

Mr Callan Powers
Wiltshire Council
Development Control North
Monkton Park Offices Monkton Park
Chippenham
Wiltshire
SN15 1ER

Our ref: WX/2025/138811/02-L01
Your ref: PL/2023/10331

Date: 28 July 2025

Dear Mr Powers

**OUTLINE APPLICATION (WITH ALL MATTERS EXCEPT ACCESS RESERVED)
FOR UP TO 49 DWELLINGS AND ASSOCIATED WORKS AND PROVISION OF A
CEMETERY TOGETHER WITH ACCESS AND ASSOCIATED WORKS**

LAND SOUTH OF THE FORTY AND NORTH OF CHELWORTH ROAD, CRICKLADE

Thank you for re-consulting the Environment Agency on the above application.

Environment Agency Position

Following a review of the revised information submitted, we can **remove our objection** subject to the following conditions being included with any planning permission granted and our advice being considered.

For ease, we are providing conditions on the following elements:

- Double-depth burials
- Environmental protection measures for burials
- Decommission of investigative boreholes
- Previously unidentified contamination
- Surface water quality
- Water efficiency
- Pollution prevention
- Dewatering

Groundwater

Section 4.6 of the Tier 2 Groundwater Risk Assessment Report by The CDS Group (Dated: 15 November 2024, Ref: CDS-Cricklade-23rev2) identifies that significant seepage was observed at boreholes WS01 and WS03 for most of the monitoring period from October 2023 to July 2024. Groundwater had to be pumped out in order to measure actual water levels, suggesting persistent seepage issues. However, the locations of these boreholes and the elevations at which water levels were recorded are not clearly related to the proposed burial site. To enable a clear understanding of groundwater conditions at the burial location, the borehole data should be presented in both a figure and a corresponding table, showing spatial relation and elevation.

Burials must not be undertaken directly into groundwater. While the site is located upon unproductive bedrock, there must not be a continuous inflow of water into the grave.

Environment Agency, Rivers House East Quay, Bridgwater, Somerset, TA6 4YS. Customer services line: 03708 506 506 www.gov.uk/environment-agency

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This refers to ongoing water ingress (e.g. from surrounding soil or subsurface movement), not just static water from past rainfall.

We note the proposed burial depth for a double grave is estimated at 1.8m–2.0m below ground level (bgl). However, based on current groundwater monitoring, WS01 and WS03 have not produced sufficient or reliable data. Furthermore, WS02 recorded a water level at 2.35m bgl, which does not comply with the requirement for a minimum clearance of 1m between the base of a grave and the top of the water table.

The drainage strategy for a proposed development to the southeast of the site reports three trial pits excavated to depths between 1.45m and 1.90m bgl. Soakaway testing in these pits demonstrated low permeability, and groundwater seepage was encountered at 0.80m bgl, aligning with observed conditions in WS01 and WS03.

Further information is required to determine the suitability of double-depth burials. The presence of perched water and additional contributing factors (e.g. rainwater infiltration, inter-grave seepage) may necessitate pumping to maintain dry conditions. Where pumping is proposed, the management and disposal of grey water must be addressed in detail in a Tier 1 Risk Assessment, to avoid potential risks to human health and groundwater quality.

Condition – Double-depth burial

As part of any reserved matters application which includes proposed double-depth burials, no development shall commence until detailed information demonstrating its suitability is submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- Proposed grave construction methods and materials.
- Tier 1 Risk Assessment addressing potential impacts on groundwater and nearby field drains.

The development shall be carried out in accordance with the approved details.

Reason

To ensure that double-depth burials do not pose a risk to groundwater quality and to allow for appropriate mitigation measures to be considered at the detailed design stage.

Condition – Environmental protection measures for burials

All burials within the cemetery shall comply with the following environmental protection measures to safeguard groundwater and surface water quality:

1. No burial shall take place within 10 metres of any field drain, including:
 - Ditches or open land drains that receive surface water run-off.
 - Buried pipes or gravel-filled channels used to drain surface water from fields.
2. The base of each grave shall be located at least 1 metre above the highest anticipated annual groundwater level, as determined by a site-specific hydrogeological assessment.

Reason

To protect the quality of controlled waters in line with paragraph 187 of the National Planning Policy Framework.

Decommission of investigative boreholes

The submitted planning application indicates that boreholes need to be installed at the development site to investigate groundwater resources/carry out soakage tests. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is located upon a Source Protection Zone 3 and shallow groundwater encountered at site.

Condition – Decommission of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 187 of the National Planning Policy Framework and Position Statement A8 - Building and decommissioning of structures of [‘The Environment Agency’s approach to groundwater protection’](#).

Contaminated Land

Condition – Previously unidentified contamination

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 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 paragraph 187 of the National Planning Policy Framework.

Surface Water Quality

Condition – Surface water quality

No development approved by this permission or as part of any residential reserved matters application shall commence until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the design, implementation, maintenance, and management of the

sustainable drainage system. The development shall be carried out in full accordance with the approved strategy.

Reason

To ensure that the development does not increase the risk of flooding, protects water quality, and promotes sustainable drainage, in accordance with the National Planning Policy Framework and relevant local planning policies.

Water Efficiency

The incorporation of water efficiency measures into this scheme will:

- contribute to climate change resilience.
- reduce abstraction pressure on water resources and riverine ecosystems.
- reduce the pressure on sewage infrastructure and treatment systems.
- benefit future residents by reducing water bills.
- potentially enables more growth with the same water resources
- allow developers to highlight positive corporate social responsibility messages to help sell their homes.

We recommend the following condition which has been supported by the Planning Inspectorate and are an important part of addressing the widely recognised climate emergency.

Condition – Water efficiency

As part of any residential reserved matters application, a scheme for water efficiency must be submitted to and approved in writing by the Local Planning Authority. The scheme will demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

Reason

This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments also enables more growth with the same water resources.

Pollution prevention during construction

We advise that appropriate pollution prevention methods are to be implemented to prevent toxic substances affecting the natural environment and entering a watercourse.

Condition – Pollution prevention

No development approved by this permission or as part of any reserved matters application shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason

To prevent pollution of the water environment in line with the National Planning Policy Framework.

Note on condition

The submitted CEMP must include safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes
- how silt generated from the development will be managed
- Detail on protected species mitigation and biosecurity measures

Dewatering

Where groundwater is encountered, an appropriate dewatering strategy must be submitted. If the proposed abstraction volume exceeds the exemption threshold, the requirement for an abstraction licence will be required. The purpose of the below condition is to address dewatering that is not subject to an abstraction licence.

Condition – dewatering

If, during development, dewatering is required, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a dewatering strategy has been submitted to, and approved in writing by, the local planning authority. The dewatering strategy shall be implemented as approved.

Reason

To protect the quality of controlled waters in line with paragraph 187 of the National Planning Policy Framework.

Advice to applicant – Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 state that permitted sites should not harm human health or pollute the environment. The operator is therefore required to have measures in place which will:

- prevent pollution
- ensure that there is no harm to human health, the quality of the environment, or the surrounding amenity
- ensure that there is no offence to a human sense or damage to material property

We would likely reject any permit application which did not include this information.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.

More information is available on gov.uk: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Note to LPA

In accordance with the planning practice guidance, please notify us by email of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me.

Yours sincerely

Mr Harry Hembury
Sustainable Places - Planning Advisor

Direct dial 02030 252016

Direct e-mail wx.sp@environment-agency.gov.uk