

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

**Our ref:** NO/2024/116163/02-L01  
**Your ref:** 4/24/2159/DOC  
**Date:** 16 July 2024

Dear Sir/Madam

**DISCHARGE OF CONDITIONS 3, 4, 5, 6, 7, 8 AND 13 OF PLANNING APPLICATION  
4/22/2364/0F1.**

**FORMER CLEATOR MILLS SITE, CLEATOR**

Thank you for re-consulting us on the above discharge of conditions application, received 5 July 2024.

In our previous response letter referenced NO/2024/116163/01-L01 and dated 3 July 2024, we were unable to recommend the full discharge of condition 8 (land contamination) as it could not be demonstrated that the development does not pose an unacceptable risk to water quality.

We have now received and reviewed the following additional documents:

- Report titled 'Supplementary Ground Investigation and Remediation Strategy', prepared by GEO Environmental Engineering (referenced: GEO2024-6332; dated: 23.05.2024)
- Report titled 'Contamination Validation Report', prepared by Geo Environmental Engineering (referenced: GEO2024-6332; dated: 19.06.2024)

**Environment Agency position**

We are unable to recommend the full discharge of condition 8 and we wish to make the following comments:-

The supporting documents do not address the issues outlined in our previous consultation responses regarding the need for evidence-based sampling of soils and leachates, to ensure the development does not pose unacceptable risk to water quality.

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)

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It is recognised that reducing site levels to allow the formation of a concrete and packed gravel perimeter may render acceptable remediation for human health, but the Environment Agency can only comment of risk to water quality.

To ensure confidence that the development does not pose an unacceptable risk to water quality, verification is required in the form of either;

- a) laboratory analysis of soils to assess contaminant leaching potential, or;
- b) confirmation that potential contamination identified in previous reports was excavated and removed off site during ground works.

Without the verification of either of the above, we are unable to recommend the complete discharge of condition 8.

Yours faithfully,

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

Direct e-mail [clplanning@environment-agency.gov.uk](mailto:clplanning@environment-agency.gov.uk)