

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

**Our ref:** NO/2024/116494/01-L01  
**Your ref:** 4/24/2415/0F1  
**Date:** 07 January 2025

Dear Ms Burns

**INSTALLATION OF AN ADDITIONAL 7 SOLAR LIGHTS TO COMPLETE  
COVERAGE OF THE MILLOM COMMUNITY TRACK.**

**MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM**

Thank you for consulting us on the above application, received 19 December 2024.

**Environment Agency position**

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

The planning application is accompanied by a Flood Risk Assessment (FRA). We have reviewed the FRA and, highlight that it appears to be an FRA used for a previous development 'proposed multi-usage sport track' at this site.

However, on balance and being mindful of the nature and scale of the development, we have reviewed the proposals against the flood constraints, and installing 7 solar lights, raises no concerns that would in this instance warrant an objection on the basis of an inadequate FRA.

The applicant, as owners of the site, will be aware of the potential flood risk and frequency. The applicant should be satisfied that the impact of any flooding will not adversely affect their proposals.

**Informative to LPA**

The key on the drawing plan titled 'Location of Lights' has been cut-off, so we are unable to ascertain exactly where the proposed lights are located but it is presumed that the 7 red dots are the proposed solar lights.

Environment Agency  
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)

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## Informative

The FRA refers to the site being in an Area Benefitting from Defences (ABD). Since production of the FRA, you will be aware from our external briefing that the Environment Agency have taken the decision to retire this (ABD) dataset and remove it from the Flood Map for Planning portal. This is because we have determined that it no longer meets customer needs and creates a false sense of security for users.

There is no longer a mapped layer shown on the portal but instead, upon searching for an address or location, users will be informed if their site is within an area assessed as having a reduction in risk of flooding from rivers and sea due to the presence of defences and it will direct users to seek flood risk assessment data (via a Product 4), which means Environment Agency staff can provide more detailed information relating to the impact of any flood defences in the area.

## Environmental permit - advice to applicant

Salthouse Pool is a designated 'Main River'.

The developer may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the bank of the river or within 8 metres of the edge of the culvert, which is designated a Main River. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines (including outfalls) or any other structure erected within 8 metres of the top of the bank of the Main River, or landward toe of any flood defences, without an environmental permit. Some activities are also now excluded or exempt. For further information, the developer should refer to the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption 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 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

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.

“main river” means all 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;

Yours sincerely

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

Direct e-mail [clplanning@environment-agency.gov.uk](mailto:clplanning@environment-agency.gov.uk)