

SCHEDULE OF COMMITTEE UPDATES

212518/RM - RESERVED MATTERS FOLLOWING OUTLINE APPROVAL 191541/O (OUTLINE FOR THREE OR FOUR BEDROOM DWELLING ON A PLOT OF LAND CURRENTLY PART OF HILLCREST'S GARDEN) AT LAND SOUTH OF YEW TREE FARM, RUCKHALL COMMON ROAD, EATON BISHOP, HEREFORD, HR2 9QX

For: Mrs James per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Ewyas Harold, Hereford, Herefordshire HR2 0EL

ADDITIONAL REPRESENTATIONS

Officers have been made aware of advice provided to the neighbours at Yew Tree Farm by the Environment Agency (EA) in respect of concerns regarding their well. Whilst these comments have not been submitted as a representation on this application, it was felt appropriate to update Members.

"Thank you for taking the time yesterday to provide us with supplementary information regarding your query, about a proposed septic tank within 50m of your property. Colleagues within our Land & Water and Groundwater & Land Contamination Teams have considered the information available to us and have reached a conclusion for you. The proposed drainage field should be located 50 metres downgradient of the well situated on your property, to comply with the General Binding Rules. This development would therefore need to apply for a discharge permit, so that the discharge from this activity can be thoroughly assessed in greater detail. We feel that your local authority should be satisfied that this is a groundwater discharge activity that warrants further investigation, prior to the implementation of the plans for the proposed development."

OFFICER COMMENTS

With regard to the EA's correspondence, Officers are at a slight disadvantage in that we do not know the content of discussions leading to the response. In relation to Regulation 7 of the General Binding Rules, which govern whether or not an environmental permit is required, our position is as follows:

- Regulation 7 states that to prevent groundwater pollution you must check if the discharge point is in a groundwater source protection zone 1 (SPZ1). A groundwater SPZ1 can be the area around a commercial water supply used for drinking water or food production. A suggestion has been made by the Local Member (Cllr Hitchiner) that well water is being used to cultivate crops. However, the advice received from Land Drainage and confirmed via DEFRA's interactive mapping online is that the site does not lie within a groundwater SPZ1.
- Regulation 7 also says that a groundwater SPZ1 can also be any area within 50 metres of a private water supply for human consumption. It is therefore relevant to ask neighbours if they have one and, if so, how far their spring, well or borehole is from your drainage field. Our Private Water Team has confirmed that Yew Tree Farm is not registered as private supply for human consumption. We also know that this area is served by a mains water supply.

On this basis, even if a permit was deemed to be required, we do not envisage that there would be any likely grounds for refusal in the absence of registered use of the well for domestic drinking water. It is important to emphasise that the Council should not seek to duplicate controls that are the responsibility of another authority – in this case the EA and the consideration of a permit application.

CHANGE TO RECOMMENDATION

N/A