

Cumberland Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2023/115420/01-L01
Your ref: 4/23/2082/0F1
Date: 04 August 2023

Dear Sir/Madam

**RESIDENTIAL DEVELOPMENT CONSISTING OF 8 DWELLINGS AND
ASSOCIATED INFRASTRUCTURE**

LAND AT NORTH LANE, HAVERIGG

Thank you for consulting us on the above.

Environment Agency position

We have no objection to the proposed development but we wish to make the following informative comments:-

Foul drainage – advice to applicant

In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an

Environment Agency
Ghyll Mount (Gillan Way) Penrith 40 Business Park, Penrith, Cumbria, CA11 9BP.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: [Septic tanks and sewage treatment plants: what you need to do: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/septic-tanks-and-sewage-treatment-plants-what-you-need-to-do)

Environmental permit - advice to applicant

Stoup Dub Branch watercourse is designated main river and runs in open channel along the south-eastern boundary of the site.

It is noted that the Proposed Site Plan- Master drawing 22-15-P-32 Rev. A, indicates that access to the southern field is retained as part of the proposals, at present we cannot say that the access provision will be satisfactory to facilitate access for Environment Agency to undertake programmed aquatic vegetation management. We would normally require an 8m wide access for plant to allow for a 2m safety buffer from the top of the bank and sufficient room to manoeuvre medium plant equipment.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Biodiversity Net Gain

Applicants are encouraged to include biodiversity net gain (BNG) within their proposals. Paragraphs 174 and 179 of the National Planning Policy Framework (NPPF) recognise that the planning system should provide net gains for biodiversity. By November 2023, providing a minimum 10% biodiversity net gain in new development will be a legal requirement due to provisions within the Environment Act 2021. Applicants should have regard to the [latest planning practice guidance](#) on BNG in new development proposals.

Applicants can establish the pre-development and post-development biodiversity value of their proposals using the [DEFRA Biodiversity Metric](#). Where development proposals do not demonstrate a minimum 10% BNG, applicants should be encouraged to identify

appropriate opportunities and enhancements to achieve it. Where an application site is adjacent to a watercourse, we would recommend applicants retain these features wherever possible and consider whether they represent opportunities to provide biodiversity net gain through restoration and / or enhancement.

Yours faithfully

Hui Zhang
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