

Kerry Bamford
Copeland Borough Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2025/116722/02-L01
Your ref: 4/25/2123/0F1
Date: 29 October 2025

Dear Kerry,

INSTALLATION OF WIND POWERED WATER PUMP.

WATERBLEAN FARM, THE HILL

Thank you for re-consulting us on the above planning application received 9 October 2025.

In our previous response referenced NO/2025/116722/01-L01 and dated 22 April 2025, we objected to the development as proposed due to the absence of a Flood Risk Assessment (FRA).

We have now received and reviewed the FRA, prepared by Rubicon Project Consultancy Ltd (dated 18 September 2025).

After review of the FRA as submitted, we must maintain an objection to the application in light of further information provided.

Environment Agency position

We object to this application as the FRA submitted suggests that the new windmill pump will pump water from the field drains over the tidal embankment. This means the proposal will involve building over an Environment Agency maintained flood defence. As submitted, it is unlikely that we would grant a flood risk activity permit (FRAP) for this application.

Reasons

There are no plans or diagrams submitted which show how the water will be pumped over the flood defence. The works must not interfere with our maintenance of said flood defence and not affect its efficacy, and as such, there is currently insufficient information submitted to demonstrate this.

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Overcoming our objection

The applicant should submit further information which confirm that the proposed works will not affect the adjacent flood defence, or, submit plans which clearly demonstrate how it will be affected as a result of the proposal.

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

Environmental permit - advice to applicant

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.

Additional Comments

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Yours sincerely,

Miss Soraya Moghaddam
Planning Advisor

Direct e-mail clplanning@environment-agency.gov.uk