

From: [NWNorthPlanning](#)
To: [A585 Windy Harbour to Skippool](#)
Cc: [Owen, Dolores](#)
Subject: ENVIRONMENT AGENCY – RESPONSE TO EXQ1
Date: 17 May 2019 16:03:30
Attachments: [NO-2019-111679-01-L01.pdf](#)

Good afternoon,

Please find attached Environment Agency response to the Examining Authority's Written Questions in relation to the A585 Windy Harbour to Skippool Improvement Scheme

Best regards,

Alex

Alexander Hazel

Planning Advisor | Sustainable Places – Cumbria and Lancashire

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Mr Garath Symons
The Planning Inspectorate
Temple Quay House (2 The Square)
Temple Quay
Bristol
BS1 6PN

Our ref: NO/2019/111679/01-L01
Your ref: TR010035
Date: 17 May 2019

[Sent via email: A585WindyharbourtoSkippool@planninginspectorate.gov.uk]

Dear Mr Symons

**APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE A585 WINDY HARBOUR TO SKIPPOOL
IMPROVEMENT SCHEME**

**THE EXAMINING AUTHORITY'S WRITTEN QUESTIONS AND REQUESTS FOR
INFORMATION (EXQ1)**

The Environment Agency has the following advice to give in relation to the publication of EXQ1, as part of the Rule 8 Letter on 16 April 2019. Our response below only provides an answer to the question which has been directed to us. We have chosen to respond by letter rather than tabulated format, as advised in your letter.

The following question has been directed to the Environment Agency (and the Applicant).

Question 1.7.2 (page 26): Compensatory Storage Areas

Can the Applicant submit detailed design proposals for compensatory storage areas, and can the Environment Agency confirm that this will function as intended and satisfy the Environmental Permitting Regulations?

Environment Agency answer:

It is our understanding that this information will not be presented as part of the Development Consent Order (DCO) examination, as the Applicant has confirmed that proposed temporary compensatory storage areas, will be subject to detailed design currently outside the scope of the DCO application.

The Applicant's consultant, Arcadis, has provided to us their revised Flood Risk Assessment (FRA), application document reference TR010035/APP/5.2 (Rev 1, dated

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May 2019), to review through our charged planning advice service prior to submission as part of the DCO application. The FRA confirms that floodplain compensation areas should be undertaken and will need to adhere to a number of prescriptive requirements. The requirements are listed in section 11.1.3 on page 52 of the FRA. These requirements reflect our precautionary recommendations to the developer, ensuring that we do not agree to something at this stage, that we may later not be able to issue a permit for.

While in principal we consider that the compensatory storage areas could be designed to function as intended, we do not yet know if this can be done while adhering strictly to requirements identified. However, we are receptive to further discussion on design details. For example, it may be necessary to temporarily reduce the existing bank level of the right bank of Main Dyke (Skeppol Creek), subject to agreement with us as it is designated a main river.

We will be requesting a Requirement to be included in the DCO in relation to the submission of details confirming the proposed design, function, construction and decommissioning of the temporary compensatory flood storage area. This will be subject to further discussion with the Applicant/Arcadis.

If you have any questions or require any clarification on the above, please do not hesitate to contact me.

Yours sincerely

Mr Alex Hazel
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