

23/01420/FP – Newsells Park Winery

Update to committee report

1.0 The recommendation in the report is:

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:

1.1 Since the publication of the committee report, a 'no objection subject to conditions' response has been received from the Environment Agency recommending the following conditions to be imposed, which are now proposed as conditions 18, 19, 20 and 21 and are:

Condition 18

If, during development, contamination not previously identified is found to be present at the site then no further development (unless agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this contamination shall be dealt with and has obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, your local plan policy SP11 'Natural resources and sustainability' and relevant position statements within The Environment Agency's Approach to Groundwater Protection.

Condition 19

The development hereby permitted may not commence until a non-mains waste water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, your local plan policy SP11 'Natural resources and

sustainability' and relevant position statements within The Environment Agency's Approach to Groundwater Protection.

Condition 20

No development should commence until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, your local plan policy SP11 'Natural resources and sustainability' and relevant position statements within The Environment Agency's Approach to Groundwater Protection.

Condition 21

Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, your local plan policy SP11 'Natural resources and sustainability' and relevant position statements within The Environment Agency's Approach to Groundwater Protection.

1.2 The recommendation of the application is now changed to:

6.0 Recommendation

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

- A) the submission and completion of the Unilateral Undertaking for the HCC Highways Travel Plan monitoring; and
- B) the following conditions and informatives: (as set out in the committee report).