

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Aldi Stores Ltd

Sheet Piled Retaining Wall, River Calder, Mirfield

National Grid Reference: SE 19837 19988

The permitted work is confined to the former Kenmore Caravans premises, land on the left bank of the river Calder, along Huddersfield Road, Mirfield, WF14 9DA.

Permit number

EPR/QB3693JU

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows:

- The proposal entails a sheet piled retaining wall along part of the southern site boundary which will be set into the existing earth embankment. The purpose of the sheet piled wall is to push the development boundary towards the River Calder without adversely impacting the existing slope stability or increasing flood risk. The work will require cut and fill earthwork leading to riverbank reprofiling.
- The permit only covers the permanent activities associated and does not cover the temporary and enabling activities.

The status log of the permit does not form part of the permit. It sets out the permitting history, including changes to the permit or permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/QB3693JU	Duly made 05/01/2023	Application for Sheet Piled Retaining Wall, River Calder, Mirfield
Schedule 5 Notice for Further Information Issued	24/01/2023	The application was formally paused until the issues at the planning stage were resolved, as the decisions made at planning may have impacted the decisions made for the permit.
Schedule 5 Notice for Further Information Complete	17/05/2023	Confirmation that the planning issues were resolved, along with confirmation of approval. Additionally, the flood risk information that supported the planning application was submitted as part of the permit application. Furthermore, updated official application forms were received.
Permit determined EPR/QB3693JU	14/06/2023	Permit issued to Aldi Stores Ltd

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/QB3693JU

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

Aldi Stores Ltd (“the operator”)

whose registered office is

Holly Lane

Atherstone

Warwickshire

CV9 2SQ

company registration number [02321869]

to operate the following flood risk activities:

- P1: Installation of a Sheet Piled Retaining Wall
- P2: Riverbank Reprofiling

at

The permitted work is confined to the former Kenmore Caravans premises, land on the left bank of the river Calder, along Huddersfield Road, Mirfield, WF14 9DA.

National Grid Reference: SE 19837 19988

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Lisa Killick PSO Team Leader	14/06/2023

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in red on the site plan at schedule 2 to this permit and showing National Grid Reference: SE 19837 19988.

2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the approved Method of Work.
- (a) to minimise sediment mobilisation
 - (b) to minimise impact on biodiversity
 - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
 - (d) for the storage and disposal of waste produced; and
 - (e) to prevent and minimise environmental harm.
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 Measures shall be taken to ensure that the activities do not cause the spread of invasive non-native species or plant or animal diseases.
- 2.3.4 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

3 Information

3.1 Records

3.1.1 All records required to be made by this permit shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
- (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) records relating to conditions for the ongoing operation or maintenance of a structure;
 - (ii) records relating to the continuing access of the Environment Agency to the watercourse or to works or structures it operates;
 - (iii) matters which affect the condition of the land.

3.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

3.2 Reporting

3.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

3.3 Notifications

3.3.1 The Environment Agency shall be notified no less than 7 days before the commencement of the activities.

3.3.2 Environment Agency shall be notified no less than 7 days after the activities are completed.

3.3.3 The Environment Agency shall be notified without delay following the detection of any breach of a limit specified in the permit or any significant environmental effects resulting from the activities or of any breach of the permit.

3.3.4 Written confirmation of actual or potential incidents or effects and breaches referred to in 3.3.3 shall be submitted within 24 hours.

3.3.5 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

3.3.6 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for flood risk, drainage or the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

3.4 Interpretation

3.4.1 In this permit the expressions listed in schedule 3 shall have the meaning given in that schedule.

3.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

3.4.3 Any reference to a distance of a number of metres from a flood defence structure, drainage work, remote defence or sea defence is a reference to that distance as measured from the foot of the foregoing as the case may be.

3.4.4 Any reference to a distance of a number of metres from a river control work is a reference to that distance as measured from the nearest part of the river control work.

3.4.5 Any reference to a distance of a number of metres from a watercourse is a reference to that distance as measured horizontally from the foot of the bank on the landward side of the watercourse

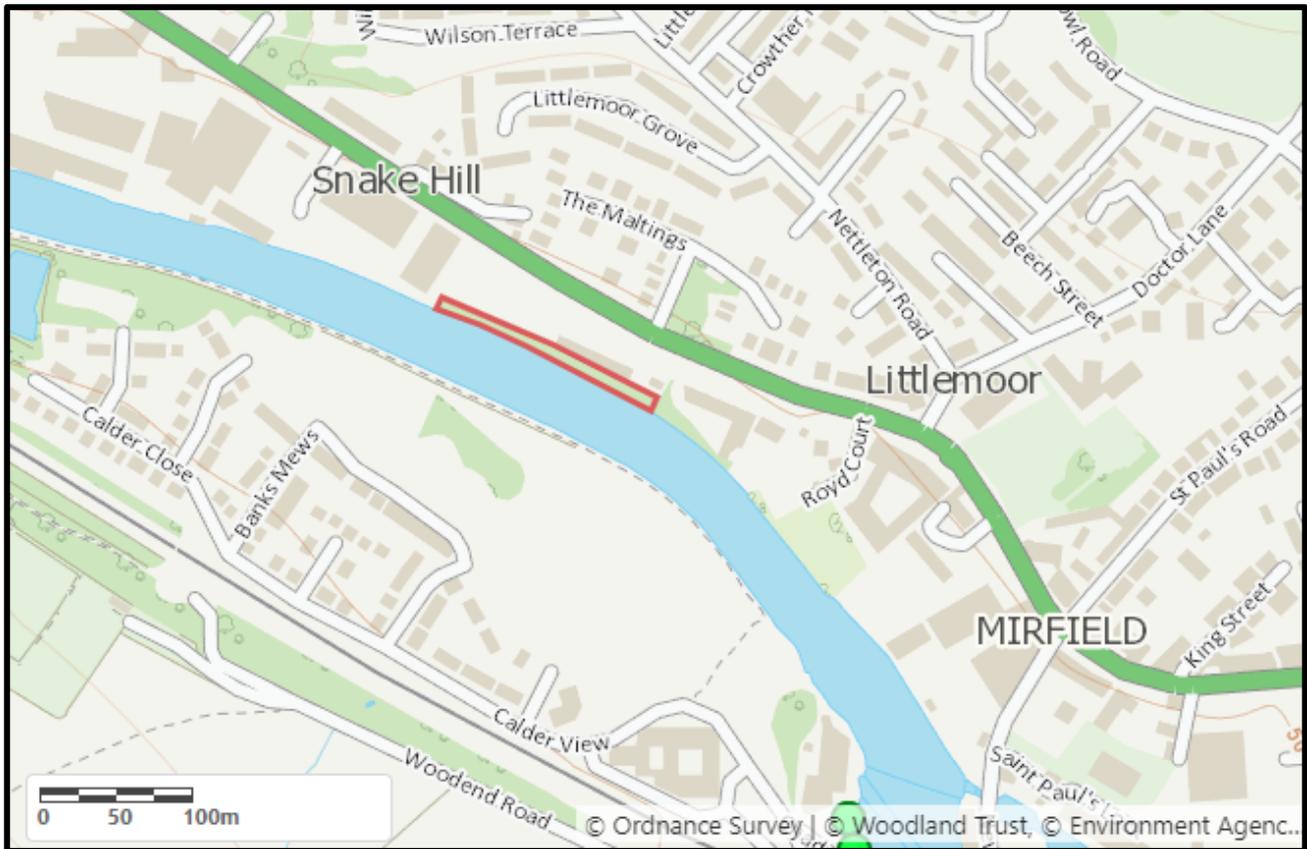
Schedule 1 – Operations

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
P1	<ul style="list-style-type: none"> - Installation of a Sheet Piled Retaining Wall 	<ul style="list-style-type: none"> - The activity shall be commenced within 12 months of the date of issue of the permit granted and completed within 10 months of commencement. - The activity shall be carried out in accordance with the following drawings: <ol style="list-style-type: none"> 1. Indicative Sheet Piled Retaining Wall Details referenced: 'SL_90_40_46', rev: 03, dated 08/02/2022'. 2. Proposed External Levels & Retaining Structures referenced: 'SL_90_40_46', rev: P02, dated 01/06/2022'. - There shall be no storage of heavy equipment or materials within 8 metres of the proposed sheet piled retaining wall.
P2	<ul style="list-style-type: none"> - Riverbank Reprofiling 	<ul style="list-style-type: none"> - The activity shall be commenced within 12 months of the date of issue of the permit granted and completed within 10 months of commencement. - The activity shall be carried out in accordance with the following drawing: <ol style="list-style-type: none"> 1. Proposed External Levels & Retaining Structures referenced: 'SL_90_40_46', rev: P02, dated 01/06/2022'.

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.1	<ul style="list-style-type: none"> - Approved Method of Work 	<ul style="list-style-type: none"> - E21173-SPUK-MS-EJ-001-Rev0 	01/11/2022
Condition 2.3.1 (c)	<ul style="list-style-type: none"> - The operator shall sign up to received flood warnings and alerts from the Environment Agency. Upon receipt of alert or warning the works shall cease. 	<ul style="list-style-type: none"> - E21173-SPUK-RA-EJ-002-Rev0 - Email ref: 'FW: Flood Risk Activity Further Information Request 	01/11/2022 31/01/2023

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
	<ul style="list-style-type: none"> - A like-for-like outfall replacement shall be provided if the works damages the existing structure. - The effort to try recover materials and machinery if they are washed away during a flood. 	Permit reference: EPR/QB3693JU'	
Condition 2.3.1 (d)	<ul style="list-style-type: none"> - Before the completion of the activity on the site, the Operator shall ensure that all surplus soil, subsoil and material excavated in the course of the activity is deposited back in the place which it was excavated from or permanently removed from the site. 	<ul style="list-style-type: none"> - Email ref: 'FW: Flood Risk Activity Further Information Request 	31/01/2023

Schedule 2 – Site Plan



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Schedule 3 – Interpretation

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“main river” means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

“Method of Work” means a document forming part of the operator’s management system, setting out the working methods for carrying out the activity and what measures will be taken to avoid or minimise the risks of environmental effects.

“approved Method of Work” means the operator’s Method of Work approved by the Environment Agency

“environmental effects” means:

- (a) flooding or risk of flooding;
- (b) harm to the environment or risk of harm to the environment; and
- (c) detrimental impact on drainage or risk of detrimental impact on drainage.

“environmental harm” means a result of human activity which may:

- (a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;
- (b) prevent the achievement of environmental objectives within the meaning of the Water Framework Directive 2000/60/EC;
- (c) cause pollution; or
- (d) otherwise adversely affect the protection and enhancement of the environment.

END OF PERMIT