerations in relation to the protection of the River Avon System SSSI.

### **Air Quality Assessment – Objection Further Information Required**

Natural England notes that an air quality assessment has not been provided. The significant increase in livestock capacity in close proximity to a number of nationally and internationally designated sites raises concerns about increased air pollution from ammonia. The sources include both the additional barn and the slurry lagoon.

In order for us to advise on this case an initial screening for air quality impacts should be completed. Simple screening tools are available via the internet, the relevant regulator or consultants. The results of screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. Natural England would be happy to advise on the results of the screening opinion and any further steps required.

Please be aware that Natural England now applies a **1%** of ammonia Critical Level significance

screening threshold **alone and in combination** including permissions from all sectors (this should also include recent permissions not yet included in the Air Pollution Information System NH3 background data). Natural England's approach to screening for air quality impacts differs from that of the Environment Agency (see attached position statement).



Air Quality Risk  
Assessment Interim G

Prior to re-consulting, please ensure a suitable air quality screening assessment is provided. If using the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/> **please ensure the applicant has enclosed the final input file (PDF format), the outputs for the model and the results (CSV format), with the details of the application.**

For guidance on how to do this in the free online [SCAIL](#), please see the attached Annex B.

A SCAIL assessment should be provided on the current operation, including barns and slurry storage facilities. One should also be provided to demonstrate any changes arising from the proposed additional barn capacity and new slurry lagoon.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Please note the aforementioned advice on water and air quality also applies in meeting legislative and policy considerations in relation to the protection of the River Avon System SSSI.

### **Protected Landscapes – North Wessex Downs National Landscape**

Natural England recommends that the North Wessex Downs National Landscape (NL) Team is fully consulted over any implications of the proposals on the designated landscape of the NL. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the NL management plan. Any decision should take full account the NL Team's advice and give the necessary weight to the relevant North Wessex Downs National Landscape Management Plan policies.

### **Additional Comments**

Please provide additional information on the location and use of the 'further 200ha of land farmed within the wider estate.' If this land is changing from dairy to grassland there may be an opportunity to gain phosphorus credits. Natural England would be happy to discuss this further.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me directly.

Yours faithfully,

Kyle Conroy  
Higher Sustainable Development Officer  
Wessex Area Team

Natural England offers the following additional advice:

### **Protected Landscapes**

Paragraph 189 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

### **Wider landscapes**

Paragraph 187 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.gov.uk/government/publications/guidelines-for-landscape-and-visual-impact-assessment) for further guidance.

### **Biodiversity duty**

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/41/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/complying-with-the-biodiversity-duty) for further information.

### **Designated nature conservation sites**

Paragraphs 193-195 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-regulations-assessments-protecting-a-european-site) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/appropriate-assessment) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://arcgis.com) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/sites-of-special-scientific-interest-public-body-responsibilities)).

## Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities \(gov.uk\)](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply - GOV.UK \(www.gov.uk\)](#) for more information.

## Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 187, 188 and 192 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England - GOV.UK \(www.gov.uk\)](#) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](#) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - data.gov.uk](#) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

## Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 187(d), 192 and 193. Major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](#) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement was extended to smaller scale development in Spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

For further information on the timetable for mandatory biodiversity net gain, we refer you to [Biodiversity Net Gain moves step closer with timetable set out - GOV.UK \(www.gov.uk\)](#). [Biodiversity net gain - GOV.UK \(www.gov.uk\)](#) provides more information on biodiversity net gain and includes a link to the draft [Biodiversity net gain - GOV.UK \(www.gov.uk\)](#) Planning Practice Guidance.

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric - GOV.UK \(www.gov.uk\)](#) for more information. For small development sites, [The Small Sites Metric - JP040 \(naturalengland.org.uk\)](#) may be used. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 193 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 77, 109, 125, 187, 188 and 193). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](#) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

The link to the website can be found here: <http://www.scail.ceh.ac.uk/cgi-bin/agriculture/input.pl>

You will need all of the details of the proposals to hand in order to complete the SCAIL template.

**Completing the template:**

Complete '**Project Details**', '**Location Details**', '**Installation Details**'.

Most boxes are self-explanatory, but where further assistance is required, click on the  button.

**'Installation Location'** – provide the co-ordinates of the installation's location (12 figure grid reference using x,y coordinates or select landranger format to enter map reference, or the tool allows you to select a point from Google Maps, a map or aerial photograph). Click 'ok' to return to SCAIL tool.

**'Source Details'** - Complete all fields not greyed out depending upon the source type selected, including the grid reference if different to the main installation location already identified above. To complete '**Source Type**', select relevant description from 'housing, litter/manure storage, land-spreading, grazing, outdoor yard' from dropdown list and enter further information as required, e.g. for slurry storage add the tonnage if fresh manure is being added, (an entry of '0' is required if slurry is being stored), number of storage days per year, surface area in m<sup>2</sup>, type of container and how it will be covered. Click on the red 'Get Emissions Values' button to populate the template.

It is possible to enter additional sources, e.g. if there are more than one housing units in different locations on the farm. Select 'add source' from drop down menu and enter the details for the source as described above, and click on the red 'Get Emissions Values' button after each addition to populate the template.

**'Designated site details'** - select a search area of 10km and proceed to identify sensitive sites in proximity (click on red 'Run Receptor Search' button).

Calculate the emissions for the final assessment at the bottom of the page (click on red 'Calculate' button). This will calculate the emissions emitted from the proposal and received at each of the designated sites. If you need to return to the original page, click on the Green 'Back Button' at bottom right of screen.

**Saving the Input file:**

To save the Input file click on the red 'Save Inputs' button at the bottom left of the screen and select 'save as' with an appropriate name and location, and include with your application (.inp file extension). The input file can also be saved from the front screen by selecting 'Save Input Data' using the same process.

**Saving the Outputs:**

Once the pre-populated results are visible, scroll down and click on the red 'Save Results' button and select 'save as' with an appropriate name and location. This file should also be included with the application.

**How to reduce emissions:**

If the final row of figures on the Results page are all in black then the application is likely to be acceptable on Air Pollution grounds. If there are exceedances in red, these should be considered further through consultation or further mitigation and emissions reduction should be explored:

| Total Depositions/Concentrations and Exceedances        |                                         |                          |                                          |                                          |                               |
|---------------------------------------------------------|-----------------------------------------|--------------------------|------------------------------------------|------------------------------------------|-------------------------------|
| Concentrations/Depositions and Critical Loads/Levels    | NH <sub>3</sub><br>(µg/m <sup>3</sup> ) | N Dep.<br>(kg N/ha/yr)   | Acid Dep.<br>(kEq H <sup>+</sup> /ha/yr) | PM <sub>10</sub><br>(µg/m <sup>3</sup> ) | Odour<br>(OU/m <sup>3</sup> ) |
| Process Contribution (PC) at receptor edge              | 0.10                                    | 0.52                     | 0.035                                    | -                                        | -                             |
| Background concentration at receptor edge               | 1.97                                    | 18.76                    | 1.54<br>(N: 1.34(S: 0.20))               | -                                        | -                             |
| Predicted Environmental Concentration/Deposition (PEC)  | 2.07                                    | 19.28                    | 1.58                                     | -                                        | -                             |
| Environmental Assessment Level or Critical Load / Level | Lower: 1<br>Upper: 3                    | Austropotamobius palipes | Austropotamobius palipes                 | -                                        | -                             |
| ALTERNATIVE CRITICAL LOAD INFO                          |                                         |                          |                                          |                                          |                               |
| USE OWN THRESHOLD?                                      |                                         |                          |                                          |                                          |                               |
| % of relevant standard PC                               | Lower: 10%<br>Upper: 3%                 | n/a                      | n/a                                      | -                                        | -                             |
| % of relevant standard PEC                              | Lower: 20%<br>Upper: 60%                | n/a                      | n/a                                      | -                                        | -                             |
| EXCEEDANCE                                              | Lower: 1.07<br>Upper: No exceedance     | n/a                      | n/a                                      | -                                        | -                             |

Project Notes  
Cattle - 88 - Slurry - SCAIL Template Farm

SAVE RESULTS SAVE EXPORTS

[Use this Back button. Do not use the browser back button - you could lose all inputs]

BACK

By altering these details you can reduce the emissions of harmful air pollutants to sensitive sites before making an application. The main parameters in SCAIL which can be used by the land holder to reduce/mitigate air pollution are:

- The type of container and its cover will reduce emissions of ammonia and ammonia deposition
- Further reducing the surface area exposed to the air by making it deeper. This needs to be balanced with health and safety considerations.
- Location in relation to the nearest designated site (the further away the better)
- Reducing the length of time the facility is operating

Further ideas on mitigation can be found in the Code of Good Agricultural Practice for Reducing Ammonia Emissions - <https://www.gov.uk/government/publications/code-of-good-agricultural-practice-for-reducing-ammonia-emissions/code-of-good-agricultural-practice-cogap-for-reducing-ammonia-emissions>

#### PLEASE NOTE:

Should the applicant wish to replace an old slurry lagoon or housing with a new system, or change livestock type or numbers, a SCAIL report should be run and submitted for both the existing and the proposed scenario. This can be done by saving the current file, then pressing the SCAIL back button (not the web browser back button), changing the details, recalculating and saving the new file.