

Herefordshire Council
Central Division
PO Box 230
Hereford
Herefordshire
HR1 2ZB

Our ref: SV/2023/112160/04-L01
Your ref: 233607

Date: 25 September 2024

FAO: Josh Bailey

Dear Josh,

PROPOSED EXTENSION TO EXISTING PFS SHOP BUILDING, ERECTION OF 2.NO JETWASH BAYS WITH GLAZED SCREEN SURROUNDS, 1.NO AIR/WATER MACHINE TO BE INSTALLED IN EACH JET WASH BAY, 2.NO. EV CHARGING BAYS, SUBSTATION ANDRELOCATION OF ANCILLARY INFRASTRUCTURE - REMEDIATION AND POLLUTION PREVENT STATEMENT. 45 COMMERCIAL ROAD HEREFORD HEREFORDSHIRE HR1 2BG

Thank you for your consultation on the above application received by us on 05 September 2024. We originally objected to this proposal, as not enough information to assess the risk of pollution to controlled waters could be appropriately managed in our response dated 12 January 2024 (our ref: SV/2023/112160/01-L01).

We then reviewed a preliminary risk assessment in our response of 09 April 2024 (our ref: SV/2023/112160/02-L01), and based on that risk assessment, we were able to remove our objection and recommend conditions.

Thirdly, we reviewed a Ground Investigation Report and Ground Monitoring Report in our response dated 07 August 2024 (our ref: SV/2023/112160/03-L01) and based on these submitted documents we amended one of our recommended conditions.

Further to our previous responses, we have now reviewed the submitted Remediation Statement Report by Geo2 (ref: 24/1494.3.1, dated 26 August 2024) and the Pollution Prevention Statement by Geo2 (ref: 24/1494.4.1, dated 28 August 2024) and have the following comments to make which relate solely to the protection of controlled waters. Queries relating to human health should be directed to the relevant department of the Local Authority.

Environment Agency

Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.

Customer services line: 03708 506 506

www.gov.uk/environment-agency

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Protection of Controlled Waters:

Upon review of the Remediation Statement Report we are satisfied that an appropriate remediation plan is proposed in the event that any contamination is identified, or an incident has occurred.

We note the inclusion of a watching brief for unexpected contamination within the Remediation Statement Report to ensure contractors are trained to identify areas of contamination and works would stop if contamination were identified in order to assess the environmental risk and impose mitigation measures. As such, we would again reiterate the following condition to secure the above from our previous response:

CONDITION: *If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, with a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.*

REASON: *To ensure that any unexpected contamination is dealt with, and the development complies with approved details in the interests of protection of ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).*

Pollution Prevention:

In terms of managing pollution, upon review of the submitted Pollution Prevention Statement we are satisfied that the proposed pollution prevention measures put in place within this report meet the requirements of the site setting and the works on site will be carried out in an environmentally responsible manner compiling with best practice to minimize impacts.

We previously recommended that the Local Planning Authority (LPA) impose a condition to ensure that a detailed method statement for pollution prevention be submitted. Following the now submitted Pollution Prevention Statement, the LPA may wish to consider confirming that the development is in accordance with the submitted Pollution Prevention Statement via an appropriately worded condition.

Remediation Strategy:

We are happy that the inclusion of the Remediation Statement Report satisfies part 1 and 2 of our previously recommended condition. These two parts of the condition stated that: '1) *The site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation strategy, if necessary, of the remediation measures required and how they are to be undertaken.*

2) *A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and*

arrangements for contingency action. This should include any proposed phasing of demolition or commencement of other works.'

However, we would highlight that part 3 of the previously recommended condition referring to the requirement to complete a verification report can only be produced after the works and sampling has been undertaken. Therefore, this part of the condition remains valid, and we have updated our condition below to reflect this upon receipt of the Remediation Statement Report:

CONDITION: No development, or phasing as agreed below, shall take place until the following component of a scheme to deal with the risks associated with contamination of the site are submitted to and approved, in writing, by the planning authority:

- Prior to occupation of any part of the development a verification (validation) report demonstrating completion of the works set out in the approved remediation strategy. The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance, and arrangements for contingency action and for the reporting of this to the Planning Authority.

Any change to this component requires the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

Yours faithfully

Mr. Ewan Burvill
Planning Officer

Direct e-mail ewan.burvill@environment-agency.gov.uk