

Mr Sullivan Archer
Hinckley & Bosworth Borough Council
Development Services
Hinckley Hub Rugby Road
HINCKLEY
Leicestershire
LE10 0FR

Our ref: LT/2024/128709/04-L01
Your ref: 24/00610/OUT
Date: 08 August 2025

Dear Mr Archer

**THE ERECTION OF UP TO 195 DWELLINGS (INCLUDING AFFORDABLE HOUSING). ALL MATTERS ARE RESERVED EXCEPT ACCESS TOGETHER WITH LANDSCAPING AND OTHER INFRASTRUCTURE.
CADENT BRICK KILN STREET HINCKLEY LEICESTERSHIRE LE10 0NA**

Thank you for consulting the Environment Agency on the above application.

We have the following comments to make on this application, which relate solely to the protection of controlled waters. Matters relating to human health should be directed to the relevant department of the Local Authority.

We have reviewed the following additional document submitted in support of this application:

- 'Environmental Assessment – Interpretative Phase 2 Site Investigation, Brick Kiln Street, Hinckley' *Worley Consulting* (June 2025)
- 'Controlled Waters Detailed Quantitative Risk Assessment – Brick Kiln Street, Hinckley' *Worley Consulting* (July 2025)
- 'Outline Remediation Strategy, Brick Kiln Street, Hinckley' *Worley Consulting* (July 2025)

The above referenced documents detail the site investigation works carried out on site, which have identified some unacceptable risk to controlled waters relating to the former use of the site as a gasworks. The site has been zoned into areas, with the primary sources of contamination located in Area B; the former gasworks process area. Elevated concentrations of hydrocarbons, sulphate, metals and other inorganic contaminants have been identified. Further hot-spots of contamination have also been identified in Areas A and C.

Detailed quantitative risk assessment has been conducted utilising the Environment Agency's Remedial Targets Methodology. We note that appropriate target values and compliance point distances have been utilised, and for hazardous contaminants the default distance should be 50m from the source. At the 50m compliance point, exceedances of cyanide, sulphate, BTEX and TPH fractions were identified in both soils and groundwater at the site.

The identified sources of gasworks related contamination are considered to be made ground within and outside structures and sources of residual phase gasworks related hydrocarbons and dissolved phase contaminants already present within groundwater

and made ground. Measurable thicknesses of DNAPL have also been recorded within the monitoring wells at multiple locations across the site.

We agree with the conclusions of the report that remediation will be required to manage the potentially unacceptable risks posed by this contamination. Further to this, an outline remediation strategy has been produced, prior to a final remediation strategy being agreed. The outline remediation strategy proposes a phased approach to the remediation, however we note that the final strategy will be dependent on the agreed development plan, any trials conducted and consider the costs and benefits of undertaking the work. We note that completion of a verification report will be included, as well as any longer-term monitoring that may be required to confirm remediation objectives have been met.

We would expect to review the final remediation strategy prior to commencement. In order to ensure that a final remediation strategy is produced and implemented, we recommend that the following conditions be attached to any planning permission granted for the site.

Environment Agency position

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA.

Condition (1)

A final remediation strategy and verification plan, based on the outline remediation strategy (Worley Consulting, July 2025), providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action. Any changes require the written consent of the LPA. The scheme shall be implemented as approved.

Reasons

- 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 in line with paragraph 187 of the NPPF.
- To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Condition (2)

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

- To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Yours sincerely

Mr Niall Freeman
Planning Advisor

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