

Helena Carney
Wiltshire Council

Reference: WX-2025-139280/04
Customer reference: PL/2025/06176

04 June 2026

(Retrospective) permission for change of use from a lawned habitat area to an online pond.

Manor Farm, Allington, Devizes, SN10 3NN

Thank you for reconsulting the Environment Agency

Environment Agency position

Apologies that this wasn't brought to your attention earlier however after further reconsideration of the retrospective application we **maintain our objection** as this application involves an unacceptable impoundment method and provides no Water Environment Regulations (WER) assessment. This is an **'in-principle' objection**.

Reason

The River Gog is a protected habitat under the Salmon and Freshwater Fisheries Act 1975 (SAFFA). It is also a chalk headwater which feeds into the River Avon (Hampshire Avon) a chalk stream of importance to Salmonids and other migratory and resident species.

The development involves the use of a sluice to hold back (impound) the River Gog, this sluice could leave a depleted reach downstream that only receives flow when the sluice is overtopped.

It would also present a barrier to upstream species movement, particularly for salmonids and other species associated with chalk headwater systems (for example, lamprey, bullhead and eel. The headwaters of chalk streams are ecologically important due to the clear, cool spring water which creates stable habitats, that can support specialised plants, invertebrates and fish species found in few other freshwater ecosystems.

Despite its size, the channel is hydraulically connected to the wider chalk stream network, including the Hampshire Avon, and maintaining connectivity is therefore important.

The sluice is likely to create a head drop and act as a barrier to fish passage and also to sediment movement. Although it is designed to overtop above 0.9 m, smaller fish species would not be able to pass effectively under these conditions.

Note to applicant

An offline pond design would have been much less problematic. Such a design would still need to be fully assessed for flood risk, impoundment, WER, etc in the same way as any application would, but we would anticipate fewer issues with this type of design.

Informative – Impoundment Licence

Please note that the creation of an online pond requires an impoundment licence. Guidance can be found here;

[Apply for a water abstraction or impounding licence - GOV.UK](#)

As it stands it is unlikely that the proposed development would be granted an impoundment licence by the Environment Agency.

Note to LPA/Applicant - Land drainage and ordinary watercourse consent

The River Gogg is an ordinary watercourse. The proposed works may require a Land drainage and ordinary watercourse consent from the Lead Local Flood Authority (LLFA).

We therefore suggest that the LLFA are consulted on this application. We also ask that the applicant contacts the LLFA directly to determine if a land and ordinary watercourse consent is required.

Should you require any additional information, or have any queries regarding our response please get in touch.

Yours sincerely,

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