

Application Number:	P/FUL/2024/03046		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Bladeley Hill, Court Farm, Buckland Newton, Dorset		
Proposal:	Retrospective application for construction of lagoon to store waste from septic tanks to be used as fertiliser in agriculture.		
Applicant name:	Martin Perrett		
Case Officer:	Tom Uglow		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	16 October 2024	Officer site visit date:	31 July 2024
Decision due date:	23 September 2025	Ext(s) of time:	5
No of Site Notices:	3		
SN displayed reasoning:	Proximity to public rights of way		

1.0 Reason application is going to committee

At the request of the Minerals and Waste Planning Manager due to the public interest in the site and considering the retrospective nature of the application.

2.0 Summary of recommendation:

Grant Planning Permission subject to conditions.

3.0 Reason for the recommendation:

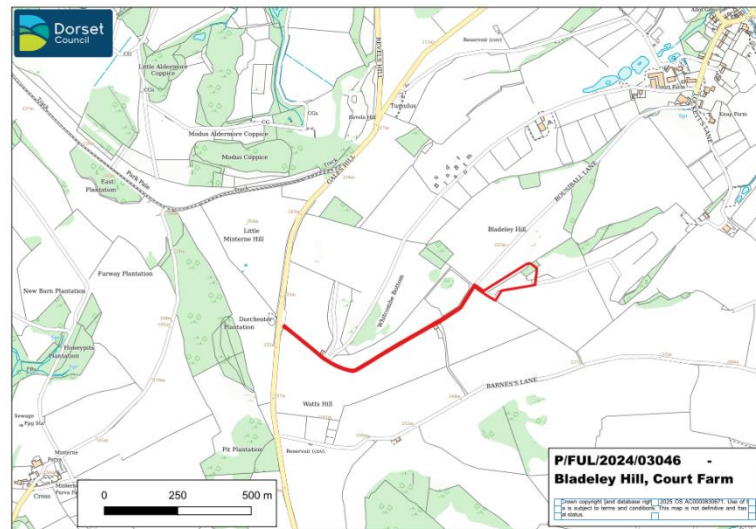
3.1 As set out in Section 16 of this report, in summary:

- Subject to the proposed planning conditions the development aligns with local and national policies that support sustainable waste management and agricultural diversification, including the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019), the National Planning Policy Framework (NPPF), and the West Dorset, Weymouth & Portland Local Plan (2015).

4.0 Key planning issues

- Air Quality on protected European sites
- Visual impact upon Dorset National Landscape
- Impact upon the use of public rights of way (PROW)

5.0 Description of Site



5.1 The site lies in central Dorset, within farmland, approximately 1km to the southwest of the village of Buckland Newton and located on Bladeley Hill. The area is attributed to the Upper Piddle Valley Character Area of the Dorset National Landscape (formerly AONB). The site is bordered by a hedge line to the North/Northwest with the ground sloping away to the east into the adjacent valley.

5.2 Access is provided through existing farm tracks which form part of the public right of way (PROW) network, specifically the farm track Bridleways S10/44 and S31/4 which links to the C road on Gales Hill.

6.0 Description of Development

6.1 This application is for the retention of a sewage sludge lagoon located on Bladeley Hill within Court Farm. The lagoon was constructed in 2022 and the planning application has been submitted in an aim to regularise the development. The purpose of the lagoon is to store sewage sludge waste, obtained from the septic tanks of domestic properties. The waste sludge is imported to the site in tankers, then kept in the lagoon, until required, at which point it is transferred to a tractor for injection into the surrounding farmland, used as fertiliser during the spring and summer months.

- 6.2 The constructed lagoon measures approximately 50m x 25m and is currently open to the air. Following a request from the Environment Agency (EA) a plastic liner was fitted to the lagoon in 2023, which was completed to the satisfaction of the EA.
- 6.3 Stock fencing separates the lagoon from the rest of the site, with stock fencing running alongside the south side of the site down into the valley.
- 6.4 Sewage sludge is imported to the lagoon by tankers (6 wheeled vehicles) along the farm track at an annual average rate of 4 movements (2 in and out) per day, which is then pumped into the lagoon. The vehicles exit the site along the farm track onto the C Road named Gales Hill.
- 6.5 To the south of the hedge are located some above ground tanks and a buried tank and container. Alongside the lagoon these tanks are also used to store imported sewage sludge for spreading on the fields and are located within the red line of the planning application site. At the time that this application has reached planning committee all above ground tanks have been removed from the site.



1. Photograph of the Lagoon (Taken 12/08/25)



2. Photograph of Storage Tanks/Containers and injecting equipment



3 View from across the valley on PROW S10/42

7.0 Background and relevant planning history

- 7.1 The exact site of the Lagoon has a limited planning history, with no previous history of permitted waste storage on the site, however, the wider Court Farm site has a series of permissions detailed below, including the installation of a waterwheel and engineering of lake banks (1/D/12/000054) and a Certificate of Lawful use to enable the repair, restoration, and maintenance of vehicles in Unit 5 of Court Farm under the use class B2.

Previous Permitted Planning Applications and Certificates of Lawful Use			
Reference	Decision	Date	Description
WD/D/18/001836	Grant	29/11/2024	Retention of landscape embankment.
WD/D/16/000717	Grant	24/10/2016	Erect horse walker
WD/D/14/003125	Grant	13/04/2015	Surface repairs to existing farm tracks and yards
1/D/12/000265	Grant	20/12/2013	Revised layout of site, various changes of uses, extensions and alterations (as set out in the description of works at Appendix 1)
1/D/12/000054	Grant	06/03/2013	Raise embankments to lakes and install waterwheel for generating electricity (revised scheme)
1/E/05/001594	Approved	11/10/2005	Application for a Certificate of Lawfulness for an existing use - use of the land for Class B1 & B2 purposes of the Use Class Order 1987
1/E/03/002179	Grant	30/01/2004	Raise level of an existing section of Ridge Hill runway

8.0 Planning constraints

- 8.1 There are a number of planning constraints either within or nearby to the existing site, as detailed below:
- 8.2 The sites access is technically through three public bridleways S31/4 and S10/44, with S10/45 branching off the access route but the end of it within the red line. The entire area falls within the Dorset National Landscape (formerly Area of Outstanding Natural Beauty) and is within a Site of Special Scientific Interest impact risk zone. To the south, Holcombe Wood an ancient and semi-natural woodland sits 377m away. In addition to these constraints, Cerne and Sydling Downs SAC and Giant Hill SSSI are located approximately 850 meters southwest from the site.

9.0 Consultation Responses

All consultation responses can be viewed in full on the website, summaries are available below

9.1 Natural England

No Objection subject to a Planning Condition (received 27/02/25)

- Requires the provision of an impermeable (e.g. plastic sheeting) lagoon cover to ensure suitable mitigation against the air quality impact upon designated sites.

9.2 Dorset National Landscape (formerly AONB) Team

Comment (received 16/10/24) regarding the following concerns

- The unauthorised importation of material to construct the lagoon
- The red line area for this application includes storage tanks and aggregate piles adjacent to the lagoon which are visible from a wide area with the tanks on the south side of the hedge being visible from relatively distant views from the east.
- Echoing the air quality impacts from the Natural England response
- The commercial aspect of the importation of sludge from septic tanks rather than farmers managing waste produced on their own land therefore makes this development more difficult to support within a sensitive countryside location.
- The potential adverse impact the site has had on the landscape and hedgerows and that the reinstatement of these hedgerows could not be considered improvement.

9.3 Environment Agency

No Objection but requesting that the following informative be included (received 04/09/24)

INFORMATIVE – Surface Water Quality

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 and as amended 2013. 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 the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations.

9.4 Landscape Officer

No Objection subject to condition (received 25/09/24)

- States that site is a very sensitive location within the Dorset National Landscape
- The views through the gaps in the hedgerow of the new liner and pit form a detracting and negative element within this landscape
- A condition requiring that new sections of hedgerow should be planted to screen the site from the view of the Bridleway has been requested to mitigate the impacts.

9.5 DC Public Rights of Way

Comment (received 22/10/24)

- Informs that the access is a Bridleway and illustrating the importance of ensuring passing places are located on the access to the site to protect the users of the public rights of way.

9.6 Dorset Conservation Team

No Objection (received 18/10/24)

9.7 Highways Authority

No Objection (received 06/09/24)

9.8 Cllr Jill Haynes (Ward Member for Chalk Valleys Ward)

Comment (received 23/09/24)

- The application is retrospective within a sensitive area in the AONB and close to the source of the Linden chalk stream
- Requests that due to public concern this application should be heard at committee.

9.9 Buckland Newton Parish Council

No Objection (received 18/09/2024)

10.0 Representations Received

10.1 12 representations have been received in response to the planning application, all objecting to the development. A summary of the concerns is set out below:

- The location is unsuitable for the storage of waste
- The waste is not suited to use as a fertiliser for agriculture
- Impact of odour on the public right of way
- Use of the Public Right of way by vehicles and the potential to prevent the use of this by pedestrians and other non-motorised traffic.
- Destruction of the Hedgerow and other habitats
- Lack of Fencing around the lagoon/safety issues
- Damage to the Dorset National Landscape
- Potential Pollution of Local Watercourses

11.0 Duties

- 11.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 11.2 Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscapes (AONB). In addition, the Levelling-Up and Regeneration Act (LURA) 2023 requires public authorities through planning and decision making to ensure that proactive steps are taken to achieve positive outcomes for National Landscapes.

12.0 Relevant Policies

12.1 [West Dorset, Weymouth & Portland Local Plan 2015](#)

Policies of potential relevance to this application include:

- Policy INT1: Presumption in Favour of Sustainable Development.
- Policy ECON8: Diversification of Land-Based Rural Business
- Policy ECON9: New Agricultural Buildings
- Policy ENV2: Wildlife and Habitats
- Policy ENV9: Pollution and Contaminated land
- Policy ENV16: Amenity
- Policy COM7: Creating a Safe and Efficient Transport Network

12.2 [Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019](#)

Policies of potential relevance to this application include:

- Policy 1 - Sustainable waste management
- Policy 4 - Applications for waste management facilities not allocated in the Waste Plan
- Policy 5 - Facilities to enable the recycling of waste
- Policy 12 - Transport and Access.
- Policy 13 - Amenity and quality of life
- Policy 14 - Landscape and design quality
- Policy 16 - Natural Resources
- Policy 18 - Biodiversity and geological interest

Emerging Local Plans

- 12.3 Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- i. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - ii. the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- iii. the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

Dorset Council Local Plan - Dorset Council

- 12.4 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

- 12.5 Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.
- 12.6 Other relevant NPPF sections include:
- i. Section 4 Decision taking (paragraphs 39, 48 – 50)
 - ii. Section 6 Building a strong, competitive economy (paragraph 85) and supporting a prosperous rural economy (paragraphs 88 and 89)
 - iii. Section 9 Promoting sustainable transport (paragraph 115)
 - iv. Section 11 Making effective use of land (paragraph 124)
 - v. Section 15 Conserving and Enhancing the Natural Environment – Habitats and biodiversity (paragraphs 187, 192 - 195 set out how biodiversity is to be protected and encourage net gains for biodiversity) and Ground conditions and pollution (paragraphs 198 and 201)

National Planning Policy for Waste (NPPW)

- 12.7 The National Planning Policy for Waste is a material consideration, and the following sections are of potential relevance:
- i. Paragraph 7: Determining waste planning applications
 - ii. Appendix B: Para D – “Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites), a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves), Nature Improvement Areas and ecological networks and protected species.”

Supplementary Planning Guidance

- 12.8 Dorset AONB Management Plan 2019-2024
- 12.9 Dorset County Council Landscape Character Assessment (Upper Piddle Valley)

13.0 Human rights

- 13.1 Article 6 - Right to a fair trial.
- 13.2 Article 8 - Right to respect for private and family life and home.
- 13.3 The first protocol of Article 1 Protection of property.
- 13.4 This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public Sector Equalities Duty

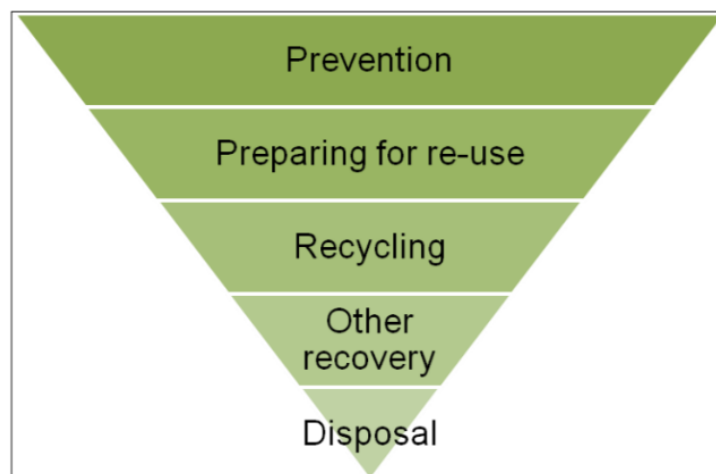
- 14.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:
 - Removing or minimising disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 14.2 Whilst there is no absolute requirement to fully remove any disadvantage, the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.
- 14.3 This development and the process related to the application’s determination will not have any more effect on people with protected characteristics than those without protected characteristics.

15.0 Planning Assessment

Principle of Development

- 15.1 This planning application seeks retrospective planning permission for the retention of a sludge lagoon and in effect an underground tank and container that has been created to store imported sludge on Bladeley Hill at Court Farm. The sludge that is stored in the lagoon is classed as waste, and therefore the proposal is a ‘waste management operation’. The structure that has been formed to create the lagoon involved earth moving and in itself was ‘an engineering operation’ which needed planning permission. The sludge, once needed at the appropriate time of year, is then used as natural fertiliser on the fields at Court Farm.

- 15.2 The sludge is defined as waste through the EC Waste Framework Directive which defines waste as “any substance or object which the holder discards or intends or is required to discard”. Sewage Sludge in this context is the content of septic tanks, which is therefore waste and needs to be disposed of.
- 15.3 In terms of the principle of development, the main material considerations to be assessed relate to the following issues:
- Principle of a waste management use taking place on a non-allocated site in the countryside
 - Waste Hierarchy and re-use of waste
 - Sustainable waste management
 - Location of a non-allocated waste site within the National Landscapes
- 15.4 Waste Plan Policy 1 Sustainable Waste Management requires that proposals should contribute to moving waste up the waste hierarchy and to demonstrate that waste is being managed at the highest appropriate level, they should adhere to the proximity principle through being appropriately located relative to the source of the waste, and self-sufficiency where facilities enable the area to move towards net self-sufficiency. The Waste Hierarchy aims to prevent waste in the first place, but when waste is created, it gives priority to preparing it for re-use.



4 The Waste Hierarchy (NPPW 2014)

- 15.5 The vision for sustainable waste management in Bournemouth, Christchurch, Poole and Dorset is that waste management facilities will have optimised waste prevention at source, pushed waste management up the waste hierarchy, maximised the re-use of waste as a resource and contributed to the achievement of a circular economy. Waste management facilities are expected to be flexible, appropriately sized, located, designed and operated to minimise adverse impacts on the local road network and climate change and seek to

enhance local amenity, the natural and built environment whilst meeting the needs of communities and businesses.

- 15.6 This proposal does push waste up the waste hierarchy, as the sludge is re-used after storage as a fertiliser on the fields. It can also be considered to contribute to the circular economy as it reuses other waste to act as a fertiliser for farming.
- 15.7 As a new waste management facility outside of the allocated sites in the BCPDWP 2019 the site will need to meet the criteria set out in Policy 4: Applications for waste management facilities not allocated in the Waste Plan.
- 15.8 These criteria consist of the following:
- a. there is no available site allocated for serving the waste management need that the proposal is designed to address or the non-allocated site provides advantages over the allocated site;*
 - b. the proposal would not sterilise, or prejudice the delivery of, an allocated site that would otherwise be capable of meeting waste needs, by reason of cumulative or other adverse impacts;*
 - c. the proposal supports the delivery of the Spatial Strategy, in particular contributing to meeting the needs identified in this Plan, moving waste up the waste hierarchy and adhering to the proximity principle; and*
 - d. the proposal complies with the relevant policies of this Plan.*
- 15.9 To establish the principle of the lagoon being located where it has been built, these criteria will be addressed in turn, starting with criterion a. There are two sites operated by Wessex Water and utilised for the treatment of septic tank waste produced by residents of Dorset (namely Poole Water Recycling Centre and Yeovil Pen Mill treatment works). These are also used by the applicant when there is no capacity for storage at the application site, and the final use of the waste remains as a fertiliser, albeit after more treatment. The advantage of this non allocated site lies in its ability to substantially shorten road miles of some Septic Tank waste collected in the vicinity, whilst still providing an outlet for this waste used as fertiliser, which meets regulations set out by the Environment Agency and DEFRA. This drives waste up the waste hierarchy by ensuring reuse.
- 15.10 When addressing criterion b there are no allocated sites that are proposed to be for the disposal of septic tank waste within the plan area. This proposal would therefore not impact delivery of sites currently allocated within the waste plan. Additionally, although there are other water treatment works in the area, only those in Poole and Yeovil accept septic tank waste and these are located some 14 and 27 miles away respectively from this site. This facility is small scale with a maximum storage capacity of 1,250 tonnes and operates as a local addition to these existing large-scale facilities.

- 15.11 Criterion c is fulfilled through the reuse of the waste as fertiliser rather than needing to go to a wastewater treatment works. This would enable the waste to be addressed at its highest point within the waste hierarchy close to where the waste is generated, rather than needing to be transported to Poole or Yeovil for treatment, therefore adhering to the proximity principle by managing waste close to its source.
- 15.12 However, when addressing Criterion d, this planning application is seeking permission for not only the lagoon, but also other adjacent structures which comprise of above ground metal tanks and a below ground container and tank. These other above ground structures, located within the red line of the application site boundary, do not comply with all the other policies in the Waste Plan due to their adverse visual impact upon the Dorset National Landscape. This is discussed further within the Landscape section.
- 15.13 Waste Plan Policy 4 also requires that proposals should be located in the following locations:
- e. within allocated or permitted employment land which allows for Class B1, B2 and/or B8 uses; or*
 - f. within or adjacent to other waste management and/or complementary facilities where the proposed use is compatible with existing and planned development in the locality; or*
 - g. on previously developed land suitable for employment or industrial purposes.*
- 15.14 The site is clearly not located within any of these locations listed in criteria e, f, and g, however, Policy 4 goes on to say that waste management facilities may be suitable in an agricultural setting where the proposed use and scale is compatible with the setting and provides opportunities to utilise outputs from the process in the locality and provides advantages over the locations specified in e-g.
- 15.15 In this case the lagoon itself is located within an agricultural setting where the proposed use is compatible with the setting, through it being used as storage for waste to be used as fertiliser. The scale of the lagoon is also compatible with the setting, being small when considered from potential viewpoints such as bridleways which show a minimal impact on the landscape, especially following the restoration of the hedge. The sludge is used within the farm providing an advantage over the other methods of septic tank waste disposal by driving waste up the waste hierarchy and meeting the proximity principle. This approach does not however apply to the above ground tanks located within the red line and adjacent to the lagoon as these are not of a scale which is compatible with the setting due to their visual impact upon the protected landscape (Dorset National Landscape), these tanks have been conditioned to be removed and at the time of this planning committee these tanks have been removed from the site.

- 15.16 It should be noted that Policy 4 also states that sites will only be permitted where it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of European and Ramsar sites. Although it has been established that there is a possibility of an impact of effects on these European sites from emissions resulting from storing this waste, Natural England has concluded that the emplacement of an impermeable cover will mitigate these adverse effects, and this has also been agreed by Dorset Council's own Habitat Regulations Assessment (HRA) and Appropriate Assessment. This emplacement of an impermeable cover has therefore been added as a planning condition.
- 15.17 The principle of the development is supported by a number of local and national policies. Policy 1 – Sustainable Waste Management of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) (BCPDWP) states that the Waste Planning Authority should “work proactively with applicants to promote the circular economy”. The storage of septic tank waste for further reuse as fertiliser enables this waste loop to be closed and the farm to act in accordance with the principles of the circular economy, therefore complying with Policy 1 of the BCPDWP. In addition to this Policy 4 of the BCPDWP also supports the principle of the development, but only when considering the application without the above ground tanks which are also used to store septic tank waste and visible from numerous viewpoints within the Dorset National Landscape.
- 15.18 The principle is also supported by Section 6 of the NPPF which states that planning decisions should enable the development and diversification of agricultural and other land-based rural businesses, as well as policy ECON8 - Diversification of Land-Based Rural Business of the West Dorset, Weymouth & Portland Local Plan (2015). By enabling the storage of sewage sludge at this location, the proposal enables year round storage of this waste and therefore allows collection of this waste outside of the periods that the waste can be injected (Sludge cannot be injected between October-February per the Nitrate Pollution Prevention Regulations 2015), therefore enabling the not strictly agricultural element of the business to operate year round and supporting the diversification of the farm's businesses whilst supporting the farm's agricultural operations.
- 15.19 Although not strictly a planning consideration, it should be noted that the lagoon must be operated with regard to the EA regulatory regime which control the waste's storage and use. The sludge is stored under the S3 waste exemption ([guidance here](#)) which allows the waste to be stored without the need for an Environment Agency waste permit provided that this exemption has been registered with the Environment Agency and that it will be used in accordance with the Sludge (Use in Agriculture) Regulations 1989 ([guidance here](#)), that it does not exceed 1,250 tonnes, and that it is “secure”.

Landscape and Dorset National Landscape

- 15.20 The site is located within the Dorset National Landscape (formerly Dorset AONB). It is within an area defined within the landscape character assessment as being part of the upper Piddle valley character area.

- 15.21 This character area is considered in the Dorset County Council Landscape Character Assessment to be of undeveloped rural character with enclosed V shaped chalk valleys rising to open uplands.
- 15.22 The site is visible from both the public right of way (Bridleway S10/44) running northwest of the site and from across the valley to the east on Hilling Lane. The site is predominantly hidden from Bridleway S10/44 by a hedgerow running along its length, with the exception of a gap in this hedgerow at the northern eastern edge of the site boundary. It appears that this gap originated during the construction of the lagoon.
- 15.23 To screen this gap and to repair the hedge, the applicant has planted a new hedge within this gap. To ensure that this has the desired effect, a condition was previously required by the Dorset Landscape team for the provision of a planting scheme to be approved by the waste planning authority. However, this condition is no longer required as a result of the hedge already being planted.
- 15.24 At the time of application, the site had numerous pieces of equipment and stockpiles located in the vicinity of the site. These included storage tanks stored to the north of the hedge, a stockpile of aggregate material for the repair of tracks within the farm and storage tanks and pumping equipment directly associated to the operation of the lagoon to the south of the hedge.
- 15.25 The storage tanks to the north of the hedge have been removed from the site, and the stockpile of aggregate also was removed from the site in May.
- 15.26 Within the red line and to the south of the hedge there is an underground tank and a sunken container, in addition to a mobile storage tank and additional above ground tank which have been used to store the sewage sludge. The applicant argues that the below ground tanks have been in place for over 10 years and are therefore lawful, but although I can see some evidence of ground disturbance in historical aerial photographs, I am unable to confirm that these tanks and containers have been in this location for the required 10 years and no evidence has been provided by the applicant to corroborate this. As such the non-mobile tanks also form part of the application.
- 15.27 The above ground storage tanks which are currently used to store Sewage Sludge are also noted within the Dorset National Landscape response as being visible in relatively distant views to the east. The above ground storage tank has since been removed from the site and the mobile storage tank will also have been removed from the site when this application is determined by the planning committee.
- 15.28 When considering the application, the development needs to be in accordance with Policy 14 of BCPDWP (2019) – Landscape and design quality. This policy states that when considering major development within the Dorset National Landscape (named AONB within the policy), the development must demonstrate that all the below criteria are met and the benefits of planning permission outweigh any residual adverse impacts:

- i. they would meet an identified need and there are no suitable alternatives for meeting the need;*
- ii. they have taken account of the AONB Management Plan objectives and policies when addressing criteria a-c of this policy; and*
- iii. there would be sustainability benefits of siting a development that meets a local need within an Area of Outstanding Natural Beauty*

15.29 When considered against (i), the lagoon's function is as a place to hold septic tank waste sourced from the surrounding area. The sewage sludge is then used as a fertiliser on the surrounding fields. There are no other nearby alternatives that could meet the need for this particular use as discussed when establishing the principle of the development. The nearest alternatives for the disposal of this waste are Yeovil and Poole WWTW: these are some 14 and 27 miles from the site but do not offer the same advantages as this site when considering the site's proximity to where the final use of this waste as fertiliser occurs.

15.30 When considered against (ii) the lagoon itself has greened up and to some degree blends in with the surrounding landscape when considered from the public right of way to the southeast of the site. When considered from the public right of way to the immediate north of the site there is some visibility of the lagoon through the gaps in the hedge line, however now that planting has been undertaken to replace the lost hedge, the lagoon will be obscured from this viewpoint. This however does not apply to the above ground non mobile tanks used for the storage of sludge. These are visible from the south/east of the site and are not in keeping with the "undeveloped rural character" of the upper Piddle Valley character area. These tanks, rather than conserving and enhancing the National Landscape, actively harm it, and the benefits delivered towards the circular economy and by driving the waste up the waste hierarchy are outweighed by adverse visual impact that the continued siting of these tanks cause. At the time of the planning committee, the above ground tanks shall have been removed from the site, with any impacts from the equipment associated with the lagoon mitigated by the planning condition requiring a planting scheme at the south side of the site screening the operations of the lagoon.

15.31 The Dorset National Landscape response illustrates some key policies from the AONB Management Plan that are relevant when considering this application, these consist of policies C1a, C2d, C2e, and C2f.

15.32 Although it could be considered that the lagoon is not visible and the waste it stores is used to continue to conserve the rural character of the National Landscape through its use as fertiliser to support farming, there is little justification that this development enhances the National Landscape. Therefore, to meet Policy C1a the site must be necessary and in the public interest. The support of farming operations which feed the nation and in this case support other needed agriculture through the use of this waste as fertiliser can certainly be considered as in the public interest and there is a clear need for locations to dispose of septic tank waste. As discussed earlier however, this

negligible impact of the siting of the lagoon does not extend to the placement of the above ground non mobile tanks which were used to store this waste in addition to the lagoon.

- 15.33 When considering policy C2, the continued siting of the lagoon has a negligible impact upon the National Landscape, however this also does not extend to the above ground non mobile tanks which were used to store this waste in addition to the lagoon. Their impact is visible for some distance and does not blend into the landscape in the same manner as the lagoon.
- 15.34 Considering the application against (iii) the chief sustainability benefit of this development lies in the reduced road mileage required to dispose of septic tank waste therefore meeting the proximity principle. Further benefits are provided by driving the waste up the hierarchy, preventing the need for treatment and allowing this waste to be reused close to its source to support local need in the form of farming operations.
- 15.35 In addition, Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that when determining an application an authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (now National Landscape).
- 15.36 The development as it now stands following the removal of the above ground tanks conserves the natural beauty of the National Landscape, the additional mitigation of a further hedge across the south side of the site conditioned under condition 5 of this planning application enables the existing agricultural equipment on the site to be screened and therefore contributes to enhancing the natural beauty of the National Landscape.
- 15.37 Following the assessment of the site with regards to the impact upon the landscape, it is clear that the visual impact of the development is negligible when viewing this purely in relation to the installation of the lagoon. However when considering the additional equipment on the site, such as the above ground tanks and containers which were used to store sewage sludge, the impact becomes considerably worse, with these structures being visible from a distance. These views harm the Dorset National Landscape and therefore this aspect of the application becomes unacceptable. It can therefore be concluded that although the lagoon itself can be seen to be acceptable, this acceptability does not apply to the above ground ancillary tanks being located on the site. Therefore, for this development to meet the requirements of the development plan policies it becomes necessary to remove all the above ground tanks from the site leaving only the lagoon and below ground tanks remaining as a small-scale receptacle for sewage sludge to be used at a later date as fertiliser.

Transport and Public Rights of Way

- 15.38 The site is accessed along the public right of way Bridleway S10/44. This land is owned by the operator and is an established farm track, providing the access route to the fields and barns located alongside this Bridleway.

- 15.39 The development proposes that sludge be imported to the site on an annual average of twice per day, five times per week, and the traffic generated from these movements is not considered by the highways authority to have an adverse impact on the highways network, however to allow flexibility but still control the number of movements, a daily maximum of five importations per day has been conditioned.
- 15.40 However, as the access to the site is along a bridleway, even though the number of movements is minor, Paragraph 12.36 of the BCPDWP states that whilst development of waste facilities can impact upon public rights of way, in cases such these it is important to safeguard and improve these assets to enable these paths continue to be enjoyed.
- 15.41 To ensure the safety of the users of the Bridleway, the Public Rights of Way team has highlighted the need for passing places along the bridleway to ensure that vehicles can give way to other users and therefore ensure that the development accords with Policy 12 of the BCPDWP. A map with the locations of passing places has been submitted (BP/241/P/10), and details of how they will be maintained has been conditioned to ensure that these passing places remain usable. This demonstrates a commitment to improving the right of way by improving the situation that arises when vehicles are using this farm track at the same time as other more vulnerable users.

Air Quality and impact upon protected sites

- 15.42 The application is approximately 850m from the Cerne and Sydling Downs SAC and the Giant Hill SSSI which are protected by the Conservation of Species and Habitats Regulations 2017.
- 15.43 Policy 18 of the BCPDWP (2019) requires that waste management facilities must not adversely affect the integrity of European or Ramsar or other internationally designated sites. The policy also requires that that proposals will only be permitted where adverse impacts on biodiversity will be avoided, adequately mitigated or compensation results in the maintenance and enhancement of biodiversity.
- 15.44 As part of the general requirements for all applications relating to slurry and sludge lagoons, Natural England requested that a SCAIL report (Simple Calculation of Atmospheric Impact Limits) be submitted to ensure that emissions from ammonia do not impact upon designated sites.
- 15.45 Following the submission of a further air quality report to address the differences related to Sludge lagoons in comparison to slurry lagoons and queries regarding the calculation of emissions from the site, Natural England concluded that the lagoon in its current guise would have an unacceptable impact on the Cerne and Sydling Downs SAC which is already in exceedance of acceptable emissions in terms of both Ammonia and Nitrogen Deposition.
- 15.46 However, Natural England have confirmed that by placing an impermeable cover onto the lagoon which prevents the escape of these emissions the impact of this lagoon is greatly reduced and effectively mitigated.

- 15.47 A Habitats Regulation Assessment has been produced by Dorset Council to assess the impact of this lagoon on these protected sites. This has concluded that as currently operated the lagoon has an unacceptable impact on protected sites.
- 15.48 However, the appropriate assessment also conducted by Dorset Council has concluded that the mitigation measures in the form of the lagoon cover will prevent further impact upon the protected sites. Natural England has been consulted upon this Appropriate Assessment and they have not provided any further comments.
- 15.49 Therefore, to ensure that there is no further impact upon these protected sites, an impermeable cover will be required to be installed onto the lagoon preventing the escape of these emissions. This will satisfy the requirements of Natural England, as well as the requirements of Policy 18 of the BCPDWP (2019) by adequately mitigating the impact upon the designated sites.

Amenity Impacts

- 15.50 The location of the lagoon is approximately 55 metres away from the public right of way and is at some points visible from this route. The site's proximity to this right of way as well as the use of the bridleway as the access road has the potential to harm the amenity of those using it. However, the limited numbers of movements as well as the use of passing places to enable the delivery vehicles to pull over to enable vulnerable road users to pass means that this impact is effectively mitigated. In addition to this the repair of the hedge will effectively minimise the views from the bridleway.
- 15.51 In addition to the visual and transport impacts upon amenity, there is also the possibility of odour impacts upon those using the Bridleway. These impacts from the storage of this waste will be limited to those as they transit past the site, and such odour impacts are to be expected within an agricultural setting such as farmland. Considering the impact will only be upon those as they transit past the site, this impact is considered minimal.
- 15.52 Therefore, it can be considered that subject to the necessary conditions outlined within this report the impact upon amenity has been mitigated to an acceptable level and is therefore in accordance with Policy 13 of the BCPDWP.

16.0 Conclusion

- 16.1 In conclusion, the proposed development of the sludge lagoon at Court Farm for the storage of imported sludge to be used as natural fertiliser aligns with both local and national policies supporting sustainable waste management and agricultural diversification provided that the existing above ground tanks used for the storage of sludge are removed. Following the removal of the above-mentioned tanks, the principle of development is supported by Policy 1 and 4 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019), and Section 6 of the National Planning Policy Framework (NPPF), as well as Policy ECON8 of the West Dorset, Weymouth & Portland Local Plan (2015).

- 16.2 The development's impact on the Dorset National Landscape has been carefully considered, with mitigation measures such as hedgerow planting and the removal of existing above ground tanks to minimize visual intrusion. The proposed planting schemes will ensure that impact upon landscape character is prevented.
- 16.3 Transport and public rights of way considerations have been addressed with the inclusion of passing places along the bridleway to ensure the safety of all users. The limited traffic generated by the development is not expected to adversely impact the local highways network.
- 16.4 Air quality concerns have been mitigated through the requirement of an impermeable cover for the lagoon, ensuring that emissions do not negatively affect nearby protected sites. This measure satisfies the requirements of the Conservation of Species and Habitats Regulations 2017.
- 16.5 The amenity impacts, including visual and odour concerns, have been deemed minimal and acceptable with the implementation of the proposed conditions. The development is therefore considered to be in accordance with Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan.

Recommendation: **Grant Planning Permission** subject to the following conditions:

1. Plans List – Approved

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - BP/241/P/03

Site Plan – BP/241/P/01

Section A-A - BP/241/P/02

Land Ownership Boundary - BP/241/P/04

Plan Showing Passing Places - BP/241/P/10

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Air Quality Mitigation

A suitable impermeable lagoon cover which is an effective mitigation measure for air pollution must be fitted by the 31 March 2026, details of which will be submitted to the Waste Planning Authority for approval in writing within 1 month of the date of this permission.

Reason: To satisfactorily reduce the potential impact of airborne nutrients upon Cerne and Sydling Downs SAC.

3. Removal of Equipment and Aggregate Stockpiles

All above ground non mobile plant, structures, tanks, containers and aggregate stockpiles shall be removed from the site within 3 months of the date of this permission.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

4. Removal of Equipment

All non-mobile tanks and containers that have been removed from the application site shall not be located anywhere within the area outlined in blue under plan Land Ownership Boundary - BP/241/P/04.

Reason: In the interests of protecting the setting of the Dorset National Landscape and ensuring the low level permitted waste use is located solely on the application site.

5. Planting Scheme

A suitable Planting Scheme for the replacement of the area of hedge illustrated on Site Plan BP/241/P/01 on the southern boundary of the site shall be submitted to the Waste Planning Authority for approval in writing within 3 months of the date of this permission. The approved planting details shall be implemented in the first available planting season following approval.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

6. Passing Place Details

The passing places as illustrated on plan Passing Places BP/241/P/10 shall be maintained for the duration of the development.

Reason: In interest of ensuring the integrity of Bridleway S10/44

7. Restriction of Vehicle movement numbers

The total number of daily sludge tanker movements depositing waste into the lagoon and underground tanks as marked on Plan Site Plan BP/241/P/01 shall be limited to 10 (5 in and 5 out). Records of these movements are to be maintained, and on receipt of reasonable notice, copies of these records are to be made available to the Waste Planning Authority for inspection.

Reason: To regulate the movement of heavy traffic associated with the lagoon in the interests of amenity for local residents and to protect users of the right of way.

8. Permitted Waste Quantity

A maximum of 1250 tonnes of sewage sludge shall be stored within the lagoon. A method and schedule for marking the maximum 1250 tonnes of Sewage Sludge permitted within the lagoon shall be submitted to the Waste Planning Authority for approval in writing within 3 months of the date of this permission.

Reason: To control the form of the development in the interests of amenity and in the interest of protecting the character of the Dorset National Landscape.

9. Equipment and Vehicle Storage

No commercial vehicles or HGV's shall be kept or stored on the site overnight.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

10. Gate Lock

The field gate at the entrance to the sludge lagoon shall remain locked at all times, unless sludge deliveries or agricultural activity are taking place.

Reason: In the interests of public safety on site.

Informatives:

1. The development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. 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 the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations.
2. The development must fully comply with the terms of S3 waste exemption: storing sludge of the Sludge (Use in Agriculture) Regulations 1989. All waste imported to the site should be stored and used in accordance with the Sludge (Use in Agriculture) Regulations 1989.