

Jemma Foster
Wiltshire Council

Reference: WX-2025-139536/02
LPA reference: PL/2025/09486

03 July 2026

**Reserved Matters - for scale, layout, access, appearance, landscaping
following outline planning consent 20/00379/OUT**

LAND SOUTH OF TROWBRIDGE, SOUTHWICK, TROWBRIDGE

Thank you for re-consulting us on the above application and providing the applicant's interpretation of the Planning Inspector's decision. We **object** to the application on culverting and flood risk grounds. Our objections are discussed in more detail below.

Note to LPA

We understand that procedural issues are for you as the LPA to determine, however we disagree with the applicant's interpretation of the inspector's decision. We have outlined our interpretation below for your consideration.

The original outline (20/00379/OUT) was '*Outline planning permission with all matter reserved except access....*' The bridge crossing is part of the access road and therefore we would question whether it is subject to a reserve matters application or a matter secured at outline.

In our opinion some elements of the bridge designs were specified in the decision to be unfixed, but others were fixed. The fact that this is specifically mentioned suggests that the bridge design was considered a matter secured at outline, but the inspector chose to specify areas of the design which remained unfixed. This would align with condition 11 (which secures design elements relevant to flood risk) and paragraphs 42, 45 and 47 (which specifies other areas that are unfixed). Other interpretations would mean that condition 11 and paragraphs 42, 45 and 47 are contradictory.

Regardless of whether the bridge designs are considered as part of the access or a reserved matter, condition 11 is very clear. It refers to specific bridge design drawings and explicitly secures the designs contained in the flood risk assessment (FRA) with respect to managing flood risk. Elsewhere in the decision reference may

be made to an unfixed design but we consider this is within the context of other planning considerations outside of flood risk.

If we are considering the context of paragraphs 42, 45 and 47, these are within the section on “*The effect of the proposal on the settings of designated heritage assets*” and therefore it would be reasonable to conclude that these relate to heritage. If these paragraphs indicate flexibility within the bridge design related to the elements that are material to managing flood risk and secured through condition 11, these would be contradictory to condition 11.

Paragraph 42 treats the Design and Access statement as illustrative, but we don’t consider this affects the clear requirements of condition 11.

Paragraph 45 does state, “*I find that there is no apparent reason why the design of the stream crossing would be constrained*” but also “*the flood risk implications are understood.*” The flood risk implications are only understood if the bridge designs align with those assessed as part of the flood modelling and FRA.

We do not agree with the applicant’s interpretation of what condition 11 is securing. If the designs are differing from those represented in the supporting flood modelling and FRA, then this assessment can no longer be relied upon. One of the most important policy requirements that condition 11 is addressing, and the applicant has overlooked, is not increasing flood risk elsewhere. This cannot be known if the bridge designs do not match those secured through condition 11.

We therefore interpret Condition 11 as a compliance condition that secures the development to be carried out in accordance with the submitted Flood Risk Assessment and Appendix 2 - Modelling Report including drawings FRA10-FRA14. We recognise that the decision does refer to unfixed designs but consider these relate to areas other than flood risk.

Condition 11

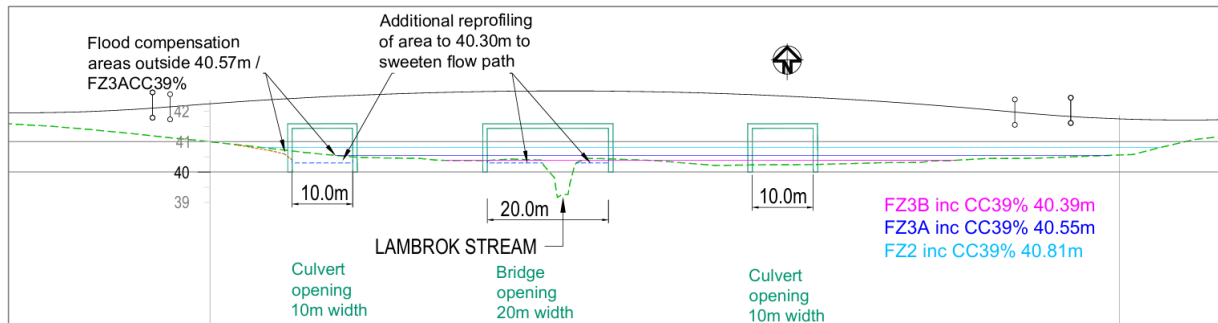
The development shall be carried out in accordance with the submitted Flood Risk Assessment (July 2022 Addendum 4 To Level 2 Flood Risk Assessment Land South of Trowbridge, Ref. 447/Fra2/Addm4, V1 – 21.07.22 and Appendix 2 Modelling Report including drawings FRA10 – FRA14) and the following mitigation measures it details:

- *In accordance with page 5 of the FRA the bridge soffit shall be set 600mm above the design flood with a 39% allowance for climate change.*

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/ phasing arrangements. The

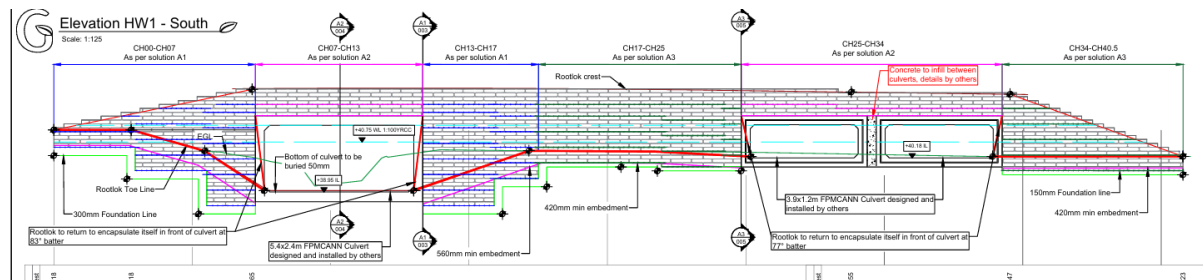
measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Drawing number FRA10 revB and FRA11 revB clearly secured, and specifically referenced in condition 11, show three openings in the bridge designs, one 20m wide across the Lambrok Stream and two 10m wide either side of the river.



Snipped from FRA11 revB

However, the currently submitted plans as part of this reserve matters (IN5100_GG_XX_XX_DR_X_002 revP01 and IN5100_GG_XX_XX_DR_X_001 revP01) show 3 openings, with one being only 5.4m wide across the stream and two only 3.9m wide in different locations.



Snipped from IN5100_GG_XX_XX_DR_X_002 revP01

These represent significant changes to the designs which are not compliant with condition 11 and could have unacceptable impacts of flood risk and biodiversity. These changes invalidate the supporting flood modelling which was previously considered suitable to inform the flood risk assessment and affect the acceptability of the proposals with respect to encroachment and culverting of the watercourse. Therefore, the previous FRA is no longer a reliable assessment of the scheme, and it cannot be determined to comply with national flood risk policy.

Any designs which deviate from those specified in condition 11 will not meet the condition as it is written on the decision notice and it is our opinion this condition would need to be varied. Regardless of how the changes in bridge designs are processed with in the planning system, we would not accept an inappropriate bridge design or a change that is not suitably supported by robust evidence. We currently

object to the culverting of the watercourse and the impact the development will have on flood risk. Any design changes will need to be fully reassessed and supported by amended flood modelling that reflects the changes (see objection 2 below).

OBJECTION 1 – CULVERTING

The Environment Agency are opposed the culverting of any watercourse because of the adverse ecological, flood risk, geomorphological, human safety and aesthetic impacts. Watercourses are important linear features of the landscape, wildlife corridors and should be maintained as continuous corridors to maximise their benefits to society. Culverting damages habitats, interrupts wildlife corridors and disrupts river habitat continuity. Paragraph 41 of The Conservation of Habitats and Species Regulations 2017 states that wildlife corridor networks should be protected from development and where possible, strengthened by or integrated within it.

Whilst the plans submitted for the outline application used the word ‘culvert openings’, due to the width of the opening over the main river being 20m, we didn’t raise any concerns however we now object to the culverting of the river as the width of the opening has been dramatically reduced to 5.4m. We considered that the opening was secured through our requested bridge designs and FRA condition specifying the 20m span.

Culverting of watercourses is classed as a high risk activity within the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and requires an Impact Assessment within a WFD assessment, this has not been submitted as part of this application.

The applicant is expected to demonstrate why culverting is both necessary and the only reasonable and practicable alternative. Alternatives could include open span bridges, Where it has been robustly demonstrated that the culverting is both necessary and the only reasonable practicable alternative, the length of any culvert should be restricted to the minimum necessary to meet the applicant’s objective.

Applicants should provide appropriate assessments to demonstrate that culverting will not increase flood risk elsewhere and will not result in an unacceptable impact on channel stability and the habitat(s) and species present. For example in this location the culverts are likely to impact Water Vole, Beavers and fish species. The applicant should demonstrate that mitigation and compensation measures will be put in place to reduce or nullify any impacts to our satisfaction.

When designing the culvert, the applicant should take into account the predicted impacts of climate change (using an allowance for climate change), natural channel geomorphology and any future development planned in the catchment. All mitigation

measures should be incorporated within the design and the work should be carried out using best working practice to minimise environmental impacts."

The drawings provided depict a significant impact on channel slope and geometry which will have negative impacts upon natural processes and ecology. E.g. a drop in bed level of approximately 20cm at the inlet and an up to threefold increase in the wetted perimeter this is not acceptable.

Overcoming our Objection 1

We are strongly opposed to culverts and therefore even if further assessments are provided this will not guarantee that our objection can be overcome.

The applicant should provide a WFD assessment which includes an Impact Assessment which demonstrate that culverting will not increase flood risk elsewhere and will not result in an unacceptable impact on channel stability and the habitat(s) and species present. We also require that the applicant justifies and demonstrates why culverting is both necessary and the only reasonable and practicable alternative.

OBJECTION 2 – INADEQUATE FLOOD RISK ASSESSMENT (FRA)

The submitted FRA (Addendum 4 to level 2 flood risk assessment by Teignconsult dated July 2022) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess whether the development will increase flood risk elsewhere. In particular, the FRA fails to assess if the changes in the dimensions of the culverts impacts flood risk on site or to any third parties.

The originally modelled bridge openings comprised one 20 m culvert and two 10 m culverts, which were confirmed as appropriate for managing flood risk. The current proposal significantly reduces this provision to two culverts of 3.9 m × 1.2 m and one culvert of 5.4 m × 2.4 m. Such a reduction in capacity is likely to impede flow, resulting in on-site water backing up and an increase in flood risk, which is contrary to National Planning Policy Framework (NPPF) requirement to avoid increasing flood risk elsewhere.

Overcoming our Objection 2

Updated hydraulic modelling is therefore required to inform an updated FRA which demonstrates that the revised culvert design will not increase flood risk on site or to surrounding areas before further comments can be provided. An updated FRA will also be needed incorporating the results from the modelling demonstrating that the proposed development will not increase flood risk on the site or any third party land.

If you have any questions regarding our response, please contact us.

Yours sincerely,

Lindsay Grant
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