

Location:           **Newsells Park Winery  
Whiteley Hill  
Barkway  
Royston  
Hertfordshire  
SG8 8DY**

Applicant:           **Newsells Park Winery**

Proposal:           **Proposed winery production, processing and storage  
facility including hospitality functions, service apron,  
car park, access road, wetland waste treatment solution  
and landscaping.**

Ref. No:             23/01420/FP

Officer:             **Anne McDonald**

**Date of expiry of statutory period: 21.09.2023**

#### **Reason for delay**

Delays waiting for consultation responses. An extension of time to the statutory determination date has been sought and agreed.

#### **Reason for referral to committee**

In accordance with section 8.4.5(b) of the Constitution this application is being presented to PCC for determination due to the size of the development and the site area.

#### **Plan numbers**

22002\_DC\_XX\_XX\_DR\_A\_02-001 rev P01 Stage 2/3 Location Plan;  
22002\_DC\_XX\_XX\_DR\_A\_02-005 rev P01 Stage 2/3 Existing Site Plan;  
22002\_DC\_XX\_XX\_DR\_A\_02-006 rev P01 Stage 2/3 Proposed Site Plan;  
00-E-00-200-01 rev P1 Site Lighting Layout Carpark sheet 1 of 5;  
00-E-00-200-02 rev P1 Site Lighting Layout- Landscape Gardens sheet 2 of 5;  
00-E-00-200-03 rev P1 Site Lighting Layout Embankment Path and Statue lighting sheet 3 of 5;  
00-E-00-200-04 rev P3 Site Lighting Layout Service Yard and GRP Substation sheet 4 of 5;  
00-E-00-200-05 rev P3 Site Lighting Layout Walkway lighting sheet 5 of 5;  
00-M-00-700-31 rev P1 External Builders Work for Mechanical Services  
2379-TFC-00-ZZ-DR-L-1001 02 Detailed Landscape plan  
2379-TFC-00-ZZ-DR-L-1002 02 Landscape plan  
22002\_DC\_XX\_00\_DR\_A\_02-100 rev P01 Stage 2/3 Proposed ground floor plan  
22002\_DC\_XX\_01\_DR\_A\_02-011 rev P01 Stage 2/3 Building in context Proposed first floor plan  
22002\_DC\_XX\_01\_DR\_A\_02-012 rev P01 Stage 2/3 Building in context Proposed roof plan  
22002\_DC\_XX\_01\_DR\_A\_02-101 rev P01 Stage 2/3 Proposed First floor plan  
22002\_DC\_XX\_RF\_DR\_A\_02-102 rev P01 Stage 2/3 Proposed roof plan  
22002\_DC\_XX\_XX\_DR\_A\_02-200 rev P01 Stage 2/3 Proposed North West Elevations  
22002\_DC\_XX\_XX\_DR\_A\_02-201 rev P01 Stage 2/3 Proposed North East/South West Elevations  
22002\_DC\_XX\_XX\_DR\_A\_02-202 rev P01 Stage 2/3 Proposed South East Elevations  
22002\_DC\_XX\_XX\_DR\_A\_02-300 rev P01 Stage2/3 Proposed Site Sections  
22002\_DC\_XX\_XX\_DR\_A\_02-310 rev P01 Stage 2/3 Proposed Sections

## **Supporting documents**

1. Arboricultural Impact Assessment – rev 1.
2. Archaeological Desk Based Assessment.
3. Metric 4 Calculation Tool.
4. Drainage Strategy.
5. Magna Letter.
6. Written Scheme of Investigation for Trial Trench Evaluation.
7. Preliminary Ecological Assessment.
8. Transport Statement.
9. Ground investigation letter.
10. Planning Statement.
11. Energy Statement.
12. BRUKL output document.
13. Business Case and Plan.
14. Landscape and Visual Impact Appraisal.
15. Design and Assess Statement.
16. Bio-diversity Metric Calculation.
17. Archaeological Evaluation Report V.3 November 2023.

### **1.0 Policies**

#### **1.1 National Planning Policy Framework February 2019:**

1.2 In general and with regard to:

Section 2 – Achieving sustainable development;  
Section 4 – Decision-making;  
Section 6 – Building a strong, competitive economy;  
Section 9 – Promoting sustainable transport;  
Section 12 – Achieving well-designed places;  
Section 15 – Conserving and enhancing the natural environment;  
Section 16 – Conserving and enhancing the historic environment.

#### **1.3 North Hertfordshire District Local Plan 2011-2031**

SP1 - Sustainable development in North Hertfordshire;  
SP2 - Settlement Hierarchy;  
SP3 – Employment;  
SP5 – Countryside and Green Belt;  
SP6 – Sustainable transport;  
SL7 – Infrastructure requirements and developer contributions;  
SP12 - Green infrastructure, biodiversity and landscape;  
SP13 - Historic Environment;  
ETC3 - New retail, leisure and other main town centre development;  
ETC8 – Tourism;  
CGB1 – Rural Areas beyond the Green Belt;  
T1 – Assessment of transport matters;  
T2 – Parking;  
D1 - Sustainable design;  
NE1 - Landscape;  
NE4 – Bio-diversity and geological areas;  
NE7 - Reducing flood risk;

NE9 – Water quality and environment;  
NE10 – Water conservation and wastewater infrastructure;  
HE1 – Designated heritage assets;  
HE4 - Archaeology.

#### 1.4 **Supplementary Planning Document.**

SPD – Vehicle Parking at New Developments;  
SPD – Planning Obligations;.

#### 2.0 **Site History**

2.1 Newsells has a long planning history for its use as an equestrian centre. With regards to the planning history regarding this proposal there are two items of planning history. These are:

- 22/00102/PRE – pre-application submission seeking a view on a new winery at Newsells. This provided a cautionary response with concerns raised regarding the size and scale of the building and the visual impact it would have in long range views in the countryside.
- 23/01168/SO – Screening Opinion. This concluded that an EIA was not required, and all technical matters can be dealt with in a full planning application.

#### 3.0 **Representations**

3.1 **HCC Highways** – no objection subject to conditions, informatives, a S278 Agreement and a S106 contribution of £6000 (indexed linked) for the monitoring of the Promotional Events Management Plan and Travel Plan.

3.2 **HCC Archaeology** - The proposed development site abuts an Archaeological Area (Area of Archaeological Significance) identified in the Local Plan. The site forms part of a highly sensitive archaeological landscape that includes the remains of known prehistoric barrows of late Neolithic to late Bronze Age date, and a middle/late Bronze Age Springfield style circular enclosure on Whiteley Hill, just to the north. This is a Scheduled Monument (List Entry 1016617), and the scheduled area also contains three bowl barrows and two pond barrows. There are also numerous cropmarks of ring ditches that indicate the presence of additional plough-raised prehistoric barrows). The majority of these remains are located to the north of the proposed development site, but at least one possible ring ditch is located within the proposed development site [Historic Environment Record 11368], as are cropmarks of probable medieval ridge and furrow [HER 1136]. These have already been impacted upon by the planting of vines.

3.3 Whilst a desk based assessment has been submitted with the application, due to the size of the development there is the potential for the site to include heritage assessment with archaeological interest of sufficient scale for there to be a risk that archaeology could be a constraint on site. We therefore recommend that a trial trench evaluation is done prior to determination.

3.4 This work has been done on site and the results submitted to HCC. The HCC Archaeology team have responded stating that no significant archaeological remains were found on site and therefore they now conclude that the development is unlikely to have a significant impact on heritage assets of archaeological interest and that no further provision for archaeology is required in the granting of permission for the application.

3.5 **HCC LLFA** – no objection subject to conditions which are recommended.

- 3.6 **HCC Ecology** – no response at the time of writing.
- 3.7 **NHDC Environmental Protection** – no objection. The land is agricultural land with very low possibility of contamination.
- 3.8 **NHDC Policy Officer** – the application is considered to be in accordance with Local Plan policies.
- 3.9 **NHDC Environmental Health (Air)** – no objection subject to a condition requiring EV parking. Officer note – this is not recommended as EV parking is part of the proposal and will be secured by the imposition of condition 2.
- 3.10 **Barkway Parish Council** – support the proposal for rural diversification and job creation. Concern is raised over the safety of the proposed new access. We are of the view that either the existing access could be used, or the main gate is used with and access running around the field edge inside the site. We believe that with mature planting this service road could be screened from the stud which would protect the mares and foals which can be skittish, be we consider this could be achievable.
- 3.11 **Environment Agency** – object to the application on the basis of unknown risk to groundwaters.

Officer note – additional information has been submitted to the EA for their review.

- 3.12 **Herts and Middlesex Wildlife Trust** – object to the application on the basis that the biodiversity matrix has not been submitted to demonstrate that a net gain in biodiversity is achieved on site.
- 3.13 Officer note – additional information has been submitted on this matter and an updated response from the HMWT is outstanding.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

- 4.1.1 The application site is part of the Newsells Stud farm, which lies between Royston and Barkway. The proposed area for the winery is on the east side of the lane and on land on Whiteley Hill which is towards the northern end of the stud farm land. The land is open countryside with trees around the boundary on its northern and western sides. Due to the land being a hill, there are clear views out from the site to the south. In terms of land designations, the land is classed as 'rural area beyond the Green Belt'. There are no listed buildings within the application site area or its immediate proximity, although there are listed buildings elsewhere within the Newsells land. A Scheduled Ancient Monument is within fairly close proximity on land to the north, outside of the application site area, north of the belt of trees that define the Newsells' land boundary.

## 4.2 Proposal

- 4.2.1 This is a full application for the creation of a winery production facility (processing, storage / ageing and office accommodation), hospitality space, new access road, car parking, landscaping (including a kitchen garden) and a waste water treatment solution.
- 4.2.2 The building is to be set into the landscape, so that in most views it will appear either as single or one and half storeys in height, although it is a fully two-storey building internally, and this will be apparent on the north east elevation which interacts with the service yard for the building.
- 4.2.3 At ground floor level, the building comprises of large areas for production and ageing, as well as labelling and dispatch zones, equipment stores, a club room, wine library, tasting room, staff areas and toilet facilities. At first floor level there is a large reception / tasting area with a quiet lounge at one end and a large terrace area which can be accessed from this level, as well as a servery zone and offices. The first-floor area is significantly smaller in floorspace than the ground floor as the production and aging areas on the ground floor are double storey in height internally, with viewing areas at first floor looking down into these zones.
- 4.2.4 Externally there are landscaped areas to the south and west, with two courtyard areas with sculpture / water features, a large kitchen garden, a large wetland / water treatment area and a car park with 40 spaces, including four disabled and seven EV spaces and cycle parking facilities. A service yard lies to the east, and along the east and west boundaries a dense tree belt is proposed.
- 4.2.5 Externally the buildings comprises sections of metal cladding, wooden cladding and glazing with a metal roof. Solar panels are including on the south facing roof slopes.
- 4.2.6 As listed above, many documents have been submitted in support of the application. All of these can be viewed in full on the Council's website. Given the unique nature of this proposal it is considered relevant to include significant information in terms of key points from some of the documents setting out the proposal in sufficient detail for the consideration of this application:

### Planning Statement:

1. The site is 2.0244ha in area and located on a southern slope which has been assessed as being the optimum location on the Newsells Estate for growing grapes, due to soil conditions, topography and micro-climate.
2. The vines have already been planted - 40,895 in total.
3. The vineyard is adjoined to the south and east by Newsells Park Stud which is a 1,225-acre stud farm.
4. Whilst there are various listed buildings and structures located in Newsells Park, including a listed Obelisk which is located about 350 metres south / southwest of Newsells Park House these are sufficiently distant from the site to not require assessment. No buildings on or in close proximity to the site are listed.
5. Based on the Government's online flood risk map, the site is at very low risk from any source of flooding, although a localised area to the south of the site is recorded as high-medium risk from surface water flooding.
6. Following the pre-app stage, some key changes have been made to the proposals most notably in the deletion of staff accommodation from the proposed building and the rationalisation of the internal accommodation and site layout.

7. A new access road will be formed from Whiteley Hill Road. This access would be approximately 320 metres north of the main Newsells Stud Farm access. The proposed site access would be in a form of a simple priority junction.
8. Gates would be installed at approximately 25 metres from the junction with Whiteley Hill Road and thereafter an internal access road designed to a speed limit of 20mph and with a width of six metres, with localised widening along the bends to accommodate two-way traffic will provide access to the new winery.
9. The access layout has been designed to ensure that there is sufficient space on site to accommodate a large refuse truck, a delivery truck and a fire tender.
10. The Newsells Park Winery Business Case and Plan supports the planning application and confirms that once the new winery facility is completed it will coincide with the 2nd harvest which is likely to be 50% of full potential. This assumes that the new winery will be completed by Autumn 2025.
11. In terms of visitors to the new winery these will be a combination of clients and guests who are already visiting the stud and new visitors to the winery. The Business Plan assumes an average of 260 customers per month. This will be by invitation only to selected members of the racing syndicates and Newsells Park Stud customers.
12. Visits will be on a prior booking basis during set hours and tours will include the winery and stud to promote the brand, retain stud customers and attract new investors.
13. Visitors to the Stud come for a variety of reasons, international visitors come to see an example of a top UK private stud farm, potential clients and syndicate members visit before they join or send their bloodstock here, bloodstock agents and owners visit to have preview shows of the yearlings before the yearling sales and to view the stallions for clients. Students visit as part of their training.
14. The development of Newsells Park Winery is a natural progression of the Stud and offers an opportunity of exploiting an obvious synergy with visitors to the Stud able to also visit the winery which is a short ride away utilising electric carts along existing internal green ways
15. The proposed winery is necessary for the needs of agriculture which includes the growing of grapes. The new winery has been created by Newsells Park Stud as a diversification of their business model. There is a clear and unique synergy between the comparative business models of the Stud and Winery.
16. The commitment to the new winery is demonstrated by the initial investment of just over a £1m in establishing the vineyards in 2022.
17. The principle of developing a new winery for Newsells Park Winery is considered policy compliant. It will support the Newsells Park Stud, which is an important existing and established business internationally, nationally and regionally and allow it to develop and diversify; it is strictly necessary for the needs of agriculture and will enable the sustainable growth and expansion and the development and diversification of an established business in a rural area.
18. The supporting Transport Assessment demonstrates that the proposal accords with the local and national transport policies in terms of traffic impact, highway standards, parking and sustainable transport and this is a process that has been informed by pre-application with Hertfordshire County Council as the local highway authority. The design of the new access has been subject to a Road Safety Audit Stage 1 review and amended as a result.
19. The Transport Statement demonstrates that proposal would not have an unacceptable impact on highway safety. No highway reasons have been identified which would justify a refusal of the planning application
20. The planning application is supported by a Landscape and Visual Evidence and Appraisal (LVEA) which concludes that although the site is within open countryside, the site layout has been landscape-led and with mitigation this has minimised the effects of the proposals.
21. The LVEA identified that moderate adverse effects, are limited to the geology, soil and topography, the perceptual qualities of the site and any cultural connections on site

with the proposals having a moderate beneficial landscape effect on the vegetation and biodiversity on site.

22. The LVEA demonstrates that the site is well contained by the existing strong boundary vegetation with close views and possible views from the local lane and public footpath near Barley resulting in moderate/minor adverse effects.
23. Key views identified from The Joint during the pre-application stage have been assessed as having a neutral visual effect due to the distance from the site and the development being almost imperceptible.
24. Long-term mitigation of the vegetation establishing over time is expected to reduce the residual adverse effects to neutral.
25. In response to pre-application comments from Historic England, the assessment also considered the visual impact in views to and from the SAM. The LVEA states<sup>5</sup> that "It is considered that there is the potential effect of having an impact on heritage with increased built-form close by and increased human activity within close proximity to the scheduled monument.
26. As a landscape receptor, it is considered there will be a nil magnitude of change due to the lack of intervisibility between the site and the scheduled monument.
27. The application is supported by a Preliminary Ecological Appraisal (PEA) which incorporates a Phase 1 Habitat Survey and Protected Species Assessment. The PEA confirmed that the site comprises an area of disturbed ground dominated by ephemeral/short perennial vegetation, with recently planted vineyards. The site encompasses a small area of species poor semi improved grassland, horse pasture, and native species poor hedgerows. An area of mixed plantation woodland was present to the western boundary. The site was evaluated to support site value on a local scale. The habitats described within the PEA have the potential to support protected and/or notable species and important measures to protect species during site clearance and recommendations to improve the biodiversity status of the site post development were recommended.
28. The PEA includes a biodiversity impact assessment based on the Biodiversity Metric 4.0 - Calculation Tool. The calculation confirms that the proposed development achieves a net gain of 15.5% in habitats and a 24.9% gain in hedgerow units.
29. The Arboricultural Impact Assessment identified that the removal of trees T7-T10, T12-T19 and sections of G1, H2 and H4, are required to facilitate the development. In addition to the formal landscaping proposals, Newsells Park Winery has planted this Spring a perimeter hedge of 1760m comprising 25% Thorn, 25% Beech, 25% Field Maple, 25% Hazel plus to the east of the central hedge a small coppice comprising 6 no. Field Maple, 6 Oak, 6 Hazel and 6 Yellow Dogwood. In addition, windbreaks have been/will be planted between the rows of vines, with the planting to date comprising 350 Italian Alder trees planted at 1.5m spacing and 540m of hedging with 25% Thorn, 25% Beech, 25% Field Maple, 25% Hazel.
30. The site is located within Flood Risk Zone 1 and therefore at very low risk of flooding.
31. The planning application is supported by a Proposed Drainage (Foul & Surface) Strategy which confirms that all surface water generated on the site will be disposed of using recycling, evapotranspiration, evaporation, and ground infiltration techniques and that the site does not pose a risk to any downstream properties or features.
32. The foul water is subject to treatment in a packaged sewage treatment plant in accordance with BS EN 12566-3. After treatment the effluent is passed through a series of wetlands that culminates in a Willow tree coppice. The winery waste is treated using an aeration plant to reduce the biological oxygen demand and not filter out solids. From there it passes through a natural biofilter and then combines with the foul wastewater and flows into the same wetlands and Willow tree coppice.
33. The planning application is supported by an Energy Statement which aims to demonstrate the low carbon approach taken in reaching the design solution and show its compliance with Part 26 L Volume 2 of the building regulations.

34. In response to pre-application feedback seven standard parking bays and one disabled bay will be equipped with active electric vehicle charging points (EVCP). This accounts for 20% of the total provision. The remaining bays will be passive EVCPs.

### Design and Access Statement

1. Having taken professional advice on which grape varieties to plant and the wine styles to be achieved, Newsells vision is to produce very high-quality English sparkling wine at Newsells, produced using the traditional champagne method.
2. This is a high value luxury product which perfectly complements the world of horse breeding and racing.
3. The vineyard has been sympathetically planted to follow the curve of the rolling hills and to take advantage of the optimum location for a vineyard based on soil conditions, orientation and favourable climatic conditions for growing grapes.
4. The proposed integration of a hospitality venue is fundamental to the Newsells Estate achieving the following goals;
  - Increasing revenue by attracting and retaining clients and investors.
  - Improving the client experience.
  - Increasing brand awareness and gaining a competitive advantage over other stud farms and wineries.
  - Hosting private events that will form an integral role in attracting these clients, investors and syndicate members to invest in the stud and therefore secure it's long term future.
  - The creation of local employment opportunities to service the winery and to support the entertainment of our guests
5. The English wine production sector is experiencing a significant period of growth with hectareage (ha) in production having risen over 240% to just over 2500 ha between 2004 and 2017.
6. At least 70% of UK viticulture is now dedicated to English Sparkling Wine production with Chardonnay and Pinot Noir the dominant grape varieties.
7. Growth of the sector is being influenced by changing climatic conditions, investment, and improvement in vineyard and winemaking technologies. These, in tandem with a growing market demand for locally produced foodstuffs, present good business opportunities for wine production.
8. The vineyard area has been planted with suitable varieties for the local climate and a mix of sparkling and still wine varieties. Other unplanted areas have been preserved for biodiversity establishment.
9. Within the vineyard's 10.2ha over 40,895 vines are being grown which, at maturity, will yield approximately 60,000 bottles of wine per year.
10. The vines have been in the ground for over 12 months (planted in Spring 2022) and are showing good vigorous growth.
11. Newsells approach is to manage the vineyard as sustainably as possible and, with that in mind, already surrounding habitat, inter-row and headland areas are being established with a thriving mix of native plant species, beneficial flora and fauna.
12. The proposed winery building has multiple functions, with the principal purpose a winemaking production and storage facility to service the vineyard. The ancillary purposes are retail, hospitality and administration along with storage for agricultural equipment used on the vineyard and welfare facilities for staff working in the vines.
13. Its proposed location close to and within the vines is critical for both quality of the wine produced and to avoid the vineyard traffic from crossing the traffic and livestock movements associated with the stud.
14. The growing of grapes and associated wine production are considered forms of agriculture.

- 15 The luxury nature of the resulting product lends itself to wine tourism and there are clear economic benefits in providing a quality visitor experience which augments the perception of a wine's provenance.
- 16 Vinescapes (wine production consultant company) estimated that Newsells Park Winery will produce between 60,000 – 75,000 bottles of wine per year.
- 17 This could increase or decrease by at least 30% on a year-to-year basis depending on seasonal weather and disease conditions.
- 18 Therefore, in developing the winery proposals we have allocated floor, tank space, and cellar space to account for such eventualities.
- 19 The aim is for a range of high-quality Traditional Method sparkling (Blanc de Blancs, Rosé and Classic Cuvée), and still wine (single varietal red/rosé Pinot Noir and white Chardonnay).
- 20 Wine storage requirements are based on 75cl standard Champagne and Burgundy bottles, with sparkling wine on ageing with within stillages and transfer to riddling cages prior to disgorging
- 21 The setting of a winery and storage facility within the vineyard enables the grapes to be delivered direct to the press without leaving site and the wine, once bottled, can be aged within the integrated cellars.
- 22 The reduction in transportation movements substantially reduces the energy required to produce each bottle of wine, reduces the potential for bottle breakage and damage to the harvested grapes, and lessens the potential to impact the local highway network
- 23 The mature trees and boundary vegetation along the northern edge of the vineyard provide a backdrop which allows the development to 'settle' into the site and reduces the risk of any adverse visual impact on the surrounding landscape. The location below the trees on the slope of the hill further helps to shield any potential for visual impact on the scheduled heritage assets situated atop Whiteley Hill.
- 24 The panoramic views afforded from this location over the vines, the existing stud, and the surrounding hills, will provide a spectacular setting from which to experience the winery and vineyard. These visual links will help to connect the history and values of the Stud with the Winery, to help reinforce the premium brands and provenance of both horses and wine
- 25 Newsells Park Stud utilise American-style Horse Barns for the construction of their stables which are found throughout the Estate.
- 26 Agricultural Barns, similar in form to American Horse Barns, are commonly utilised in viticulture to provide facilities for wineries, storage (wine ageing), vineyard equipment sheds, and tasting rooms / hospitality. Those built for viticulture greatly vary in appearance from the very basic, "agricultural shed", to award winning, purpose-built, land-marks.
- 27 An agricultural barn style building is visually appropriate to the agricultural setting of Newsells Vineyard, and construction of this style would be in keeping with the Newsells Estate and its surrounding environment
- 28 The massing formation proposed was developed to create the sense of a small group of agricultural style buildings nestled within the surrounding rolling hills. It is sited close to strong boundary vegetation which serves to contain the mass within the surrounding landscape
- 29 The natural slope of the site has been utilised by cutting the building mass into it to achieve the following:
  - Further integrate the building into the landscape
  - Further reduce the visual mass
  - Form a thermal ground-coupled temperature controlled subterranean Cellar area for the Storage and Processing of the wine.
- 30 Areas of glazing which are associated with the Visitor Functions face southeast and southwest but utilise extensive roof overhangs which overshadow the glass thus preventing solar gain and potential disturbance of the local view corridors by eliminating reflections.

## Newsells' Park Business Plan

- 1 The proposed winery building has multiple functions, with the principal purpose a winemaking production facility to service the vineyard. The ancillary purposes are hospitality and administration along with storage for agricultural equipment used on the vineyard and welfare facilities for staff working in the vines. Its location close to and within the vines is critical for both quality of the wine produced and to avoid the vineyard traffic from crossing the traffic and livestock movements associated with the stud.
- 2 We hope to use a hospitality area at the winery to hold private events that will form an integral role in attracting these clients, investors and syndicate members to invest in the stud and therefore secure its long term future.
- 3 We will be offering employment to service the winery and support the entertainment of these guests
- 4 The vineyard and winery, once at full production, will have six FTE's with additional seasonal (20-25 jobs), part-time local employees for critical operations such as harvest, bottling, disgorging, labelling and dispatch.
- 5 Although grape growing and wine production are essentially agricultural, the luxury nature of the resulting product lends itself to tourism and providing a hospitality suite to sell the product at the highest margin
- 6 Group visitors will be up to 15 people max, usually couples or family groups. Tasting room to be open 20 hours per week. We estimate an average of 260 customers per month, including repeat visitors. We estimate 50% of these customers will already be clients of the stud business. This will be by invitation only to selected members of our racing syndicates and Newsells Park Stud customers. Visits will be on a prior booking basis during set hours and tours will include the winery and stud to promote the brand, retain stud customers and attract new investors. These new customers may also wish to visit the stud
- 7 Promotional events will take place 4/6 per year for wine club members, racing syndicates and stud customers
- 8 An average number of stud visitors would be 500 per annum. The stud has parking for several hundred vehicles in the summer and sixty in the winter on hard standing.
- 9 There are other revenue streams that could be considered but not built into this business plan. There is potential to produce and store wines for other existing wineries from 2026 onwards whilst the operation beds in and gets up to full production.
- 10 According to Wine GB, there are approximately 500 vineyards in the UK of which 200 are open to the Public. However, there are fewer than 170 wineries offering production facilities which means that over half the vineyards in the UK send their fruit (grapes) to other locations for pressing, assemblage, fermentation, disgorgement and dosage - a process that can take up to 4 years. Furthermore, given that there are more vineyards coming into production, there is an acute shortage of wine storage (prices have risen from 10 pence to 50 pence per bottle annually for off premise storage).
- 11 The vast majority of English wine is sparkling and made in the champagne style (primarily because of the cooler climate here in the UK).
- 12 The vines selected at Newsells Park Winery have been selected for their versatility in producing sparkling or still wine depending on the weather conditions of each vintage. It is important to understand the methodology of making champagne style English wine because it explains the requirement for production, storage and distribution building capacity at Newsells Park Winery. So, as follows: grapes are harvested and pressed. Presses will hold 2-6T of grapes of which the first 75- 80% of extracted juice is the best quality. The juice is then pumped to tanks where the first fermentation takes place during which the natural sugar present in the grapes is 'fermented out'. Fermentation can also take place in barrels which we will do an element of at Newsells Park Winery. The next stage is 'assemblage' or blending where wines from different barrels, tanks and vintages are blended before bottling for the second fermentation. These bottles are capped and then laid down to 'age' for up to 5- years. Once the second fermentation

and ageing process is complete, bottles are then 'riddled' (4-8-day process) to collect the yeasts and sediment in the bottle neck, before being 'disgorged' and dosaged with sugar/liquor before the wine is corked, rested for a few more months and then released ready for consumption. The process of making sparkling wine can take up to 4 years which is why there is so much demand for building capacity across the various production processes and related storage. Newsells Park Winery is currently selling white labelled wine sourced in the UK. Wine from our own vines will produce mature fruit in 2025 and beyond and will be ready to sell from 2029.

## VINEYARD TIMELINE AND INVESTMENT 2022

- 1 Planting year Total investment on vines, trellis and equipment £1.1m as per accounts filed with Companies House. 2023
  - Trunk development year Total investment expected £350k (£145k spent to 8th June 2023). 2024
  - Crown development year and 1st small harvest. Wine production will be outsourced whilst the winery is under construction 2025
  - 2 nd Harvest likely to be 50% of full potential Wine production in house assuming the building is complete by Autumn 25 2026
  - 3 rd Harvest 90% Assuming planning permission is granted in September 2023 we estimate the building could be ready for the first intake of visitors and 50% production in the autumn of 2025.
  
- 2 It will take a number of years for the vines to mature and 2027 is regarded as the year the winery will be in full production

## Transport Statement

1. The proposed site access in terms of its location, visibility splays, approach gradient, approach angle and tracking; meets the DMRB standards. As such, the site access would be constructed by way of Section 278 Highway Agreement.
2. The internal access road will be six metres wide, with localised widening at the bends to accommodate two-way traffic. The internal access road will be designed to a speed limit of 20mph. As such, signs will be erected on site to advise motorists of this speed limit. This would be coupled with low-height speed humps at regular intervals.
3. On a daily basis, the proposed development could generate 21 vehicles in total or 42 two-way vehicular trips. On a 10-hour basis, this would equate to an average of up to four vehicular trips (two-way) per hour. This level of trip generation on a daily basis will be imperceptible in traffic engineering terms and hence not significant. The proposal will therefore not result in an adverse traffic impact on the local road network on a typical daily basis.
4. During promotional events, the trip generation would comprise 100 cars (maximum) associated with the guests and seven to 10 cars associated with the staff. These trips would occur approximately four to six times per year. These events will replace the ones that occurred at Newsells Manor and as such, there will be no net increase in traffic associated with such events on the local road network.
5. During promotional events which would be held four to six times a year, all guests will be given parking instructions in advance and will be managed between the existing Estate capacity and the parking facilities proposed at the Winery. Electric golf buggies, or similar, will be provided to ferry guests to and from their vehicles via the Estate's existing internal service roads, greenways, and tracks as required.
6. The Applicant wishes to maximise sustainable transport opportunities by encouraging staff to cycle to work, car share and providing facility to transport seasonal staff by mini-buses.

## 4.3 Key Issues

### Principle

- 4.3.1 This is a unique application for the diversification of a local established, rural, business in the District. The application therefore needs to be considered against two key policies in the Local Plan and advice contained in the NPPF.
- 4.3.2 Local Plan Policy CGB1 states that in rural areas beyond the Green Belt planning permission will be granted for development that is *c) strictly necessary for the needs of agriculture and forestry; and e) is a modest proposal for rural economic development or diversification*. And Policy ETC8 states that (subject to the sequential approach set out in Policy ETC3) planning permission will be granted for tourism related development where it would *c) deliver sustainable tourism and visitor attractions in appropriate locations*.
- 4.3.3 Substantial information about the proposal is listed in this report above to provide clarity of the proposed works and business plan, which can be considered to comprise of two elements. These are a) a building for the production of wine from grapes grown on the land and storage of machinery needed for the growing and harvesting of the grapes, which is an agricultural operation. And b) a hospitality venue which is partly ancillary to the operations of the stud farm and partly a tourism venue in its own right where it is anticipated there will be significant sales of the wine made. In my view it can be concluded that the proposal broadly complies with the aims of Policies CGB1 and ETC8 to the extent that no objection in principle is reached, although I do have concerns that the scale of the proposal is larger than either of these policies is seeking to support. On this basis I note that whilst Policy CGB1c places no size limitation for a building strictly necessary for agriculture, Policy CGB1e does require for proposals for rural diversification to be 'modest'. There is no definition for this, and whilst it can be concluded that the proposed winery building and associated access road, parking, landscaping and drainage ponds is not modest, within the context of the overall stud operation it can be viewed as a modest element. Regarding the requirement of CGB1c that the building is strictly needed for the agricultural purposes, there is no objection to the application on this basis as the vines are planted on the land and the crop is in production.
- 4.3.4 Policy ETC8 supports sustainable tourism and visitor attractions in appropriate locations. The note to sequential test approach of Policy ETC3 is not applicable in the consideration of this proposal as this is not a town centre type use proposed. Therefore, Policy ETC8 allows for visitor attractions in appropriate locations with no reference made to a size limitation. Given this proposal on the hospitality side is to provide tours round the processing of the wine and then sell the wine to the visitors it is logical to conclude that such an attraction needs to be in the location where the grapes are grown for the wine production. The vines have been planted on south facing chalk hills, which gives them the best conditions to grow in, and therefore has also dictated the location of the winery building.
- 4.3.5 I therefore conclude that both elements, being the production centre and ancillary storage of machinery needed for the growing and harvesting of the grapes, and the hospitality function space, of the proposed winery building separately broadly comply with the relevant requirements of Policies CGB1 and ETC8.
- 4.3.6 The NPPF, specifically in paragraph 84 a-c is very supportive of rural diversification. Paragraph 84 states:

*Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in the rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agriculture and other land-based rural businesses;*
- c) sustainable rural tourism and leisure development which respect the character of the countryside.*

4.3.7 This policy guidance does not impose a limitation on the scale of diversification proposals and as a result it can be concluded that there is no objection to the principle of this development which is supported by both NPPF and Local Plan policy aspirations.

#### Layout and design

4.3.8 As set out above, this proposal has been through the pre-app stage where concern regarding the amount of glazing and the adverse impact this could have in the long-range views in the landscape from 'glinting' were raised. As a result, the design approach was changed to that of building that better reflects the existing horse barns within the stud landscape. The building therefore appears to be agricultural in style and due to the change in levels across the site, which are to be utilised with the building being set into the landscape, in most views the building will appear largely single storey in height. The change in ridge height / broken mass of the roof will result in the building presenting as a coherent group of farm buildings set into the landscape with appropriate external materials. The external materials are stated to be sections of sheet metal cladding for the walls and roof, sections of vertical timber cladding and glazing for the walls, galvanized metal gutters and rain water goods and a mix of both timber and aluminium windows. A materials condition is recommended to clarify the exact colour prior to construction. These external materials and this design approach are supported, and it can be concluded that the winery building will complement other existing buildings within the stud complex and landscape.

4.3.9 There is no objection to the proposed layout of the proposal. Considerable thought has been put into this, with the access road providing an attractive approach to the building rear of some stud paddocks and then through the vine area in front of the building. The access road then splits, with visitors access to the rear car park on the west side and service vehicles accessing the yard on the east side. The production and visitor elements of the building are kept separate, with landscaping on the south, west and north sides of the building with the visitor car park also on the north. The main visitor part of the building is the southern section with the production parts of the building within the northern and eastern 'wings'.

4.3.10 The impact the building will have in views in the landscaped has also been fully considered. The combination of utilising the slope to build into, the proposed two tree belts proposed to be planted along the east and west sides of the application site area and sections of planting on the south side would mitigate the visual impact in long range views in the landscape. The Landscape and Visual Evidence report submitted with the proposal identified that the public right of way to the east could be the most impacted in terms of being able to see the application site from the elevated parts of this route. The proposed tree belt on the east side of the site is to mitigate this, and this is supported. It is noted that the trees will take time to become established, but given the overall acceptable design and siting of the building in its own right, the amount of harm in the landscape from this proposal is considered to be low and does not justify refusal of planning permission.

- 4.3.11 Whilst some trees are proposed to be planted on the north side of the site in the drainage wetland area, there is an existing mature belt of boundary trees along the northern boundary of the stud land which is outside of this application site area and is unaffected by this proposal. Therefore, in views from north of the site southwards towards the northern boundary of the stud farm area and application site boundary, there will be no change as the existing mature, dense tree belt is retained.
- 4.3.12 In conclusion, the design approach is supported and is considered to be in accordance with the aspirations of Policy D1 which requires for developments to respond positively to a site's local context.

#### Sustainability

- 4.3.13 Section 2 of the NPPF requires developments to be sustainable with the three targets of achieving economic, social and environmental objectives. Local Plan Policy SP1 supports the principles of sustainable development across the District. The proposal sets out that the building is to be built to a high code level in terms of thermal efficiency and is to have solar panels fitted, use a rainwater recycling system to flush the toilets with and waste water is to be filtered via the drainage wetland pond system. 20% of the car parking spaces are to EV spaces. Furthermore, a Travel Plan is proposed seeking staff car sharing and cycling to work with a mini-bus to be provided to link with public transport connections, especially when additional temporary staff will be needed. On this basis the proposal is considered to meet environmental objectives. The development itself will provide opportunities for economic benefits, both during the construction phase and longer term providing additional local jobs and bringing tourists into the local area most likely will have additional benefits in the local economy. The building itself will also provide for a social objective with its proposed hospitality functions as well as being DDA compliant. As a result, there is no objections to the proposal on the basis of sustainability.

#### Access and parking

- 4.3.14 There is no objection to the proposed access road which adjoins the lane on its east side. Apart from the actual access point, much of this will be screened in views by existing and proposed trees. It is not uncommon for there to be access points and tracks across farmland, and the establishment of a new road in this location is not considered to be contrary to the wider countryside. The concern of Barkway Parish Council is noted, but the stud wish for the access road to be separate from the wider stud lands, to ensure the security of the stud horses, as foals can get easily 'spooked' if a noisy car were to pass by a paddock and they could take flight and cause injury to themselves. There is no technical highways objection to the new access in this location and once the access and new planting is established the access will have a minimal visual impact in the lane in my view. As a result, no material objection is raised to the principle of a new access or its location or appearance which is considered to be in accordance with the aspirations of Policy T1.
- 4.3.15 Policy T2 requires that developments meet their parking demand and accord with the Council's SPD Vehicle Parking a New Developments. The application proposes 40 car parking spaces including four disabled and seven EV spaces along with space for 10 bicycles. The Council's SPD Vehicle Parking at New Developments does not have a relevant section stipulating a parking requirement for this use. I therefore consider that no objection can be raised to the proposed car and cycle parking as the building will need to accommodate its own parking as there is nowhere else to park, unless cars are directed elsewhere in the stud, which will only occur at the times of the large events. As a result, the application is considered to be parking sufficient and no objection is raised on this basis.

### Landscaping and wildlife / bio-diversity

- 4.3.16 Local Plan Policy NE4 requires for developments to deliver a net gain of bio-diversity on site. This application sets out that due to the ground being horse paddock land, it has a low bio-diversity matrix as existing, and the introduction of the landscaping and drainage ponds will increase bio-diversity on site. The Environment Matrix 4.0 Calculation Tool submitted with this application concludes that the proposal will result in a 15.5% increase in habitat units and 24.49% increase in hedgerow units. As a result, there is no objection raised against the application on the basis of bio-diversity.
- 4.3.17 Drawing number 2379-TF-XX-00-DR-L-1002 details the landscaping plan and proposed planting. There is no objection to this, and a condition is recommended to ensure these details are implemented on site.
- 4.3.18 As set out in the details above, some trees and a section of hedgerow are to be removed to accommodate the new access location. However, the application is proposing to plant back more trees and hedgerow than the areas to be removed, as well as planting within and around the vines. No objection is therefore lodged against the application on the basis of landscaping or bio-diversity.

### Heritage

- 4.3.19 Local Plan Policy HE1 requires for applications to assess the significance of a heritage asset and the impact the proposal will have on it. Lying to the north of the application site, is the Scheduled Ancient Monument as well as there being listed buildings within the lands of the stud to the south. The listed buildings within the stud are a minimum of 350m to the south of the proposed winery building and its access and parking will not be within the setting of these buildings and will not have harm on their setting. The Scheduled Ancient Monument lies to the north of the application site and is dissected by the lane itself. This is a high point in the landscape, with the application site being on a lower ground level that continues to fall to the south. The existing tree belt on the stud land's northern boundary is a clear and well-defined landscape feature that also will act as a visual screen and barrier between this monument and the application site. As a result, the Landscape and Visual Impact Appraisals has concluded that there will be a nil impact on the setting of this Monument from the proposal. I support this finding and can conclude that the application will not have any undue harm on the nearby heritage assets and no objection against the application is raised on the basis of Policy HE1.

### Hospitality

- 4.3.20 The application sets out that the hospitality function is primarily to support the stud. The agent has set out that there are currently four large scale events (with around 100 people attending) that are held at the stud each year that would be transferred to the winery. These are:
- Syndicate launch in March, daytime 11 am – 6 pm;
  - Pre-Ascot meeting in June, daytime 11 am – 6 pm;
  - Summer bbq with syndicates and trainers in August, daytime 11 am – 6 pm;
  - Annual new wine release to members in the Autumn, evening 6 pm - 11 pm.
- 4.3.21 It is anticipated that membership will be by invitation to existing customers of the stud and the racing community, block stock and new racing syndicated who would be offered a 2-year membership when they subscribe to a new syndicate. Outside of the above events, the hospitality of the building will be for members and will include

tasting, sales, promotional wine events, tours of both the winery and / or stud, education talks on wine production and bloodstock. Whilst there is no objection to this proposed use that is not considered to cause adverse impact in the locality, it is considered appropriate to impose a restrictive condition preventing the use of the winery as a wedding reception type venue without first obtaining planning permission, so the impact of such functions, if any, can be fully assessed.

#### **4.4 Conclusion**

4.4.1 The proposed winery building with its associated access, parking and landscaping is considered to represent acceptable development on the basis of being diversification of an existing rural business. The building will primarily be a wine production and storage facility, with an added hospitality function which is an integral part of the diversification business plan. The application is considered to comply with the necessary policy criteria of Local Plan Policies CGB1, ETC8, T1, T2, SP1, D1, NE4 and HE1 as well as the general aims of the NPPF and is therefore recommended for conditional permission.

#### **4.5 Alternative Options**

4.5.1 None applicable

#### **4.6 Pre-Commencement Conditions**

4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

#### **5.0 Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

#### **6.0 Recommendation**

6.1 That planning permission be **GRANTED** subject to:

- A) the receiving of a 'no objection' response from the Environment Agency with any additional conditions imposed on the decision notice in agreement with the Chair of PCC;
- B) the submission and completion of the Unilateral Undertaking for the HCC Highways Travel Plan monitoring; and
- C) the following conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development progresses above slab level and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. The hard and soft landscaping shall be carried out in accordance with the details on drawing no. 2379-TF-xx-00-DR-L-1002 unless otherwise agreed in writing by the LPA.

Reason - to ensure the effective landscaping of the development in accordance with Local Plan Policy NE2.

5. The approved details of landscaping shall be carried out before the end of the first planting season following the first use of the building and any trees or plants which, within a period of 5 years from the first use of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

6. Prior to commencement of the development, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy (Newsells Park Estate - Whiteley Hill Winery Proposed Drainage Strategy by Solution Consulting Civil and Structural Engineers Ref 1315 no date). The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:

- o Provide supporting calculations, using a CV value of 1, for all the drainage infrastructure (storage features and conveyance network) contained within the drawing "Underground drainage and externals plan" Sheets 1 of 2 and 2 of 2, drawing number 1315/100 dated 3 April 2023 by Solution Consulting Civil and Structural Engineers.

- o An infiltration rate of 1.4 m/s shall be used to design the infiltration features using appropriate safety factors in accordance with Table 25.2 of the SuDS Manual 2015.

- o Demonstrates that the proposed surface water drainage system does not surcharge

in the 100% AEP (1 in 1 year) critical storm duration, flood in the 3.33% AEP (1 in 30 year) plus climate change critical storm duration or the 1% AEP (1 in 100 year) critical storm duration.

- o Demonstrates that any flooding that occurs when taking into account climate change for the 1% AEP (1 in 100 year) critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes.
- o Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- o Show how water would be managed in the event of failure of the pumped system for 24 hours and how flood resilience and resistance will ensure that flood impacts to vulnerable parts of the development will be minimised.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council

7. Development shall not commence until details and a method statement for interim and temporary drainage measures during the construction phase has been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or the proposed drainage system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with the NPPF

8. Prior to construction, a detailed design shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority for any proposed watercourse alteration that demonstrates the design is in strict accordance with the Land Drainage Act 1991 (culverting shall only be acceptable for access purposes).  
Details submitted for any proposed culvert must demonstrate that flood risk is suitably managed for all storms up to and include the 1% AEP (Annual Exceedance Probability) (1 in 100 year) plus climate change, that exceedance events of the channels do not impact the proposed development and that they are easily maintainable and accessible. The details shall include long sections and cross sections of the proposed watercourses including details of any proposed crossings. The development shall be constructed in accordance with the approved plans.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Council.

9. The development hereby approved shall not be put into operation until details of the maintenance and management of the sustainable drainage scheme, watercourse and culvert have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the use of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation.

II. details of SuDS features, connecting drainage structures plus the watercourse and proposed access road culvert indicating the maintenance requirement for each aspect including a drawing showing where they are located.

III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council

10. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 6. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

11. Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number(s) (20-060-SK03 rev B) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

12. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

a. Construction vehicle numbers, type, routing;

- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

13. Prior to commencement of the construction of the winery building, car park and any external areas, the site access junction, including the widening of Whitely Hill Road, shall be constructed for a minimum of 25 m from the edge of highway, and provided with a suitable running surface for construction traffic and preventing the tracking of mud and detritus onto the highway. Once constructed, the visibility splays at the junction and along the access road shall be maintained in perpetuity.

Reason: In the interests of maintaining highway efficiency and safety.

14. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible and surfaced in accordance with the hard surfacing details as required by condition 4 to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

15. Before the development hereby approved is first used, a Promotional Event Management Plan (PEMP) shall be submitted to and approved in writing by the local planning authority, in consultation with the highway authority. It shall include the following as a minimum:

- o Details of how visitors will be allocated spaces, and how this will be monitored;
- o Details of car parking allocation for the events in terms of numbers on each of the stud and winery, and any headroom left on the winery site with drivers failing to follow instruction;
- o Details of transport to be used between the stud and winery;

- o Plans of transport routes between sites to ensure that traffic flows along Whitely Hill Road are not increased;
- o Planned approach to 'exceptional' Events with significantly higher visitor numbers or hours of operation. Expected to be infrequent, and not requiring additional planning consents, but may require licenses or extensions.
- o Details of discussions with the local highway authority and Hertfordshire Constabulary, along with contact numbers in case of emergency, and;
- o Monitoring regime for the PEMP including review process.

The Promotional Event Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the local planning authority, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

16. At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

17. The winery building, hereby permitted, shall be used for no private hire social functions including weddings, parties or corporate events (outside of the stud hospitality functions) without first obtaining planning permission from the LPA.

Reason: In the interests of local amenity in accordance with Local Plan Policy D3.

**Proactive Statement:**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Informative/s:**

1. LLFA:
  1. Erection of flow control structures or any culverting of an ordinary watercourse

requires consent from the appropriate authority, which in this instance is Hertfordshire Lead Local Flood Authority and the Local Council (if they have specific land drainage bylaws). It is advised to discuss proposals for any works at an early stage of proposals.

## 2. HCC HIGHWAYS:

1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

2. General works within the highway: Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire Highway Design Guide (2011)".

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

Further information is available via the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

4. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)

Further information is available via the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

3. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.