

Cumberland Council  
The Market Hall  
Market Place  
Whitehaven  
Cumbria  
CA28 7JG

**Our ref:** NO/2023/115311/01-L01

**Your ref:** 4/23/2149/0F1

**Date:** 7 June 2023

Dear Ms Unsworth

**ALTERATION AND EXTENSION FOR ACCESSIBLE GROUND FLOOR BEDROOM AND SHOWER ROOM.**

**14 CROASDALE AVENUE, WHITEHAVEN**

Thank you for consulting us on the above planning application.

**Environment Agency position**

We object to this application as it involves building over/ in very close proximity to a designated main river culvert: Pow Beck. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

**Reasons**

- The proposed development would restrict essential maintenance and emergency access to the culvert. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.
- The proposed development is likely to adversely affect the construction and stability of Pow Beck culvert which will compromise its function.
- The resulting load of the structure may cause issues for the culvert.

**Overcoming our objection**

To overcome our objection, the following actions are required:

- Relocate the proposed hydrotherapy and sensory room such that neither the structure nor its foundations are over the culvert. We would recommend the

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](http://www.gov.uk/environment-agency)

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proposed hydrotherapy and sensory room is relocated sufficiently clear of the culvert such that any influence on the structural integrity of the culvert is mitigated.

- Provide drawn details of the proposed foundation construction.
- Provide information demonstrating that the structural integrity and loading forces transferred to the culvert has been satisfactory considered. We would recommend a suitably qualified structural engineers report.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any updated information submitted and we'll respond within 21 days of receiving it.

### **Environmental permit - advice to applicant**

Pow Beck is a designated 'Main River' which are watercourses shown as such on the statutory main river maps held by the Agency and the Department for Environment Food and Rural Affairs including any structure or appliance for controlling or regulating the flow of water in or out of the channel. The proposals appear to be on top of a designated main river culvert. In addition to any planning approval, 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.

Yours sincerely

**Hui Zhang**  
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