

Oliver Hoban

From: Carpenter, Rachel
Sent: 10 August 2023 12:01
To: Development Control
Subject: Natural England Response 438637 Amendment and updated HRA for FORMER CLEATOR MILLS SITE, CLEATOR (Cumberland/Copeland) 4/22/2364/0F1

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Dear Oli,

Thank you for consulting Natural England on this application. The development is in close proximity to the River Ehen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

Natural England have reviewed the submitted Habitats Regulations Assessment (HRA) and provide the following comments:

The proposal sits within Flood Risk Zone 2 and 3, which poses a serious risk to the long-term durability of the site. Natural England advises that the flood banks should be assessed as to whether it will provide appropriate long term flood management for the reconstruction of the proposed warehouses. The reinforcement of the flood banks, if needed, would disrupt the natural functioning of the River Ehen and reduce the structural integrity of the existing flood bank. The hydrological impacts of reinforcing foodbanks along the River Ehen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) would require additional planning applications. Natural England notes that there would be concern for the reinforcement of flood defences in this location of the SAC.

As the works will be taking place adjacent to the River Ehen SAC a Construction Environmental Management Plan (CEMP) must be secured through Condition to detail the pollution prevention measures that will be implemented during the works. The application will also require a permit from the Environment Agency (EA) to be obtained for the use of glyphosate.

The potential for introduction and/or spread of invasive non-native species poses a risk during construction and operational phases for development proposals adjacent to the watercourses. Natural England advice the check-clean-dry procedure should be incorporated into the method statement and be strictly adhered to prevent the introduction and spread of non-native invasive species.

A 10m buffer strip from the river must be adhered to during all construction activities to prevent any sediment and pollution in surface water run-off from reaching the SAC. All materials and equipment must be stored outside the buffer strip. Natural England advises a 10m buffer strip from the river in which herbicides are not to be used and the land managed for nature to reduce the hydrological impacts on the River Ehen SSSI and SAC.

Yours Sincerely,

Rachel Carpenter

Sustainable Development Lead Advisor
Cumbria Area Team, Natural England

Natural England
www.gov.uk/natural-england