

APPLICATION FOR PRIOR APPROVAL - EXCAVATIONS OR DEPOSITS OF WASTE MATERIAL REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE

DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09674
APPLICATION TYPE:	Prior notification: Excavation/waste material
SITE ADDRESS:	Sutton Lane Farm, Sutton Lane, Langley Burrell, Chippenham, SN15 4LW
DEVELOPMENT DESCRIPTION:	Construction of a slurry storage lagoon
RECOMMENDATION:	That Prior Approval is not required

SITE DESCRIPTION/CONTEXT

The applicant currently operates Sutton Lane Farm which forms part of the wider Manor Farm holding, located in Langley Burrell, approximately 2.5km to the south-west. Sutton Lane Farm is used to rear replacement cows for the main dairy herd of 500-cows which is located at Manor Farm. The wider holding is mixed farm extending to approximately 1,200ha located north-east of Chippenham. Along with grazing land for the dairy herd, the majority of the land at the farm is used to grow arable crops.

Sutton Lane Farm comprises a number of straw bedded cattle accommodation buildings and general purpose buildings. Grouped around the main dwellinghouse are a number of older agricultural buildings, which are less suitable for modern agriculture.

The site is not located within any landscape or conservation or ecological designations. The nearest listed buildings are in excess of 250m away.

PROPOSAL

Prior approval is sought under Part 6, Schedule 2 to the Town and Country Planning (General Permitted development) Order 2015 (as amended) for the construction of a slurry storage lagoon.

The application form and plans as submitted propose to construct an earth-banked slurry storage lagoon, which combined with another slurry lagoon at Manor Farm will provide in excess of six months slurry storage for the wider Manor Farm/Sutton lane Farm holding, in order that the farm exceeds the minimum volume advised by the Farming Rules for Water.

This determination has been made based on the following submitted plans and supporting documents and takes into account the description of the development and materials proposed.

- Location Plan RAC/10629/5 B
- Existing and Proposed Site Plan RAC/10629/6 B

- Topographical Survey
- Statement Dated December 2025 prepared by Reading Agricultural Consultants

All received 10 December 2025

RELEVANT LEGISLATION, POLICY AND GUIDANCE

This application is assessed under Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), which grants planning permission for certain types of development described in Schedule 2 of the Order, subject to the limitations, conditions, and provisions set out in the relevant Classes of permitted development.

The development proposed falls under Part 6, Class A of Schedule 2, which permits certain types of agricultural development, including:

- The erection, extension, or alteration of a building used for agriculture;
- The formation or alteration of a private way;
- Excavations or the deposit of waste material exceeding 0.5 hectares;
- The placing or assembly of a tank in any waters.

Where such development is proposed, the developer must apply to the local planning authority for a prior approval determination. The scope of prior approval is limited and depends on the type of development:

- Buildings: siting, design, and external appearance;
- Private ways: siting and means of construction;
- Excavations or deposits of waste material: siting;
- Tanks: siting and appearance.

ASSESSMENT

Does the Proposal Qualify as Permitted Development?

Having completed the detailed assessment checklist at Appendix 1 (below) of this report, it is concluded that the proposed development qualifies as permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the assessment may now proceed to consider the siting of the development as required by the GPDO.

Conditions

Part 6, Class A sets out a number of conditions to be met in order to comply with Part 6 Class A:

A2. (2)a is permitted by Class A subject to the following conditions—

(i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case

may be; (ii) the application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;

As such, it is for the Local Planning Authority to determine whether prior approval will be required 'as to the siting of the excavation or deposit'.

The site for the proposal is agricultural in nature set in the open countryside where agricultural buildings and associated infrastructure are a common feature. The proposal seeks to construct an earth-banked slurry storage lagoon, which used in connection with other facilities at Manor Farm will provide in excess of six-months slurry storage for the wider Manor Farm/Sutton lane Farm holding.

A written description of the siting, design and external appearance has been submitted. This planning statement advises that the proposed lagoon will extend to approximately 106.8m by 22.9m (internal bank top) and would be 3m deep. The lagoon would have 1 in 10 external slope to the north-east which would be returned to agriculture. The shallow slope to the north-east would match the adjacent fall of the surrounding landform and would allow easy access for tractors and slurry tankers for emptying operations. The 1 in 7 south-western slope would also allow access for tractors and tankers. The total area of works associated with the proposed lagoon extend to approximately 6,600m².

The external banks would be overlaid with topsoil stripped from the working area, with the north-eastern slope cultivated to allow the growing of a crop, as shown in Drawing RAC/10629/6 Site Plan. The planning statement suggests this will probably be a forage crop for the cattle. These banks would be formed using material extracted from the site and with imported clean subsoil registered with the CL:AIRE Protocol, which would be suitably impermeable to meet regulations.

The submission suggests that the lagoon would have a one-metre thick impermeable clay liner to meet the requirements of SSAFO and best practice as outlined in CIRIA *Livestock manure and silage storage infrastructure for agriculture – Parts 1 and 2 best practice guidance* (ref: 759b)¹. The position of the lagoon is located at the centre of the holding to spread slurry using umbilical spreading equipment.

The submission also confirms that the lagoon would have a four-metre wide bank top to allow access for machinery for maintenance of the lagoon, and would be constructed using appropriate soils (following CIRIA guidance). The one metre compacted clay liner would have a permeability of less than 10⁻⁹m/s.

The base of the lagoon is generally at ground level, with only very limited storage below ground due to the high local water table.

The lagoon has been positioned at least 10m from the bottom of the adjacent railway embankment to ensure that works do not affect the existing railway infrastructure. The works would also be located away from major trees to ensure that any works do not impact on their root zones.

Previous applications for a lagoon on this holding have been refused due to the site being within Flood Zones 2 and 3. The proposal is now in a different location and is not within any flood zones – see extract of the Environment Agency's map, where zones 2 and 3 are indicated in blue:



The site is not within a SSSI or an area designated for ecological sensitivity.

The nearest dwellings to the site are at Grove Farm, in excess of 270m away. The aerial photograph below shows the approximate location of the lagoon – it can be seen that there are trees and hedges surrounding the site, as well as interspersed along the adjacent lane and boundaries. The railway track can be seen to the east of the site.



Due to its proportionate height, depth and with intervening trees and hedges to the boundaries providing a level of wider landscape screening the storage lagoon is considered not to give rise to any unacceptable impacts to the landscape setting of the area in general. Regarding the design and

external appearance, the slurry storage lagoon is of a typical functional agricultural design with acceptable materials in the rural context.

Note: Under Part 6, Class A permitted development, the Local Planning Authority's consideration is limited to the matters specified for prior approval. For excavation or waste deposit developments, this is restricted to siting only. Operational impacts, including odour, noise, or the day-to-day management of the lagoon, cannot be considered as part of this prior approval determination.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Based on the submitted plans, supporting information, it is concluded that the proposal qualifies as permitted development under Part 6, Class A. The Local Planning Authority has considered whether prior approval is required in relation to the siting of the excavation, and it is concluded that prior approval is not required in this instance. The development may therefore proceed in accordance with the submitted details.

RECOMMENDATION: That Prior Approval is NOT required.

APPENDIX 1 – PERMITTED DEVELOPMENT CHECKLIST

	Permitted Development	Yes / No
A	Does the proposal involve the carrying out, on agricultural land forming part of an agricultural unit of 5 hectares or more, of either: (a) works for the erection, extension, or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit?	Yes. The parcel of land the proposal relates to is more than 5 hectares as confirmed within the planning statement. Total size and scale of the holding is stated on the application form as approximately (1200 hectares).
Criteria (A.1) – Development not permitted by Class A:		
(a)	Is the development proposed to be carried out on a separate parcel of land forming part of the agricultural unit that is less than 1 hectare in area?	No. The parcel of land the proposal relates to is more than 1 hectares as confirmed within the planning statement. Total size and scale of the holding is stated on the application form as approximately (1200 hectares).
(b)	Would the development consist of the erection or extension of any agricultural building on an established agricultural unit where development under Class Q or Class S of Part 3 (changes of use) has been carried out within the last 10 years?	No such development has been undertaken.
(c)	Would the development consist of, or include, the erection, extension, or alteration of a dwelling?	No such development is being proposed.
(d)	Would it involve the provision of a building, structure or works not designed for agricultural purposes?	No such development is being proposed. The slurry storage lagoon would be used for agricultural purposes.
(e)(i)	Would the ground area covered by any works or structures (excluding fences) for accommodating livestock or plant/machinery arising from engineering operations exceed 1,000 square metres?	No such development is being proposed. No new buildings, structures or plant buildings are proposed.
(e)(ii)	Would the ground area of any building erected, extended, or altered under Class A exceed 1,500 square metres?	No such development is being proposed. No new buildings, structures or plant buildings are proposed.

(f)	Is any part of the proposed building, structure, or works within 3 kilometres of the perimeter of an aerodrome and would exceed 3 metres in height?	The development would not be sited within 3 kilometres of an aerodrome
(g)	Is any part of the proposed building, structure, or works not within 3 kilometres of an aerodrome and would exceed 12 metres in height?	No such development is being proposed. No new buildings, structures or plant buildings are proposed.
(h)	Would any part of the development be within 25 metres of a metalled part of a trunk road or classified road?	The proposal would be set approximately 240 metres away from the nearest road, Sutton Lane.
(i)	Would the development consist of, or include, the erection or construction of, or works to, a building, structure, or excavation used or intended for the accommodation of livestock or storage of slurry/sewage sludge, and be within 400 metres of the curtilage of a protected building?	No. (For the purposes of Part 6, Class A of the GPDO 2015, a “protected building” refers to certain existing agricultural buildings that have restrictions on demolition, alteration, or extension under the permitted development rules. This term is a technical PD designation and does not mean the building is listed or otherwise protected for its historic or architectural value. The dwelling at Grove Farm Farmhouse appears to be excluded from ‘protected building’ status due to the dwelling being located within another agricultural unit and used in connection with agriculture. Therefore, in this instance it is considered that the proposal complies with Part 6, Class A.)
(j)	Would the development involve excavations or engineering operations on or over article 2(4) land that are connected with fish farming?	No such development is being proposed.
(k)(i)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system be used for storing waste not produced by that system or fuel not produced on land within the unit and be within 400 metres of the curtilage of a protected building?	No such development is being proposed.
(k)(ii)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system and be within 400 metres of the curtilage of a protected building?	No such development is being proposed.
(l)	Would the erection or extension of a building be carried out on land or a building that is, or is within the curtilage of, a scheduled monument?	No such development is being proposed.