Yorkshire Dales National Park Authority

Committee: Planning

Date: 16 July 2024

Applicant: A N & S J Bolland

Parish: Bolton Abbey

Officer: Wendy Thompson

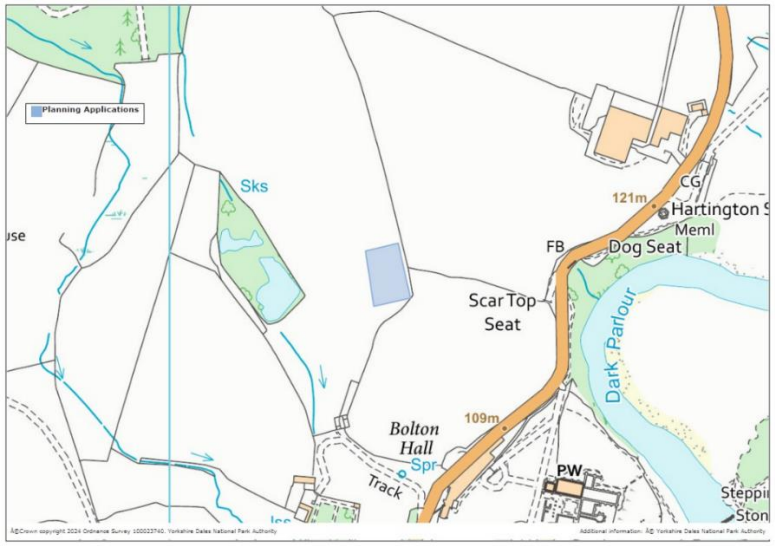
Application No: C/09/35E

Site Address: Land south west of Arches Farm, Bolton Abbey, Skipton, BD23 6AL

Proposal: Full planning permission for installation of a geotextile slurry storage bag

Purpose of Report

1. That Members **Refuse** planning permission for the above development in accordance with the recommendations below.



Reason for Committee Consideration

2. This application is reported to Committee for the following reason: The Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. Arches Farm is a 218ha dairy cattle farm, with 120 cattle. It is located to the north of Bolton Abbey and the entrance to the farm is close to the Cavendish Memorial. Arches Farm comprises a farmhouse and a range of modern agricultural buildings tightly sited together. The existing slurry tank is discreetly sited within the building group and is an open tank, fed directly from the surrounding agricultural buildings with a capacity of 720 cubic metres.

4. The farm is sited to the north west of the B6160 on a gentle hillside which slopes upwards towards the west. This means that much of the land closest to the farm is visible from the road and footpaths as well as from the Memorial.

5. The proposed slurry bag is to be sited on flattish land, in a field approx. 230m from the south west of the farmstead, towards the corner of an existing field wall. An existing gateway will be blocked in and a new one created further to the north. The site is partly visible in close up views from public bridleway no 05.6/5 which passes approx. 65m along the western side of the site.

6. The site is close to Bolton Abbey Estate and the farm holding is highly visible across the Wharfe, from walks, historic seats or viewing points and roads within the Chatsworth Estate's lands. Bolton Abbey is an extremely popular visitor destination, and its setting and features are key focal points within the landscape and the application site is highly visible from many parts of the Estate. There is much evidence in the area close to the application site of its historic past with areas of ridge and furrow evident within fields as noted in the Historic Environment Officer's comments.

Proposal

7. The proposal is for the installation of a geotextile slurry storage bag within an excavated area. The bag itself would measure 50m x 29m and would be set within a sloping excavated area a maximum of 4.5m deep. The bag would be a light grey colour with a capacity of 4000m3. This bag is needed to ensure compliance with the Environment Agency's Reduction and Prevention of Agricultural Diffuse Pollution Regulations 2018.

8. The application site slopes, therefore it will be excavated and remodelled to provide a level base to site the bag in which will be surrounded by a bund approx. 1.0m high. The bag, when full, will project 1.5m above this bund. The bund is to be grassed and will be surrounded by a fence to prevent stock straying onto it. A hedge of native species will be planted between the bund and the fence on the western side, and the details indicate that these will be whip sized plants.

Relevant Planning History

9. There are no relevant applications.

Consultations

10. The comments of statutory and non-statutory consultees are summarised below:

Historic Environment Team - Concerns about the impact of the proposed development on: the setting of the extensive Scheduled Monument area which covers the remains of Bolton Priory c. 200m to the south-east; the Scheduled remains of a medieval reservoir (Monument Number 1015684). c. 260 m to the west; and the complex of fish ponds HER entry (MYD14878) c. 70 m to the west of the proposed development site.

As it is, the location of the proposed slurry lagoon is close to a substantial stone wall which will screen it from views towards, or from, Bolton Priory; similarly its hill top location means that it won't be seen from the Scheduled reservoir complex.

The complex of fish ponds, HER entry (MYD14878), c. 70 m to the west of the proposed development site is also at a slightly lower altitude than the proposed site of the lagoon and is surrounded by mature trees which will screen these features from views towards the site to some extent.

The Duke's barn, a grade II listed structure which features a threshing barn and cow house of C17 or early C18 date is sufficiently far away not to have its setting impacted by the development.

Taking this into account there are no objections on the grounds of the impact on setting of heritage assets.

However the site is within a Historic Environment Record polygon for surviving earthworks (MYD41502) relating to medieval land management practises. On viewing the site on the ground, and reviewing the LiDAR imagery for this area, it appears that the proposed development site lies at a point where two furlongs (sections) of ridge and furrow earthworks which are on different alignments intersect.

There have been instances where ridge and furrow earthworks lie on top of earlier archaeological features and for this reason it is recommended that archaeological monitoring be conducted during the ground preparation for the development

Its appreciated that there may be a wider landscape impact from this development, but it's not considered that it would have a significant impact on recorded heritage assets on, or in the vicinity of, the site.

Wildlife Conservation Officer – No objection as the proposal accords with Policies W1 and W2 of the Yorkshire Dales Local PLan (2015-2030).

Natural England – No objection.

Environment Agency – No objection but offers advice as to other legislation that needs to be considered.

Chief Environmental Health Officer – There are no objections or EP comments to make.

Bolton Abbey Parish Council – "Bolton Abbey Parish Council supports this application as the slurry bag proposed would allow the farm to meet it's legal requirements in respect of slurry storage while enabling it to continue to farm efficiently and reduce the risk of polluting the environment.

We are of the opinion that this proposal will have no visual impact on the landscape character of the surrounding area nor will it introduce any amenity issues.

To conclude, we believe that the proposal should be supported to allow this considerate, long standing farm enterprise to continue to grow sustainably to the benefit of future generations and the village."

Public Responses

11. Advertised by site notice displayed 8th February 2024. No replies received.

Assessment

Key Issues:

- Principle of development
- Visual Impact
- Historic environment
- Nature Recovery
- Sustainability
- Parish Council comments
- Equality Act

Planning Policy

12. The National Planning Policy Framework 2023 (Framework) states that the purpose of the planning system is to "contribute to the achievement of sustainable development". (Para.7) and to this end, three overarching objectives have been identified and all proposed development needs to demonstrate these to achieve it. These are economic, social, and environmental objectives with their aims stated. In this case, the most pertinent is the environmental objective (para 8).

13. With specific reference to National Parks, the Framework states "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in

these areas and should be given great weight in National Parks. The scale and extent of development within these designated areas should be limited" (para 182). This paragraph reiterates the statutory purposes of National Parks but emphasises the pre-eminence of the conservation and enhancement of the landscape and scenic beauty over that of the conservation and enhancement of wildlife and cultural heritage.

14. Policy SP1 of the Yorkshire Dales Local Plan (2015-2030) "Sustainable Development" presumes in favour of development that is sustainable and contains a set of 14 criteria that aim to achieve that. Most pertinent to this application are sections (c), (d) and (g)

    Part (c) requires new development to "contribute positively to the built environment but having regard to the site context, and conforms to the National Park Design Guide;"
    Part (d) ensures that new development "conserves or enhances the landscape character of the National Park through the use of high-quality design, appropriate landscaping, and removal of unsightly development."
    It is considered that the proposed development would not accord with these criteria as will be discussed below.
    Part (g) encourages new development to reduce waste and greenhouse gas emissions, and it is considered that the proposed development would assist in the management of slurry waste and ammonia and nitrogen gases in accordance with this part of Policy SP4.
15. Policy BE2 of the Local Plan allows new development for rural land-based enterprises if it is necessary to serve the needs of the enterprise in that location and that the owner has not been instrumental in disposing of a building within the last three years that could have met the need proposed. No building has been disposed of, and the application has been made because of the requirements of the Environment Agency. There is a need for the proposed tank, owing to the size of the herd and the EA regulations.

16. Whilst the proposal is consistent with policy BE2, there are significant concerns regarding the visual and landscape impact of the slurry bag. For this reason, which is considered in detail further below, the proposal is contrary to Policies SP1, SP2 and SP4 of the Local Plan.

17. The application site lies very close to several important historical buildings and features. Policy L1 of the Local Plan requires that any development that affects a designated heritage asset musty either conserve or enhance its significance.

Visual Impact

18. Whilst there are no public footpaths close to the application site, the site will be visible from the bridleway to the west where the bag will be seen above the proposed bunding. The most harmful visual impact will be from across the dale where it is very narrow, almost gorge like. This part of Wharfedale is one of the most picturesque landscapes within the National Park with Bolton Abbey, the Cavendish Pavilion, and the Wharfe in full view from footpaths, formal walks and seats within the Estate and from public roads towards Storiths in the east. The

siting of the slurry bag is 230m away from the farm buildings and would clearly not be seen in the context of the farm, but as an isolated structure within the landscape. It's matt grey colour, with an area of 1450m2 will reflect the sky or shine when water lies on it. This will be a highly visible and incongruous feature within this important, historic landscape. Images of the bag product the applicant has selected indicate that it is a light grey colour which would be highly prominent in green fields.

19. The applicant has expressed a willingness to build a stone wall around the site so that the bag would be screened in the closer views, and details of this are awaited. This, however, is unlikely to ameliorate the longer distance views from across the Dale. Owing to the height difference in these important longer distance views, it is very difficult to provide any meaningful, appropriate landscaping to mitigate the landscape impact. To meet National Park purposes as set out in Policy SP1, the development must conserve or enhance the landscape character of the National Park through use of high-quality design and appropriate landscaping (Policy SP1 (d)). It has not been demonstrated how this development could be considered to either conserve or enhance the landscape and appropriate landscaping would be extremely difficult for this development owing to the most harmful viewpoints being from a higher position.

Historic Environment

20. The application site lies very close to Bolton Abbey, and together with the farmstead, much of this landscape forms part of the wider historic setting of the Abbey. There are several features of particular importance within the locality, such as a medieval reservoir, the Priory, the Dukes Barn and a complex of fish ponds. These have been considered sufficiently far away from the application site for it not to have a harmful impact on the direct setting of these historic features. Their historic significance will therefore be conserved in accordance with the requirements of Policy L1 of the Local Plan. A condition requiring the archaeological monitoring of the site has been suggested which would ensure compliance with Policy L1 of the Yorkshire Dales Local Plan (2015-2030).

Nature Recovery

21. The proposed development offers little in the way of biodiversity enhancement opportunities as the application details only show a single length of hedgerow for screening purposes rather than to provide biodiversity enhancement opportunities. It is however understood that the applicant would be willing to provide additional planting to address this issue and comments are awaited on this point. This would ensure compliance with Policy W2 of the Local Plan.

Parish Council Comments

22. Bolton Abbey PC supports this application for the reasons identified above and the material planning considerations raised have been addressed within the report.

Equality Act

23. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

24. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

25. The siting of a slurry bag of the size proposed, along with the excavation works and engineering operations required would impose a large and prominent unsightly feature in this open landscape that would result in harm to the intrinsic pastoral character and visual quality of the area and would fail to conserve or enhance the natural beauty of the National Park. As an unsightly feature of significant scale and prominence it would also distract and detract from the wider setting of the Bolton Abbey historic landscape which is of international importance. It is considered that such a large and potentially reflective feature in this location cannot be adequately mitigated or assimilated into the established, open landscape character through landscape planting and a less harmful location should be considered.

26. It is recognised that there is a need for the careful management of slurry at Arches Farm, and that there is pressure to comply with Environment Agency pollution regulations, however it is considered that there may be other sites within the farm holding that may be more suitable, such as very close to the farm, or by redeveloping or possibly extending the existing slurry area, or by siting it further away close to an existing area where there is substantial existing landscaping. The applicant may be willing to consider alternative sites, but this site is the preferred option owing to the existing farming operations and the applicant wishes to this to be determined.

27. Whilst the justification for this particular siting has been explained, the erection of the bag, bunding and potential wall would have a detrimental impact on the established landscape character of this part of the National Park. It would not conserve or enhance the National Park's natural beauty and as such, the proposal is contrary to the first Statutory Purpose of the National Park, Section 5(1) of the National Parks and Access to the Countryside Act 1949, policies SP1, SP2, SP4 and BE2 of the local plan and guidance contained within the National Planning Policy Framework (2021), in particular paragraph 176.

Recommendation

28. It is recommended that permission be **Refused** for reasons based on the following:

In the opinion of the Local Planning Authority, the proposed geotextile slurry bag, associated excavations and bunding would, through its size, scale, materials and prominent siting have a harmful impact on the setting of the important historical landscape of the Bolton Abbey Estate and on the intrinsic open, pastoral character and visual quality of the landscape. The slurry equipment would not conserve or enhance the natural beauty of the National Park and its development would result in a significant degree of landscape harm that is inconsistent with Policies SP1, SP2, SP3, SP4 and BE2 of the Yorkshire Dales Local Plan (2015-2030), the Yorkshire Dales National Park Design Guide and the statutory purposes of the National Park (S.5 National Parks and Access to the Countryside Act 1949) and the guidance in para 182 of the National Planning Policy Framework (2023) .
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