

Cumberland Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2025/117222/01-L01
Your ref: 4/25/2424/DOC
Date: 5 January 2026

Dear Sir/Madam

**DISCHARGE OF CONDITIONS 3, 5, 7 AND 8 OF PLANNING APPLICATION
4/24/2044/0F1**

LAND AT EAST ROAD, EAST ROAD, EGREMONT

Thank you for consulting us on the above planning application.

The Detailed quantitative risk assessment (DQRA) has modelled a low risk to the River Ehen with groundwater flow through the superficial deposits. A sensitivity analysis of crucial parameters supports the model resulting in the need for no remediation.

The piling risk assessment is based on the DQRA and surmises low level of risk for this form of foundation design.

Condition 7 - Remediation

In review of the information provided, there are elements of the concept for foundation design and proposals based on DQRA which need to be questioned and we cannot recommend discharge of this condition until mitigation measures to address these concerns are agreed.

The report outlines the potential for unidentified residual hydrocarbon contamination to exist in the vicinity of the underground storage tanks and accepts the presence of elevated polycyclic aromatic hydrocarbons in groundwater and light non-aqueous phase liquid (LNAPL) floating as a layer in the vicinity of BH202.

The LNAPL is localised and there are generic proposals to treat contaminated water pumped from excavations within the "watching brief" which outlines the need for a water control system for removal off site within a dedicated water tanker. Confirmation that LNAPL is removed prior to the installation of any foundation is required.

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The report acknowledges the uncertainty of remnant hydrocarbon contamination being present in the vicinity of the underground storage tanks. There is a presumption that soils will be re-used wherever possible and contaminated soils will be separated for assessment as outlined in P.6.1.2. Confirmation for treatment of contaminated soils is required because the proposals for aeration of contaminated soils in p.6.2.2 may be regarded as a waste treatment activity and will require compliance under Waste management Regulations. The methodology and assessment for aerated treatment will need to be agreed and managed by means of mobile treatment permit or compliance with Regulatory Position Statement 215

Condition 8 - Piling

Whilst the concept of the DQRA establishes risk utilising a 50m compliance point with the River Ehen being modelled as primary receptor, it is important to note risk to underlying groundwater in the bedrock of Frizington Limestone aquifer has not been reviewed. This concept drives the assessment and mitigation for piled foundations. The risk piling risk assessment accepts the potential for creation of vertical pathways and presence of hydrocarbons.

The measures to verify foundations do not cause preferential pathways and exacerbation of pollution to groundwater are noted in the summary. Such validation is acceptable, but it is dependent on the status of the monitoring infrastructure for sampling and testing during and post construction. There is no information on the depth of piles and therefore it is not possible to determine if monitoring boreholes are deep enough, representative of impacted groundwater and are fit for purpose.

Plugging the vertical columns is recommended within the report. This proposal is supported by EA and should be regarded as an essential component to mitigate and prevent any risk. The plugging proposal should integrate the proposal for injection of cement grout as an acceptable mitigation measure.

Confirmation for implementation of these additional measures should allow satisfactory discharge of the condition.

Yours faithfully

Hui Zhang
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