

Appendix C

Principles of Environmental Risk Assessment

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The Environmental Protection Act 1990, Part II A Contaminated Land (Section 57 of the Environment Act 1995) and the Contaminated Land Regulations 2006 (and 2012 amendments) provide a basis on which to determine the risks and liabilities presented by a contaminated site. Contaminated Land is defined within Section 78A(2) of the Environmental Protection Act 1990, Part II A Contaminated Land (by commencement of Section 86 of The Water Act 2003 [Commencement Order No. 11] Order 2012) as:

"Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that-

- (a) Significant harm is being caused or there is significant possibility of such harm being caused; or
- (b) Significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused."

Section 57 of the Environment Act 1995 requires that any site identified as being "contaminated" by the Local Authority will be registered by them and remediation will be required to render the site fit for use.

The presence of contamination is not the sole factor for deciding whether a site is contaminated. Relevant parties should identify site-specific risks and provide objective, cost-effective methods to manage the contamination in a manner which satisfies the proposed end-use.

A risk-based approach, which takes both technical and non-technical aspects into consideration when making decisions on contamination resulting from past, present or future human activities, is advocated. The assessment of environmental risks generally relies on the identification of three principal elements forming a 'pollutant or contaminant linkage':

Source: the contaminant

Pathway: the route through which the contaminant can migrate, and

Receptor: all human, animal, plant, controlled water or property that may be adversely affected (harmed) by the contaminant

In the absence of one of these elements, on a given site, there is no risk. Where all three elements are present, risk assessment is required to determine the significance of the harm or pollution that is being or may be caused. As outlined above, the terms of the Contaminated Land regime specify that remediation need only be implemented where a site is causing, or there is a significant possibility that it will cause, significant harm, or that pollution of controlled waters is being caused or there is a significant possibility of such pollution being caused.

Development of contaminated land is usually addressed through the application of planning and development legislation and guidance (i.e. NPPF). The suitable for use approach is regarded as the most appropriate basis to deal with contaminated land, taking account of environmental, social and economic objectives. The assessment is made in the context of the proposed land use.

Risk Classification Matrix

		Consequence			
		Severe (Sv)	Medium (Md)	Mild (Mi)	Minor (Mr)
Probability	High (Hi)	Very high risk	High Risk	Moderate Risk	Moderate/low risk
	Likely (Li)	High risk	Moderate risk	Moderate/low risk	Low risk
	Low likelihood (Lw)	Moderate risk	Moderate/low risk	Low risk	Very low risk
	Unlikely (UI)	Moderate/low risk	Low risk	Very low risk	Very low risk

After CIRIA Report C552, Contaminated Land Risk Assessment A Guide to Good Practice, 2001

Classification of Consequence

Classification	Definition	Examples
Severe	Short-term (acute) risk to human health likely to result in "significant harm" as defined by the Environment Protection Act 1990, Part IIA. Short-term risk of pollution (note: Water Resources Act contains no scope for considering significance of pollution) of sensitive water resource. Catastrophic damage to buildings/property. A short-term risk to a particular ecosystem or organisation forming part of such ecosystem (note: the definitions of ecological systems within the Draft Circular on Contaminated Land, DETR, 2000).	High concentrations of cyanide on the surface of an informal recreation area. Major spillage of contaminants from site into controlled water. Explosion, causing building collapse (can also equate to a short-term human health risk if buildings are occupied).
Medium	Chronic damage to Human Health ("significant harm" as defined in DETR, 2000). Pollution of sensitive water resources (note: Water Resources Act contains no scope for considering significance of pollution). A significant change in a particular ecosystem or organism forming part of such ecosystem, (note: the definitions of ecological systems within Draft Circular on Contaminated Land, DETR, 2000).	Concentration of a contaminant from site exceeds the generic or site-specific assessment criteria. Leaching of contaminants from a site to a major or minor aquifer. Death of a species within a designated nature reserve. Lesser toxic and asphyxiate effects of carbon dioxide
Mild	Pollution of non-sensitive water resources. Significant damage to crops, buildings, structures and services ("significant harm" as defined in the Draft Circular on Contaminated Land, DETR, 2000). Damage to sensitive buildings/structures/services or the environment.	Pollution of non-classified groundwater. Damage to building rendering it unsafe to occupy (e.g. foundation damage resulting in instability).
Minor	Harm, although not necessarily significant harm, which may result in a financial loss or expenditure to resolve. Non-permanent health effects to human health (easily prevented by means such as personal protective clothing, etc). Easily repairable effects of damage to buildings, structures and services.	The presence of contaminants at such concentrations that protective equipment is required during site works. The loss of plants in a landscaping scheme. Discoloration of concrete.

Appendix D

BGS Borehole Logs




GEOTECHNICAL DEVELOPMENTS						BOREHOLE LOG			
GEOTECHNICAL INVESTIGATION SERVICES						Borehole B			
Telephone (01926) 813747. Fax (01926) 813302.						Sheet 1 of 1			
Method Cable Percussion		Date 05/09/95		Site Industrial Development New Mills, Ledbury					
Dia mm 150		Coord 370000E 237800N		Ground Level m.OD		Client Spicers Ltd. Ledbury			
Soil Samples/Tests		Field Records		OD Level m.	Depth m.	Description of Strata	Legend		
Type/Test	Depth m.								
B1	0.00 - 0.50					Topsoil above silty CLAY (TOPSOIL/HEAD) (0.50)			
B2	0.50 - 1.00				0.50	Very stiff silty gravelly CLAY (HEAD) (0.40)			
S1 N=54	1.00 - 1.45	,17/14,14,13,13			0.90	Very dense/dense orange/red brown slightly sandy silty fine to medium GRAVEL (TERRACE DEPOSIT) (2.10)			
B4	1.45 - 2.00								
S2 N=47	2.00 - 2.45	,16/11,12,12,12							
B6	2.45 - 3.00	Strike							
S3 N=49	3.00 - 3.45	,16/11,12,12,14			3.00	Dense to very dense orange brown fine to coarse slightly sandy fine to medium GRAVEL. (WEATHERED RAGLAN FORMATION/TERRACE DEPOSIT) (1.40)			
B8	3.45 - 4.15								
S4 N=83	4.15 - 4.60	,20/12,13,25,33			4.40	Very dense/hard/moderately weak red brown gravelly silty MUDSTONE/clayey SILTSTONE (RAGLAN FORMATION) (1.60)			
B10	4.40 - 5.55								
S5 N=115	5.55 - 6.00	,23/17,21,34,43			6.00				
Remarks Water encountered at 2.50m bgl. Depth of casing 2.50m bgl. Sealed at 4.60m bgl. Standpipe installed at 5.85m bgl. See installation drawing for details.						Logged by JCE	Scale 1:50	End Casing Depth m.	Job No. E92195
						Sample/Test key: U () U100 sample (blows) D () Disturbed sample B () Bulk sample W () Water sample - Progress & Day			






GEOTECHNICAL DEVELOPMENTS					TRIAL PIT LOG	
GEOTECHNICAL INVESTIGATION SERVICES					Trial Pit 02	
Telephone (01926) 813747. Fax (01926) 813302.					Sheet 1 of 1	
Method JCB-3CX Sitemaster		Date 04/09/95		Site Industrial Development New Mills, Ledbury		
Dia mm		Coord 370000E 237800N		Ground Level m.OD Client Spicers Ltd., Ledbury		
Soil Samples/Tests		Field Records		Description of Strata		Legend
Type/Test	Depth m.			OD Level m.	Depth m.	
D1	0.40				0.30	Hard fissured gravelly/clay TOPSOIL with many roots. (0.30)
B1	0.80 - 1.80				0.70	Very hard, fissured red/orange brown gravelly silty sandy CLAY. (HEAD) (0.40)
					2.10	Very dense/dense, orange brown mottled green grey fine to coarse angular to well rounded sandy GRAVEL with occasional cobbles of angular sandstone/siltstone. (TERRACE DEPOSIT) (1.40)
D2	2.30				2.70	Loose to medium dense orange/red brown fine to coarse angular silty slightly clayey SAND with occasional cobbles of sandstone/siltstone. (TERRACE DEPOSIT) (0.60)
		Rapid ingress.			3.20	Very dense/Coarse uniformly graded/angular GRAVEL of siltstone/fine sandstone. (TERRACE DEPOSIT) (see note) (0.50)
Remarks Sides of trial pit stable. At 3.2m bgl intact rock, unable to identify/sample due to water ingress. Rapid water ingress at 2.9m bgl.				Logged by JCE		
				Scale 1:25		
				End Casing Depth m.		
				Job No. E92195		
Sample/Test key: D Disturbed sample Hv Hand Vane (KPa) B Bulk sample P Penetrometer (kg/cm ²) W Water sample - Progress & Day						



 GEOTECHNICAL DEVELOPMENTS GEOTECHNICAL INVESTIGATION SERVICES Telephone (01926) 813747. Fax (01926) 813302.						TRIAL PIT LOG Trial Pit 03 Sheet 1 of 1	
Method JCB-3CX Sitemaster		Date 04/09/95		Site Industrial Development New Mills, Ledbury			
Dia mm		Coord 370000E 237800N		Ground Level m. OD		Client Spicers Ltd., Ledbury	
Soil Samples/Tests		Field Records		OD Level m.	Depth m.	Description of Strata	
Type/Test	Depth m.					Legend	
D1	0.50				0.30	Topsoil - very sandy silty CLAY with many fine roots. (0.30)	
					1.00	Firm/stiff orange/red brown very sandy silty CLAY with occasional cobbles/gravels of sandstone/siltstone and fine roots becoming sandy gravel below 0.5m. (HEAD) (0.70)	
B1	1.20 - 2.00				1.20	Very dense green/grey siltstone/fine medium sandstone GRAVEL with some fine to coarse angular sand. (TERRACE DEPOSIT) (0.20)	
					2.40	Medium dense/dense, red/orange brown medium well rounded/angular GRAVEL with some medium-coarse sand becoming very sandy with depth. (TERRACE DEPOSIT) (1.20)	
					3.20	Medium dense red brown fine-coarse gravelly SAND becoming very dense at 3.2m bgl (POSSIBLE WEATHERED BEDROCK) (0.80)	
Remarks		Sides of trial pit stable. At 3.2m bgl possible bedrock - unable to progress further due to water ingress and very dense formation. Rapid water ingress at 2.8m bgl. (Standing water level)					
Logged by JCE		Scale 1:25		End Casing Depth m.		Job No. E92195	
Sample/Test key: D Disturbed sample Hv Hand Vane (KPa) B Bulk sample P Penetrometer (kg/cm ²) W Water sample - Progress & Day							



 GEOTECHNICAL DEVELOPMENTS GEOTECHNICAL INVESTIGATION SERVICES Telephone (01926) 813747. Fax (01926) 813302.						TRIAL PIT LOG Trial Pit 09 Sheet 1 of 1	
Method JCB-3CX Sitemaster			Date 04/09/95		Site Industrial Development New Mills, Ledbury		
Dia mm		Coord 370000E 237800N		Ground Level m OD		Client Spicers Ltd., Ledbury	
Soil Samples/Tests		Field Records		OD Level m.	Depth m.	Description of Strata	Legend
Type/Test	Depth m.						
B1 D1	0.40 - 0.90 0.50				0.30	Topsoil - stiff sandy silty CLAY with many roots, highly dessicated. (TOPSOIL) (0.30)	[Pattern]
					0.90	Stiff - hard red brown fissured very sandy silty CLAY with occasional fine angular gravel. (HEAD) (0.60)	[Pattern]
					2.10	Dense - very dense coarse angular sandstone/siltstone GRAVEL becoming orange/red brown very sandy slightly silty fine to medium rounded angular gravel. (TERRACE DEPOSIT) (1.20)	[Pattern]
Remarks Sides of trial pit stable. Dry.				Logged by JCE Scale 1:25 End Casing Depth m. Job No. E92195 Sample/Test key: D Disturbed sample Hv Hand Vane (KPa) B Bulk sample P Penetrometer (kg/cm ²) W Water sample - Progress & Day			



Appendix E

Statutory Consultations

Directorate/Division: Economy and Environment
Team: Environmental Health & Trading Standards
Please ask for: Mrs Marian Boreham
Our Ref: EEIR383601
Direct line: 01432 261761
Email: mboreham@herefordshire.gov.uk
Date: 18/07/2023

Private and Confidential

Mr Thomas Brinded
Oak House
Reeds Crescent
Watford
WD24 4QP

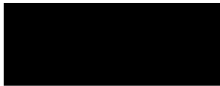
Dear Mr Brinded

RE: LEDBURY, HR8 2SR

Please find a copy of your information enclosed, as requested.

Please let me know if you require any further information or are dissatisfied with the handling of your request.

Yours sincerely



**Mrs Marian Boreham
ENVIRONMENTAL LIAISON OFFICER**

RESPONSE

Enhanced Environmental Information Regulation (EEIR) request form	
Date:	11 th July 2023
Receipt of enquiry:	Received EHTS
HC Reference Number:	EEIR0148
Address/Location:	Leadon Way, Ledbury
Postcode:	HR8 2SR
Grid reference (if known):	
Plan Reference No:	SK003
Enquiry: Fairhurst are undertaking environmental desk study assessments for a site with the following approximate postcode: Leadon Way Ledbury, HR8 2SR A site outline in the form of a red boundary is also attached to help define this area. Can you please provide information on the environmental setting for the site from your records, including information on: <ol style="list-style-type: none"> 1. Details of any groundwater and surface water abstractions and their purpose, at the site and within a 1km radius?; 2. Details of any landfills (current and / or historical) at the site and within 500m, including any information on infill materials, dates of infilling, and any groundwater / ground gas monitoring data. Also, have there been any issues relating to land contamination for the respective landfills?; 3. Details of any contaminated land and pollution incidents at the subject site and within a 500m radius?; 4. If the site / portions of the site, and surrounding area within 1km radius, are designated as contaminated land under part 2a of the Environmental Protection Act 1990 (as amended), including whether any identifications are classified as Special Sites?; 5. Details of any water quality information at the site and within 500m?; 6. Details of any information on groundwater flow direction beneath the site?; 7. Details of any further pertinent information relating to <ol style="list-style-type: none"> (a) contaminated land (b) controlled waters at the site and within 1km?; and 8. Details of any information on groundwater level at and within 500m of the site. 	
I refer to the above EEIR enquiry regarding the above mentioned property (as outlined in red on the site plan provided). This division can provide comment on questions 1, 2, 3, 4 and 7(a). You may wish to contact the Environment Agency concerning the remaining questions. On current information readily available to this division I can confirm:	
<ol style="list-style-type: none"> 1. Private water supplies within 1km of the subject site, including: <ul style="list-style-type: none"> · location/grid reference · details of source and abstraction purpose 	

I refer to the EIR enquiry regarding the above mentioned area.

It is this divisions understanding that the following private groundwater abstractions (from this council's register) are within 1km of the subject site –

Premises Usage Description	Easting	Northing	Type Of Source
SDDW SID - Single Domestic Water Supply	370282	238586	Well
DOMS SMD - Small Domestic Water Supply	369477	238357	Borehole

Please note that the National Grid Reference may be the location of the property which is not necessarily in many cases the same as the water source which may be located at some distance.

This information is based on that currently readily available to the County of Herefordshire District Council. It is given on the strict understanding that neither the Council, nor any of its Officers, warrant the accuracy of this information, or accept any liability whatsoever for any error omission therein, or any loss or damage arising from the interpretation or use of the information supplied. The Enquirer should rely on the results of their own investigations.

Date: 11/07/2023

Name: Gill Armitage

2. The site is approximately 415m north of a known closed landfill site as notified by the Environment Agency. The following is a summary of readily available information relating to the site commonly referred to as Ledbury landfill site.

Site History

- WML reference: 1.019.4.07
- Date of first waste input: 31/12/1960 (estimate)
- Date of last waste input: 31/12/1978 (estimate)

Site Details

- Max. volume of waste permitted: 0.04 million m3
- Total Site Area: 3.2 ha
- Permitted wastes: Household and Inert

Monitoring Records.

- This Division has not undertaken any monitoring of the site.

This Division holds no records with respect to currently active or operating landfill sites. Information regarding operating landfills may be available from the Environment Agency. They can be contacted on 03708 506 506.

3. This Division holds no record of any pollution incidents at the site but you may wish to check with the Environment Agency who may retain records relating to pollution incidents. They can be contacted on 03708 506 506.

4. (a)

I can advise you that this property or any surrounding sites (within 1km of the property boundary) have not been included in the Council's Register of Contaminated Land under the Environmental Protection Act 1990. Entries will only appear on the register once land has been formally identified as contaminated land by the Authority, so the absence of entries does not guarantee freedom from contamination or from risk of harm. The register cannot provide a substitute for physical tests and surveys.

(b)

The site's historic land use is not the type of land required to be designated as a 'special site' and unlikely to be identified as a 'special site'. Should there be any concern about the condition of the land it is recommended that specialist advice be sought.

7. (a) Records held by this division show that the following potentially contaminative uses have occurred within the and adjacent the site boundary (outlined in red on your site plan):

- Historical maps indicate the site has historically been used for industrial uses; factory or works use not specified and it is my understanding the site is currently used for engineering works – these are all potentially contaminative uses.
- Historical plans from the mid 1950's indicate two areas of ground adjacent the; north and east section of the site boundary which has been identified as unknown filled ground (pond, marsh, river, stream, dock etc.)

Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of the fill is not inert and would require further investigation. Without any additional information it is not possible to comment further on this site

Disclaimer: *This information is based on that currently readily available to the County of Herefordshire District Council. It is given on the strict understanding that the Council, nor any of its Officers, warrant the accuracy of this information, or accept any liability whatsoever for any error or omission therein, or any loss or damage arising from the interpretation or use of the information supplied. The Enquirer should rely on the results of their own investigations.*

Appendix F

Photolog



Photo 1: Road access via New Mills industrial estate (facing south east).



Photo 2: New Mills industrial estate leading to the roundabout turn off (facing north west).



Photo 3: Gated access to the HGV loading bays located with the site (facing south east).



Photo 4: Gate located at the entrance to the Homebase car park (facing north east).



Photo 5: View of part of the Homebase buildings in particular the wall separating the car park from part of the garden centre section (facing south west)



Photo 6: The other exterior wall to the garden centre section of the Homebase unit (facing south west)



Photo 7: Car park area in good condition (facing north)