	Our ref:	LT/2008/107067/01-L01
Hinckley & Bosworth Borough Council	**Your ref:**	08/00553/ful
Development Control		
Council Offices Argents Mead	**Date:**	21 January 2009
Hinckley		
Leicestershire		
LE10 1BZ		

Dear Sir

CREATION OF CANAL BOAT MARINA WITH ASSOCIATED LANDSCAPING LAND AT JUNCTION OF WELLSBOROUGH ROAD AND CONGERSTONE LANE MARKET HARBOROUGH LEICESTER

Thank you for consulting the Environment Agency on the above planning application which was received on 26th November 2008.

We **Object** to the proposed development as the Flood Risk Assessment (FRA) included within the EIA document dated September 2008, received by yourselves on 17 December 2008, is currently unacceptable to us for the following reasons: -

1. It has not been updated to include the information on the flood risk to the adjacent Friezeland Cottages, as detailed in both our letter to JMS Civil and Structural Consulting, dated 07 April 2008, CCd to yourselves and extracted below, and within our letter to Robert Bray Associates Ltd dated 21 August 2008 Ref: LT/2008/104999/02-L02.

2. The revised FRA should also include information on any flood risk mitigation measures required (eg settlement lagoon size, location etc), during the construction phase of the development, as partly detailed in the 'Additional information' provided within the extract of our letter dated 07 April 2008, provided below.

3. The revised FRA should also highlight the requirement for the watercourse diversion and SUDs system to be installed prior to the construction of the marina, as detailed under point 3 (on page 3) of our letter to yourselves dated 10 January 2008, Ref: LT/2008/104074/01-L01, your ref 07/01056/COU.

Extract from our letter dated 07 April 2008 Ref: LT/2008/104999/01-L01

We accept the breach assessment sent in a letter from JMS Consulting Engineers dated 20 March 2008, which is in response to our letter dated 10 January 2008 Ref LT/2007/104074/01-L01.

The breach assessment submitted was required in order to address an issue we had with the Flood Risk Assessment (FRA) received 21 November 2007, undertaken by Robert Bray Associates Ltd, in respect of Outline Proposals for a Marina Development adjacent to the Ashby Canal at Market Bosworth, as detailed below.

The FRA needs to be revised to take account of the following issue - The flood risk to the two properties as detailed in Section 4.1 of the FRA, also needs to consider the risk to these should a breach of the marina basin occur.

Additional information

During the construction phase surface water run-off and sediment will have to be manage in order to avoid any increase in flood risk to adjacent land and dwellings and in order to prevent any pollution incidents. Works should be undertaken in accordance with our Pollution Prevention Guidelines PPG5 and PPG6, copies of these can be obtained from our web site.

Extract Ends

Additional Comments

1. The EIA section 5.4 indicates that the foul water from the buildings is to be discharged to the wetland feature via a package treatment plant; this will require a discharge license from EA.

2. The recommendations in the ecology report should be followed in respect of protected species surveys and method statements for the works. These should be agreed with Natural England as the responsible body, before work commences as they have requested.

3. The applicant should profile the banks of the stream that runs through the site as a tick-shaped channel, this will improve the structure and the associated biodiversity (see attached drawing).

Advice to applicant

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

Advice to applicant

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

Cont/d..

Advice to applicant
Applicants should be aware that if any controlled waste is to be used on the site the operator will need to obtain the appropriate authorisation or exemption from us. We are unable at this time to specify what exactly would be required due to the limited amount of information provided. Included in the EIA, there was a certificate for a paragraph 19 exemption, however this was registered on 28.06.07, and registration only lasts a year. Please ensure if this exemption is still required that it is renewed.

If the operator wishes more specific advice they will need to contact the Lichfield and Tamworth Environment Management Team at our Fradley Office on 08708 506506 or look at available guidance on our website http://www.environment-agency.gov.uk/subjects/waste.

Can the applicant provide further details on the treatment and disposal of sewage from the site, and details of the wash down facilities and where this will drain to. Any chemicals that are stored on site should be done so to prevent and minimise any pollution.

Due to the size of the car park, an oil interceptor may be required.

Any above ground oil or fuel storage tanks will require bunding.

Yours faithfully

MR GEOFF PLATTS
Planning Liaison Officer

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cc Noah Heeks & Partners

End