

Shaun Greaves
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

Our reference: PA-0000256/01
Your reference: 25/03149/RM

8 April 2026

Dear Shaun,

Reserved Matters: Approval of reserved matters (access, appearance, landscaping, layout and scale) for the erection of 140 residential dwellings with associated landscaping, highways, drainage, public open space and ancillary infrastructure pursuant to outline planning permission reference 25/02234/S73 granted 03.12.2025

Land Between Royston Road and Cambridge Road Barkway Hertfordshire SG8 8DB

Thank you for contacting us on 19th March 2026. Please note, we did not comment on the Outline Planning Permission (reference 25/02234/S73) because the site fell below our risk bar at the time of consultation. We therefore do not have any specific comments on to the reserved matters (access, appearance, landscaping, layout and scale) associated with this consultation.

However, the applicant should take note of the following advice when discharging Condition 21 - Drainage Scheme.

The site lies within a Source Protection Zone 3 (SPZ3) for drinking water supply boreholes, which represents a sensitive area from a groundwater protection perspective.

Discharging contaminated surface water run-off via deep boreholes soakaways poses a significant pollution risk to the drinking water source. Deep boreholes create a direct pathway for contaminants to reach groundwater. Residential developments can introduce additional pollution risks, including car and bin washing, use of pesticides and fertilisers, pets entering swales after flea treatments, and accidental spills. Under the Environmental Permitting Regulations 2016 (EPR 2016), the Environment Agency must prevent the input of hazardous substances and limit the input of non-hazardous substances to groundwater.

Alternative options for managing contaminated surface water run-off should be considered, such as connection to the public sewer network or discharge to surface waters. Discharge to ground should only be considered as a last resort.

The following points would apply to the surface water management scheme design:

- Our overall approach to controlling discharges of liquid effluents to the ground is set out in section G of *The Environment Agency's approach to groundwater protection*
- We do not regard the use of boreholes or other deep structures for the discharge as routinely appropriate disposal options. Any discharge that results in or might lead to the input of pollutants into groundwater is a 'groundwater activity' under the EPA 2016 (unless an exclusion applies). Groundwater activities must be permitted unless they are eligible for registration as an exempt groundwater activity. <https://www.gov.uk/permit-discharges-surface-groundwater>.
- Of the surface water drainage options for a site, infiltration techniques generally pose the highest risk of polluting groundwater. This can be due to contaminants forming part of the run-off to infiltration systems (e.g. hydrocarbons from car parks, contaminants from other activities,) and also through mobilising existing ground contamination due to soil flushing mechanisms and changes to groundwater levels associated with an infiltration system. Therefore, some general information is provided below in relation to the use of infiltration techniques. Ultimately, any drainage design must be protective of the groundwater and in line with *The Environment Agency's approach to groundwater protection* for the use of infiltration techniques to be approved.
- Infiltration should not be focused in areas where ground contamination has been identified. Surface water infiltrating through contaminated ground can mobilise contaminants and result in pollution of the groundwater. If contamination is present in areas proposed for infiltration, we will require the removal or treatment of contamination to a level where pollution of groundwater is not occurring.
- Infiltration via deep borehole soakaways is not acceptable, other than when a drainage and hydrogeological risk assessment shows this to be the only viable option. Proposals must contain relevant supporting information for each aspect. This could include a review of alternative disposal options including the results of percolation tests conducted in line with BS6297:2008 (or latest

version) or a discussion about the rationale for the proposed depth of a new deep structure. In cases where we agree that there is no other feasible disposal option, it is then appropriate to progress to further assessment of the potential environmental impacts of the proposed new discharge as part of an environmental permit application.

- A series of shallow infiltration systems are preferable to deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater
- The point of discharge should not intercept the groundwater table. The direct input of hazardous substances to groundwater is not permitted by the EPR 2016. Direct input into groundwater presents a significantly increased risk of pollution. Discharges that concentrate the flow of effluent at one location and bypass some of the soil layers will limit the ability of the ground to attenuate pollutants and protect groundwater. The Environment Agency is seeking to stop direct discharges to groundwater through wells, boreholes and shafts.
- The point of discharge should be kept as shallow as possible to ensure the maximum distance between the point of discharge and the seasonal high groundwater table is achieved.
- Clean roof water drainage should be sent to soakaway via sealed gulleys; roof and road/car parking drainage should enter a soakaway separately. The discharge of clean roof water to ground is acceptable both within and outside SPZ1, provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground.
- If surface water run-off is from areas where a level of contamination is likely (e.g. car parks, roads) then pollution prevention techniques should be incorporated as part of the drainage system to prevent pollution of groundwater.
- Car wash run off should not be directed through an oil interceptor as this will stop the effective removal of hydrocarbons in surface water run-off.
- The infiltration systems and associated infrastructure (e.g. interceptors) should be subject to a long term maintenance plan. This plan should clearly state responsibilities for maintaining the efficacy of the drainage system,

frequency of maintenance checks and a signed log indicating when last checked.

- It is an offence under section 85 of the Water Resources Act (1991) to cause or knowingly permit the pollution of controlled waters.

Guidance:

Chapter G of the Environment Agency's "Groundwater protection position statements", <https://www.gov.uk/government/publications/groundwater-protection-position-statements>.

<https://www.gov.uk/guidance/groundwater-risk-assessment-for-your-environmental-permit>

<https://www.gov.uk/guidance/infiltration-systems-groundwater-risk-assessments>

<https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>

<https://www.gov.uk/guidance/infiltration-systems-groundwater-risk-assessments#hazardous-substances-and-non-hazardous-pollutants>

<https://www.gov.uk/guidance/groundwater-risk-assessment-for-your-environmental-permit#identify-compliance-points>

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Should you have any queries regarding this response, please contact HNL.SustainablePlaces@environment-agency.gov.uk

Yours sincerely,

Christian Flavell
Planning Advisor

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