

Verity Giles-Franklin
Wiltshire Council
Development Control
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Our ref: WX/2026/139658/01-L01
Your ref: PL/2025/08865

Date: 25 February 2026

Dear Verity,

RESIDENTIAL DEVELOPMENT (UP TO THREE DWELLINGS)

LAND EAST OF 3 LOWER MARSH ROAD, WARMINSTER

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

Environment Agency Position

We have **no objection** to the proposal provided the following **4 conditions and informative** are included in any planning permission granted and that the LPA are satisfied that the Sequential Test has been passed (if required).

Flood Risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

The levels given in the FRA ((ref: 536FRAV3/Urban water/JULY2025) are incorrect however we are satisfied that the following conditions will mitigate this.

Condition 1 – Finished floor levels

Finished floor levels of the residential development shall be set no lower than **110.93 metres above Ordnance Datum (AOD)**. This shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants

Condition 2 – No development in Flood zone 2 and 3

There shall be no built development located on ground below the level 110.33m AOD.

Reason

To reduce the risk of flooding to the proposed development and future occupants

Condition 3 – No ground raising

There shall be no ground raising on ground below the level of 110.33m AOD or within Flood zones 2 and 3.

Reason

To protect the floodplain from inappropriate development

Note to the LPA – Access and Egress

We do not provide comments on the suitability of a site in relation to access or egress, however it should be noted that the site is likely to experience access/egress constraints during flood events. The LPA should be aware of this when determining whether the site is suitable for development in this location.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and **undertake appropriate consultation with your emergency planners and the emergency services** to determine whether the proposals are safe in accordance with paragraph 181 of the NPPF and the guiding principles of the PPG.

Pollution prevention

The application form shows that foul drainage is currently unknown we therefore request the following condition and informative.

Condition 4 – Foul drainage scheme

As part of any reserve matter application, or subsequent phase a foul drainage scheme shall be submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason

To protect water environment from pollution

Informative – Foul drainage

The Building Regulations 2010 and Government Guidance contained within [the PPG for Water Supply, Wastewater and Water Quality](#) (paragraph 020 ID: 34-020-20140306) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Connection to a private sewer that drains to a public sewer
3. Package sewage treatment plant or septic tank
4. Cesspool

Foul drainage should be connected to the main sewer whenever it is feasible to do so. Where this is not possible, under the Environmental Permitting (England and Wales) Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to either comply with [General Binding Rules for Small Sewage Discharges](#) or comply with a permit issued by the Environment Agency,

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additional to any planning permission that may be required. This applies to any discharge to ground, inland freshwaters, coastal waters or relevant territorial waters. Further information about the permitting process can be found at [Septic tanks and sewage treatment plants: what you need to do](#).

Further advice is available at: [Septic tanks and treatment plants: permits and general binding rules](#)

Informative - Pollution prevention during construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- 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.

Please note, 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.

Note to LPA

Please consult us on the details submitted to your authority to discharge these conditions and on any subsequent amendments/alterations.

Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome. If you have any queries regarding our response please get in touch.

Yours sincerely

Ms Lindsay Ffello
Sustainable Places - Planning Advisor

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