

Satbir Jandu
Hinckley & Bosworth Borough Council
Development Services
Hinckley Hub Rugby Road
HINCKLEY
Leicestershire
LE10 0FR

Our ref: LT/2023/127906/02-L01
Your ref: 23/00613/FUL
Date: 25 January 2024

Dear Satbir,

**PROPOSED BIO-CNG VEHICLE FUELLING STATION COMPRISING FUEL
DISPENSER ISLANDS, PLANT COMPOUND, LANDSCAPING, ACCESS,
ASSOCIATED HIGHWAY WORKS AND ASSOCIATED DEVELOPMENT**

HYDES PASTURES, WATLING STREET, HINCKLEY, LEICESTERSHIRE, LE10 3ED

Environment Agency Position – Flood Risk

The site is mainly located within Flood Zone 1, but is partially occupied by Flood Zone 2 towards the south east site boundary. The proposal is classed as Less vulnerable within NPPF, and with developments of this type deemed acceptable in Flood Zone 2 we have no fluvial flood risk objections to the proposal as submitted.

Additional information

Due to the acceptability of the proposals under NPPF we are not in a position to request any conditions be imposed on any grant of permission. In addition ground level raising in flood zone 2 does not require mitigating.

However we welcome the following 5 residual flood risk mitigation measures detailed within Section 4.2 of the Flood Risk Assessment v4 dated 24 May 2023, ref: TC/FRA&DS/P9298/23/04, as part of this proposal.

Flood Defence/Mitigation Recommendations : -

1. All plant and apparatus on site should be either bunded and/or adequately sealed if located below ground (i.e. storage tanks, sampling chambers, ducting).
2. Anything located above ground such as pumps etc should be raised above the flood level, if required and/or possible, on plinths etc.
3. Non-return valves and anti-flood mechanisms should be installed on devices such as oil interceptors, treatment devices, flow controls and headwalls. This prevents the potential for pollutant displacement during flood events.
4. The site should be designed as to not displace flood water off the site and should be designed as to hold the water until the storm event and flooding subsides.
5. The site should be designed so that safe access and egress is still available for emergency vehicles etc. This will need to be analysed following the provision of a topographical survey to ensure safe flood levels are maintained on site for emergency crews to access the site.

Please note with reference to Point 2 above we would recommend a minimum freeboard of 300mm above the 100 year plus allowance for climate change fluvial flood level, is also provided for these elements of the development.

Environment Agency Position – Ground Water Contaminated Land

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.

GWCL have no concerns with respect to risk to controlled waters with the following justifications made below.

Groundwater Sensitivity

Reference to the 1:50,000 geological map indicates that the site is underlain by superficial deposits of Alluvium, designated as a Secondary A aquifer. The bedrock underlying the superficial deposits is Mercia Mudstone, designated as a Secondary B aquifer. Site investigation results have identified that the superficial deposits at the site are of the Bosworth Clay Member. The site is not within a groundwater Source Protection Zone.

There are no recorded boreholes, wells or springs within proximity of the site. There is one deregulated abstraction licence located ~1km from the proposed site. There are 3 BGS Water Wells, one located ~0.8km from the site, and 2 located ~1.5km from the site. They are very old records (1880's – 1915) and are very deep boreholes ~200m. There is little risk due to the geology being clay overlying mudstone, the depth of the boreholes and the water wells records being very old.

As such, the site is located within a low vulnerability groundwater setting.

The applicants risk assessment has identified negligible risk to controlled waters / groundwater as negligible contamination observed at the site, and the low permeability clay of the Bosworth Clay Member preventing infiltration across the site. Leachate generation and infiltration post development is also negligible risk due to low permeability hardstanding spanning the site and suitable drainage system to be installed.

Historic Contamination

The proposed development is upon greenfield land with no existing contamination. As such there is no risk of mobilising existing contamination, therefore no risk to controlled waters in this regard.

Drainage

Infiltration testing has been undertaken, which has identified that the Bosworth Clay Member is an unsuitable soakaway medium – with infiltration testing being unsuccessful as water did not drain. However, the planning application has stated that a sustainable urban drainage system will be used in which surface run off will be discharged to Sketchley Brook following suitable treatment (full retention oil separator).

The development plans state that suitable containment of fuels will be undertaken to prevent contamination, with the area also being covered with hardstanding to further prevent infiltration.

This development plan is suitable and does not pose a risk to controlled waters.

Appendix – Advice to Applicant

Model Procedures and good practice

We recommend that developers should:

- Follow the risk management framework provided in LCRM – Land Contamination Risk Management when dealing with land affected by contamination.
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, such as human health.
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to the contaminated land pages on GOV.UK for more information.

NGW I 05 ‘The Environment Agency’s approach to groundwater protection’

We would like to refer the applicant to our groundwater position statements in ‘The Environment Agency’s approach to groundwater protection’, available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Drainage

NGW I 02 Requirement for an environmental permit

The proposal for a sustainable urban drainage system (SuDS) associated with this development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted.

Additional ‘Environmental Permitting Guidance’ can be found at:
<https://www.gov.uk/environmental-permit-check-if-you-need-one>.

Environment Agency position – Land and Water

We have reviewed the documents attached to this planning application and it is not clear whether the biofuel is a gas or liquid. If the fuel type is a liquid then the rules for a fuel station apply and that would mean that the drainage system should be completely sealed and discharges to foul only.

During the period of construction the operator must ensure that they have surface water control and containment measure in place to ensure that no silt pollutions enter the watercourse – the Sketchley Brook.

The proposed development will be acceptable if the following measure(s) are implemented and secured by way of a planning condition on any planning permission.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Yours sincerely

Mr Joshua Milsom
Planning Advisor

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