

Steve Sims
Wiltshire Council
Development Control
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Our ref: WX/2026/139589/01-L01
Your ref: PL/2025/10007

Date: 30 January 2026

Dear Steve

**OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 77
DWELLINGS, PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE URBAN
DRAINAGE SYSTEM, WITH VEHICULAR ACCESS OFF ASHLEY COOMBE. ALL
MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS**

LAND OFF ASHLEY COOMBE, WARMINSTER

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

Environment Agency Position

We have **no objection** to the above application subject to the inclusion of the following conditions and informatives being included in any grant of planning permission. However, we do have significant concerns that odour will be a nuisance for future residents which you as the LPA will need to consider.

Reason

The proposed development is within 250 metres of an anaerobic digestion (AD) plant, in the prevailing wind direction. This site holds an Installation Permit under the Environmental Permitting Regulations and previously operated under a Waste Operation Permit since 2012. There has been a history of complaints made to the Environment Agency about odour from this permitted site. We have received 182 complaints during the previous three years, 66 of which were during 2025.

We note that the submitted odour assessment does not refer to any odour complaints received by the Environment Agency.

New development within 250 metres of an anaerobic digestion activity could result in the nearby community being exposed to impacts including odour emissions. The severity of these impacts will depend on the size of the facility, the way it is operated and managed, the nature of the waste it takes and the prevailing weather conditions.

The National Planning policy requirements (paragraph 200 of the National Planning Policy Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing anaerobic digestion facility could have significant adverse effects on new development (including changes of use), the applicant should be required to provide

suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to odour from the neighbouring anaerobic digestion facility and/or through financial contributions to the operator of the facility to support measures that minimise impacts.

Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. This is unlikely to eliminate all emissions and there are likely to be residual impacts. In some cases, these residual impacts may cause concern for residents. There are limits to the measures that the operator can take to prevent impacts to residents. Consequently, it is important that planning decisions take full account of paragraph 200 of the NPPF.

When a new development is built near to an existing anaerobic digestion activity this does not automatically trigger a review of the Permit. An environmental permit regulates certain on-site activities, and this does not include anything beyond the remit of environmental permitting, e.g., proposed change in land-use or issues related to traffic etc. If residents need to report pollution from the site, they can do so by calling us on 0800 807060. However, if the site is found to be compliant and taking all appropriate measures, then we would not be able to take further regulatory action against them unless we considered that there is serious pollution being caused.

Whilst we do not object to the proposed residential development the LPA should note that its odour impacts cannot be completely mitigated. Therefore, please see below our requested conditions;

Pollution Prevention

Condition 1 - Construction Environmental Management Plan

As part of any reserve matter application or subsequent phase a Construction Environmental Management Plan (CEMP), incorporating pollution prevention measures, shall be submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The CEMP shall include the following;

- a scheme to treat and remove suspended solids from surface water run-off during construction.
- wheel washing facilities and appropriate disposal of effluent.
- the use and routing of heavy plant, vehicles, and machinery.
- oils/chemicals and materials storage including refueling.
- the location and pollution prevention for storage areas and compounds
- the control, storage and removal of spoil and waste.

Reason

To prevent pollution of the water environment in line with paragraph 187 of the National Planning Policy Framework.

INFORMATIVE – Permit to discharge

A permit to discharge (Environmental Permit) will be required if the construction period is greater than 3 months and the discharge is to surface waters. Any discharge will be governed by strict limits on suspended solids, pH, and if flocculants are used, an iron or aluminium limit.

Foul Drainage

Condition 2 - Foul Drainage

As part of any reserve matter application, or subsequent phase a foul drainage scheme showing connection to the mains foul sewer network shall be submitted to, and approved in writing by, the LPA. The scheme 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 in line with paragraph 187 of the NPPF.

Note to LPA/Applicant - Foul Drainage

We note that the application is proposed to connect to main foul drainage, the LPA and the applicant should determine whether there is sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of quantity and quality of water associated with this proposed development within environmental limits of the receiving waterbody. This should also be the case for water supply.

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.

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

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

Condition 3 – Water Efficiency

As part of any reserve matter application, or subsequent phase a scheme for water efficiency shall 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.

Note to LPA

If the LPA ensures that any submitted water efficiency scheme meets the standards given above the Environment Agency do not need to be consulted on the discharging of the above condition.

Informative - Water Efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate water efficiency scheme must include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

Informative - Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Note to LPA

Please notify us by email within two weeks 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.

Yours sincerely

Lindsay Fello
Sustainable Places - Planning Advisor

Email wx.sp@environment-agency.gov.uk
Phone 020 3025 1229