

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

Our ref: NO/2023/115045/02-L02
Your ref: 4/23/2011/0F1
Date: 10 May 2023

Dear Sir/Madam

ADDITIONAL INFORMATION | CONSTRUCTION OF NEW COMMERCIAL UNIT (UNIT E2); FORMER KANGOL FACTORY, CLEATOR MILLS, CLEATOR

Thank you for re-consulting us on the above application on 19 April 2023, following submission of additional information.

Environment Agency position

In our letter referenced NO/2023/115045/01-L01 and dated 15 February 2023, we objected to the development as proposed pending the submission of an acceptable and updated Flood Risk Assessment (FRA).

We are now consulted on amended details including an updated FRA and surface water drainage strategy. While we acknowledge the amendments made, we have to point out that the document was prepared principally for application 4-22-2364-0F1 (unit G) and any revisions are deemed specific to that particular proposed development.

We therefore maintain our objection to the development as proposed.

We do not consider it appropriate or satisfactory that an FRA referring specifically and in detail to one aspect of the development (unit G), is used in support of other distinct applications of difference size, layout and end uses. The planning statement letter referenced :1701C/D/CS and dated 14 April 2023, does not qualify as a satisfactory FRA addendum to support other aspects of the development in this case E2.

While it is acceptable to refer to an FRA that presents the baseline flood risks to the site as a whole. But as a minimum there should be specific addendums referencing the developments (E2 and K) for which they relate. This should include any relevant and specific conclusions and recommendations for the particular development proposed.

Environment Agency
Ghyll Mount (Gillan Way) Penrith 40 Business Park, Penrith, Cumbria, CA11 9BP.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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This should refer to development specific flood risks and the details of any proposed mitigation.

Land contamination

The master plan ground investigation from 2013 requires to be updated for this development. Soil leaching tests were undertaken in lieu of groundwater sampling, but there is no assessment of risk for Controlled Waters in section 4.4 "*assessment of gas, vapour and groundwater contaminants*". Reference to metals contaminants not exceeding Environmental Quality Standards is noted in a different section and the conceptual site model.

The report, referenced EEE13-061 and dated 17 September 2013 is generic to the industrial site and not specific to the individual plot which requires its own site specific ground investigation and risk assessment. Detailed ground investigation is required for the plot and soakaway.

There should be no development excavations until ground investigation and risk assessment are completed and any necessary remediation undertaken and verified, in agreement with the Planning Authority. These measures are required to ensure drainage does not discharge into land affected by soluble organic and inorganic contaminants and cause or exacerbate detriment to groundwater quality.

It is noted, the cellular soakaway proposals are sited under the haulage yard. An oil interceptor system should be integrated into any soakaway system where there is a high risk of hydrocarbon contaminants

Yours faithfully

Mr Jeremy Pickup (on behalf of Hui Zhang)
Planning Advisor - Sustainable Places

E-mail clplanning@environment-agency.gov.uk