

## Oliver Hoban

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**From:** Christie Burns  
**Sent:** 13 June 2023 10:54  
**To:** Development Control  
**Subject:** FW: 4/23/2125/0F1 - LAND NORTH OF KING STREET, MILLOM

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**From:** David Bechelli [REDACTED]  
**Sent:** Friday, June 9, 2023 12:07 PM  
**To:** Christie Burns [REDACTED]  
**Subject:** 4/23/2125/0F1 - LAND NORTH OF KING STREET, MILLOM

Hi Christie,

Please see my comments in [blue](#) below:

**It states that Environment Agency have confirmed that the site is protected by flood defences managed by Copeland Borough Council. This source of this needs to be checked. Whilst the former railway embankment on Copeland land acts as a flood defence, it is not a designated flood defence and is not managed as one.**

As per Section 3.4 of the FRA these are the coastal flood defences, not the railway embankment. The Environment Agency has provided this information and can be contacted directly if more information is required by the Council. [Based on the maps within the appendix of the FRA, the coastal flood defences show are along Millom Marshes and therefore do not protect the site, so I can't understand why the FRA states they do. The Environment Agency correspondence does not states as far as I can see that these are managed by Copeland Borough Council. These defences are not Council owned, but are minimally maintained by the Environment](#)

Agency. If they were Council owned, I should know, as I would be responsible for maintaining them! The flood modelling shows the protection afforded to the site is from the former railway embankment not a flood defence. This former railway embankment is mainly Copeland owned, but is not maintained as a flood defence and has not been designated as one.

**It is stated that considerable investment has been made in the provision of flood defences to protect the area. Can this be explained, as I am not aware of any investment.**

Again, this is the coastal flood defences. Again I cannot see where this is stated within the Environment Agency correspondence. Based on correspondence from other Planning Applications the flood embankment at Millom Marshes was built in the 1960s, which I would not describe as considerable investment. Whilst considerable investment is allocated for reduction of flood risk in Millom and Haverigg, work has yet to start.

**A climate change allowance of 40% has been mentioned, when it is now 50% for this region.**

Noted, and has been amended within the FRA. I'm happy with this.

**It doesn't actually state how surface water will be disposed of.**

Soakaways are proposed with a last resort of discharge to the public sewers. For the nearby 93 Market Square planning application, the use of soakaways has been conditioned by the Council. A similar approach could be used for this planning application. This goes back to a general point I keep making about the use of the combined sewer as a means of surface water disposal, in terms of an accumulative effect from numerous minor developments, until such a time that the current flood risk is reduced.

**Other than greenfield run off rates, there are no calculations, or the surface water generated by the development.**

Can be conditioned as per the nearby 93 Market Square planning application. This would be acceptable as a condition, if I was content with the proposed development.

**It is suggested that water butts are used as a form of attenuation. How will this work in reality if they are full and the residents are away from the property?**

Water butts are proposed to provide betterment, over and above the soakaways, if they are full an overflow could be used, if required. Can be conditioned as per the nearby 93 Market Square planning application. I agree that water butts are a betterment, but this doesn't really address my concerns.

**It is suggested that infiltration devices such as soakaways are used, yet no percolation testing has been undertaken to determine permeability and the width of the garden is such that any soakaway could not comply with Building Regulations.**

Can be conditioned as per the nearby 93 Market Square planning application. This doesn't address the issue, with Building Regulations compliance.

**It is stated that in an exceedance event that the property will be free of flooding, but the argument about storage in the drainage system is not convincing. There isn't even any drainage show.**

I would disagree and state that this section shows that the proposed house and third party properties would not be affected by exceedance events. If further information is this can be conditioned as per the nearby 93 Market Square planning application. This cannot be demonstrated. An exceedance event is an exceedance event, in terms of an event that exceeds design parameters, or there is a failure in the drainage system, so how can there be storage in a system that is overwhelmed?. There are no calculation at present to determine what this would

be. The exceedance mitigation would be the routing of exceedance flood water not flooding properties.

**It is stated that Exception Test has been satisfied, but this is really a LPA matter to determine, rather than a FRA matter in my opinion.**

It may be for the LPA to determine if the Exception Test has been passed but it is standard for this information to be presented within an FRA. Applications for 'more vulnerable' uses located within Flood Zones 1 and 2 are not subject to the Exception Test as confirmed within Table 2 of the FRA and Table 3 of the PPG. Therefore, the Exception Test will not need to be undertaken as part of this planning application. [No need to comment on this.](#)

The issue regarding the points about the Environment Agency information in reality does not materially affect the proposed development, but seriously questions how flood risk information is being used and interpreted.

Again, I will relate my usual comment, not specific to this proposed development:

Until work is undertaken to reduce the flood risk to Millom from surface water and sewer flooding, no development should be undertaken that increase the flood risk. Realistically it will be a number of years before this happens, if at all. Where a small development itself may not be identified as being at flood risk and the additional surface water created by the development may be very small, it is the accumulative effect of such developments that poses a risk. Consequently, until to flood risk to Millom from surface water and sewer flooding is reduced, all developments that will contribute to an increase in flooding should be refused.

Regards

Dave

**David Bechelli**

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