

Wiltshire Council - Development Control
North
MONKTON PARK, CHIPPENHAM, SN15
1ER

Our ref: WX-2025-139455/02
Your ref: PL/2025/07551
05 May 2026

Dear Mr Jonathan James,

Revised reports contamination & fra Apr '26 - Development of Employment Land and Buildings (Class B8 and Office facilities)

Oxleaze Business Park, Greenhill, Royal Wootton Bassett

Thank you for consulting us on the above application.

Environment Agency Position

The previous use of the proposed development site as landfill and industrial site presents a high risk of contamination that could be mobilised during site works and construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A which is shallow and have potential to be in continuity with surface water.

The application's phase 1 and phase 2 reports demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA.

In light of the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1 – contaminated land

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of 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 and to ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Condition 2 – Verification report

Prior to each phase of development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling

and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3 – 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 LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. 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 NPPF.

Condition 4 – Decommissioning of investigative boreholes

The development hereby permitted may not commence until such time as 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 LPA. 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 shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the LPA. The scheme will need to include the following:

1. **Decommissioning Plan** to include intended programme/schedule of works and detailed method statement
2. **Borehole Retention Plan** to include location, security and protection measures
3. **Verification report** for the decommissioned boreholes to include records of:

- the reason for abandonment;
- groundwater level prior to decommissioning;
- any removal of casing or attempts to remove the casing;
- the depth, position and nature of backfill materials;
- problems encountered during decommissioning.

Reason: To ensure that redundant boreholes are safe and secure, and do not pose an unacceptable risk of groundwater pollution or loss of water supplies in line with paragraph 187 of the NPPF and Position Statement A8 - Building and decommissioning of structures of The Environment Agency's approach to groundwater protection

Condition 5 – Piling/foundation

The Piling/other foundation designs using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA.

The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning piling/other foundation designs works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason: To ensure that the proposed piling/other deep foundation design, does not harm groundwater resources in line with paragraph 187 of the NPPF and Position Statement N7, N9 and N11 of The Environment Agency's approach to groundwater protection.

Condition 6 – Drainage details

Prior to commencement of development a foul drainage feasibility assessment/scheme shall be submitted to and agreed by the Local Planning Authority, in writing. This assessment/scheme should consider connection to the public sewer network and included a final foul drainage scheme based on the results of the feasibility assessment. Once agreed this final foul drainage scheme shall be implemented as approved and be in operation before the occupation of the development.

Reason: To ensure that adequate drainage systems are in place to support the approved development and future growth.

Informatives

Informative 1 - Waste to be taken off-site

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a

hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Informative 2 – Waste on-site

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to the waste management page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

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

In accordance with the Planning Practice Guidance (Determining a planning application, paragraph 019), please notify us by email of a decision being made, or if the application is withdrawn.

Yours sincerely,

Briony Waterman, Planning Specialist, Wessex – Sustainable Places.
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