

Ms Christie Burns
Copeland Borough Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2024/116363/01-L01
Your ref: 4/24/2336/DOC
Date: 17 October 2024

Dear Ms Burns

**DISCHARGE OF CONDITIONS 9, 10 AND 21 OF PLANNING APPLICATION
4/23/2076/001.**

LAND OFF DALZELL STREET, MOOR ROW, EGREMONT

Thank you for consulting us on the above discharge of conditions application, received 8 October 2024.

We have reviewed the following documents in support of the discharge of condition 9 (contaminated assessment):

- Report titled 'Remediation Strategy for Land at Dalzell Street Moor Row', prepared by GeoCon Site Investigations Ltd (referenced: GSI 2132 LD RS Report V1; dated: September 2024)
- Report titled 'Phase II Site Investigation Report of Land at Dalzell Street, Moor Row, Cumbria', prepared by GeoCon Site Investigations Ltd (referenced: SI 2132 WG PII Report; dated: September 2024)

Environment Agency position

We are unable to recommend the discharge of Condition 9, and we wish to make the following comments:-

Condition 9 cannot be discharged in its entirety because verification of works outlined in the remediation strategy have not been completed and validated.

The phase 2 ground investigation has failed to produce groundwater quality or soils leaching information and therefore the risks to Controlled Waters cannot be assessed and the assumption of low risk is arbitrary.

Made ground is present and the ground investigation has shown some of this brownfield area lacks the protection of superficial drift deposits overlying the aquifer. The Remedial Strategy principally focusses on the risk to human health, but the proposal to remove areas of made ground for offsite disposal should also remove the source term contaminants that have the potential to cause detriment to water quality.

In order to discharge this condition, we recommend either of the following:

1. Undertake further ground investigation and risk assessment, which may still require a specific remediation strategy for unacceptable risk to Controlled Waters, or;
2. Expand the remedial strategy to ensure all made ground is removed from areas where superficial deposits are absent as indicated by RO4, DS11 and DS17.

Yours sincerely,

Miss Soraya Moghaddam
Planning Advisor

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