

Cumberland Council - Development  
Management  
Market Place, Whitehaven, CA28 7JG

Reference: PA-0003686/01  
Customer reference: 4/26/2132/0F1  
15 May 2026

**FULL PLANNING PERMISSION FOR THE ERECTION OF A NEW BUILDING PRIMARILY FOR GENERAL INDUSTRIAL, OFFICE AND RESEARCH AND DEVELOPMENT (E(G)(I), (II) & (III)), INCLUDING ASSOCIATED CAR PARKING, HARD AND SOFT LANDSCAPING, ASSOCIATED INFRASTRUCTURE AND BIODIVERSITY ENHANCEMENTS**

**Leconfield Industrial Estate Cleator Moor CA25 5QB**

Dear Planning Officer,

Thank you for contacting us.

This is our response to your consultation 4/26/2132/0F1.

**Environment Agency position**

We have no objection to the application, subject to the inclusion of conditions set out below.

**Land contamination**

The current or previous use(s) of the development site suggest that the land may be affected by contamination. Land contamination can harm human health, soils, ecosystems, property, drinking waters supplies, groundwater and surface water.

Land contamination is a material planning consideration. The planning decision should ensure that the site is suitable for its proposed use, considering any risks from contamination and any proposed land remediation. The planning application should therefore be supported by adequate site investigation information, prepared by a competent person. After remediation is carried out, as a minimum, the land should not be capable of being determined as contaminated land under [Part IIA of the Environmental Protection Act 1990](#). This approach is supported by paragraph 196 of the National Planning Policy Framework.

The current or previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A

The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.

Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

### **Condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

### **Reason**

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 187 and 196 of the National Planning Policy Framework.

### **Informative**

Where a site is affected by contamination responsibility for securing a safe development rests with the developer and/or landowner. Developers should:

- Follow the risk management framework provided in [Land Contamination: Risk Management](#), when dealing with land affected by contamination
- 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
- Refer to the [contaminated land](#) pages on gov.uk for more information

If you have any questions regarding our response, please contact [clplanning@environment-agency.gov.uk](mailto:clplanning@environment-agency.gov.uk).

Yours sincerely,

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