

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

Our ref: LT/2024/128709/03-L01
Your ref: 24/00610/OUT
Date: 20 June 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 this application.

Environment Agency Position

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 – Phase 2 Factual Site Investigation, Brick Kiln Street, Hinckley' *Worley Consulting* (May 2025).

The above referenced document provides factual information regarding a site investigation scheme that has been conducted at the site, including sampling and analysis of soils and groundwater. Whilst no interpretation of data has been provided at this stage, it is noted that within the factual observations of the site works that evidence of contamination was present. This includes the presence of fairly significant volumes of free-phase NAPL contamination within the more permeable sands and gravels.

At this stage of the application, no interpretation of site findings has been presented, or any risk assessment of the findings of the site investigation or proposals for remediation. The site works to date have identified the presence of contamination that could impact controlled waters during development. We would expect to review any proposals for remediation where contamination represents a risk to controlled waters receptors. We therefore would re-iterate our previous recommendations to include the following conditions on any planning permission granted for the site.

Condition (1)

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 local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the Phase I Desk Study, to provide

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information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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 in line with paragraph 187 of the National Planning Policy Framework.

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 local planning authority. 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 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 National Planning Policy Framework.

Yours sincerely

Ms Huda Al Tahhan

Planning Advisor

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