

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

Our ref: NO/2025/116768/01-L01
Your ref: 4/25/2145/0F1
Date: 21 May 2025

Dear Kerry

DEMOLITION OF VACANT FORMER TANNERY BUILDING & FORMATION OF STORAGE COMPOUNDS.

FORMER TANNERY BUILDING, HAVERIGG INDUSTRIAL ESTATE, HAVERIGG

Thank you for consulting us on the above application, received 1st May 2025.

Environment Agency position

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

Flood Risk

The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by Geol Consultants Limited (referenced: GEOL24-6646; dated: 25/03/2025).

We have reviewed the FRA in so far as it relates to our remit, and we are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

The end use of the proposed site as storage compounds is appropriate for this flood risk zone, therefore, we consider that the assessment and mitigation measures are acceptable to the nature and scale of the development. The applicant, as owners of the existing property, 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.

The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval.

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

Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

Additional comments – Publication of New National Flood and Coastal Erosion Risk Datasets

The FRA used the Product 4 flood risk assessment data based on our old Tidal ABD model which has been replaced in the study area by our New National Model on 25/3/2025 (same day as the production of the FRA). We currently do not have depth data available for the New National Model; however, we have checked the data used in the FRA for suitability and are satisfied in this instance that it is fit for purpose for the vulnerability classification and lifetime of the development as proposed.

The Environment Agency is in the process of publishing new national flood and coastal erosion risk datasets. Some datasets have already been published with additional flood risk datasets, including updated Flood Zones and new climate change scenarios, published on Flood Map for Planning on 25 March 2025. In due course we expect to make further datasets available, including flood depth information for rivers, sea and surface water. More information about our new data can be found in this Defra Data Services Platform announcement. Our planning advice will continue to be based on the best information available at the time. Further information is available on the Town and Country Planning Association website – New national flood and coastal erosion risk information.

Groundwater and Contaminated Land

Advice to LPA

This development site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters.

However, we are unable to provide site-specific advice relating to land contamination as we have recently revised our priorities so that we can focus on:

- Protecting and improving the groundwater that supports existing drinking water supplies
- Groundwater within important aquifers for future supply of drinking water or other environmental use

We recommend that you refer to our published '[Guiding Principles for Land Contamination](#)' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We also advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements. This approach is supported by paragraph 187 of the National Planning Policy Framework.

Advice to applicant - Land contamination: risk management and good practice

We recommend that developers should:

1. Follow the risk management framework provided in '[Land contamination: risk management](#)' when dealing with land affected by contamination
2. Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
3. Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
4. Refer to the [contaminated land](#) pages on gov.uk for more information

Advice to applicant – 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 ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they 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 recommends 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

Advice to applicant – 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](#)

Yours sincerely,

Miss Soraya Moghaddam
Planning Advisor

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