

Our Ref: C00533  
Planning Portal Reference: PP-14434641

Wiltshire Council  
Monkton Park Offices,  
Monkton Hill,  
Chippenham  
SN15 1ER

12<sup>th</sup> November 2025

Dear Sir/Madam,

**Continuous Water Quality Monitoring Equipment Installation  
Application for Certificate of Lawful Development, Land South of A36, Langford Lakes  
Nature Reserve**

Following consultation at strategic meetings with Development Managers, Kenny Green and Richard Hughes, we are submitting this application for a Certificate of Lawful Development.

***Background***

Over the next 10 years, Wessex Water Services Ltd (WW) will be legally required by S.82 of the Environment Act 2021 to install a significant number (approx. 2,000) of continuous water quality monitoring (CWQM) stations in rivers and ordinary watercourses to continuously monitor water quality up and downstream of storm overflows and final effluent discharges. These installations, their locations and programmed timescales are also a regulatory output mandated and supported by the Environment Agency through the Water Industry National Environment Plan (WINEP).

Over the past 18 months, WW has carried out a trial of the programme and installed a number of these CWQM stations in Wiltshire and BANES. The trial results have helped us to design our programme of monitors over the next 10 years. There are several designs of different CWQM stations which have formed part of the trial; the most suitable monitor for each location is dependent on location, access, flood risks, south facing aspect, water and bank conditions.

***Defra guidance***

Defra's guidance on the Continuous Water Quality programme, Aug. 2023, (attached) states that the Water Industry Act 1991 ('The Act'), S. 141DB, will 'require sewerage undertakers wholly or mainly to continuously monitor the quality of the receiving water upstream and downstream of their assets. This will allow sewerage undertakers to assess the impact of discharges from their assets on the receiving watercourse'.

The location of the monitors is restricted by the Defra guidance – 'Where discharge outlets are within 1 kilometre (0.62 miles) of one another they may be clustered and monitored by one pair of monitors. Sewerage undertakers must make all reasonable efforts to place downstream monitors at the ideal point for monitoring, at the point of cross-sectional mixing. If this is not possible, then the monitor must be placed at the first suitable point downstream on the

watercourse, not more than 500m (0.31 miles) downstream from the point of cross-sectional mixing'. This means that monitors are located upstream and downstream of existing outfalls.

***The site and proposed scheme***

Wessex Water has installed a "Solar Post" - a post housing telemetry equipment and a solar panel, on the south bank of the River Wylfe, which is linked to a stilling tube within the river Wylfe. A separate application for Certificate of Lawful Development for the stilling tube has been submitted, alongside this application. The solar/telemetry post is located downstream of an existing storm overflow and linked via underground ducting to the stilling tube within the river, as shown on enclosed Drg. No. C00533-ENV-LAL-01. The site location is shown in Drg. No. C00533-ENV-LAL-01.

A photo of the installation is shown below. The site is owned by the Wiltshire Wildlife Trust who have been consulted on the design and location of the installation in order to minimise visual and environmental impacts. The telemetry equipment needs to be raised on a post in this location due to the fact that the site lies within flood zone 3, and floods frequently. The raised design protects the equipment from flooding, compared to that of a typical control panel house (kiosk).

Solar/Telemetry Post Installation



Solar/Telemetry Post Location



### **Environmental procedures**

As part of our procedures, a qualified ecologist has surveyed this site before final site selection was made to identify potential ecological constraints e.g. presence of protected species including water vole, and invasive species.

A method statement was produced to guide the installation to minimise environmental impacts and included a pre-installation check for water vole and precautionary measures were taken during vegetation clearance to ensure that any reptiles and amphibians were protected.

### **Case for permitted development – control panel house**

We consider that the solar/telemetry post is a control panel house raised on a pole, and therefore is permitted development (PD) under The GPDO Schedule 2, Part 13, Class B (d), 'the installation in a sewerage system of a ... control panel house' for the following reasons:

As required by the Act, sondes are located either side of an existing storm overflow and the kiosk / solar post holds the telemetry to collect and transfer the data on the water quality within the mixing zone of the outfall. The monitors and solar post are therefore part of the sewerage system and as set out above, The Act requires sewerage undertakers wholly or mainly to continuously monitor the quality of the receiving water upstream and downstream of their assets in order to assess the impact of discharges from their assets on the receiving watercourse'.

The limiting condition on this PD right is that the control panel house must not exceed 29m<sup>3</sup> in capacity – the capacity here will be less 2m<sup>3</sup>. We have precedent for certificates of lawful development confirming that 'kiosks' containing operational equipment relating to our statutory sewerage undertaking are permitted development under this provision and we see this as another example.

### **Conclusion**

Our view is that the solar/telemetry post is permitted development under Schedule 2 Part 13, Class B (d), 'the installation in a sewerage system of a pumping station, valve house, control panel house or switch-gear house'.

We therefore welcome issue of a Certificate of Lawfulness for the development as set out above.

If you require any further information, please do not hesitate to contact me. I look forward to hearing from you.

Yours faithfully,

Maddie Clay  
Assistant Environment and Planning Advisor  
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Enc.  
Application Form  
Fee  
Defra Guidance, August 2023  
Location Plan: C00533-ENV-LAL-01  
Notice to Landowner