

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

Our ref: NO/2023/115491/01-L01
Your ref: 4/23/2191/0F1

Date: 22 August 2023

Dear Ms Unsworth

PROPOSED ERECTION OF A NEW DWELLING & DETACHED GARAGE

LAND ADJACENT TO 21 SCURGILL TERRACE, EGREMONT

Thank you for consulting us on the above planning application.

Environment Agency position

The planning application is accompanied by a Phase 2: Ground Investigation Report (ref: 2021-4817, dated 6 August 2021) prepared by Geo Environmental Engineer/Associate. We have reviewed the FRA in so far as it relates to our remit.

We object to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 174 of the National Planning Policy Framework.

Reasons

The ground investigation report does not assess the risk to Controlled Waters. In the absence of groundwater quality and/or soil leaching tests, the agency is unable to make an appropriate assessment of risk to groundwater quality.

Overcoming our objection

In accordance with our approach to groundwater protection we will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Note to LPA

The made ground contains elevated concentrations of arsenic and polycyclic aromatic hydrocarbons which require an agreed remediation scheme to protect human health. We would expect any remediation scheme to consider the appropriateness all pollutant linkages (including groundwater). This has not been done.

Therefore, we recommend no remediation scheme is approved until further sampling to determine the risk and impact of soluble contaminants is undertaken. This is required to protect the underlying principal aquifer.

Results of the supplementary work should be assessed and integrated into the remediation scheme to be protective of groundwater quality.

Yours faithfully

Hui Zhang

Planning Advisor – Sustainable Places

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