

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

**Our ref:** NO/2024/116363/02-L01  
**Your ref:** 4/24/2336/DOC  
**Date:** 5 November 2024

Dear Ms Burns

**DISCHARGE OF CONDITIONS 9, 10 AND 21 OF PLANNING APPLICATION  
4/23/2076/001.**

**LAND OFF DALZELL STREET, MOOR ROW, EGREMONT**

Thank you for re-consulting us on the above application, received 21 October 2024.

In our previous response referenced NO/2024/116363/01-L01 and dated 17 October 2024, we were unable to recommend the discharge of condition 9 (contamination assessment), as it could not be demonstrated that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

We have reviewed the additional information provided by the agent and received by email.

**Environment Agency position**

Further to our previous response referenced NO/2024/116363/01-L01 and dated 17 October, we wish to make the following additional comments:-

The remedial proposals outlined required to discharge condition 9 do not address risk to water quality, the reasons for which were outlined in our previous response, referenced above.

An acceptable risk assessment requires evidence-based findings from ground investigations. Reliance on natural attenuation can be acceptable if the risk can be quantified with modelling, but there is insufficient data to determine the risk without the essential groundwater quality or soil leaching samples. This follows the Remedial

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)

Cont/d..

Targets Methodology.

The site is adjacent to the River Keekle and overlies a secondary and principal aquifer. In the absence of any data regarding soluble contamination, the remediation proposals outlined are unacceptable, and we are unable to recommend the discharge of condition 9.

In order to discharge this condition, please refer to the points raised in our previous response.

Yours sincerely,

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

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