

Ms Heather Morrison  
Copeland Borough Council  
Development Control  
The Copeland Centre Catherine Street  
Whitehaven  
Cumbria  
CA28 7SJ

**Our ref:** NO/2024/116478/01-L01  
**Your ref:** 4/24/2407/0F1  
**Date:** 18 December 2024

Dear Ms Morrison

**TWO STOREY MODULAR BUILDING.**

**SELLAFIELD, SEASCALE**

Thank you for consulting us on the above application, received 12 December 2024.

**Environment Agency position**

We have no objections to the proposed development, however we do wish to make the following comments:-

The proposal is sited on the footprint of the existing concrete plinth from the previous building. The re-use of the existing ground structure provides a sustainable construction methodology, of which we support.

There are no foreseeable contaminated land issues with this development apart from development of trenches for infrastructure. Testing of excavated materials for appropriate disposal will be required for these minor works.

**Informative**

Aspects of contaminated land investigation and risk assessment are likely to be endorsed for any future change of use or demolition that exposes soils underlying the concrete plinth forming the foundation of this application.

**Waste on-site**

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has

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Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- The [waste management](#) page on GOV.UK

### **Waste to be taken off-site**

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#) GOV.UK

Yours sincerely

**Miss Soraya Moghaddam**  
**Planning Advisor**

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