

Wiltshire Council - Development Control
West
BYTHESEA ROAD, TROWBRIDGE,
BA14 8JN

Reference: PA-0010120/01
Customer reference: PL/2026/04685
26 August 2026

Erect: (i) 1 No. retail convenience store (Class E), 3 No. flexible retail units (Class E), and roadside drive through unit (sui generis); (ii) a 64-bed care home (Class C2); and (iii) 249 No. residential dwellings (Class C3) with associated access, green and blue infrastructure works

Hawke Ridge Business Park , Westbury

Dear Ms Julie Mitchell,

Thank you for consulting us on the above application.

Environment Agency Position

The previous use of the proposed development site as historical landfill (Former Railway Cuttings) 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.

The application's Environmental Statement: Volume 1 – Chapter 13 – Soils, Geology & Contaminated Land and Phase 2 Ground Investigation Report demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is required before built development is undertaken. We believe 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.

Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

In light of the above, we have no objection to the proposed development subject to the inclusion of a condition requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with the NPPF.

Without the following condition we would object to the proposed development in line with 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 – Remediation strategy

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 Local Planning Authority. 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 in line with Section 4 of the NPPF. 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.

Condition – Not previously identified 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 Local Planning Authority. 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. In line with Section 4 of the NPPF.

Condition – Piling

The piling using penetrative method hereby permitted, 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 scheme 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 works.
- Timing/phasing arrangements

The scheme shall be fully implanted 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 activity does not harm groundwater resources in line with Section 4 of the NPPF, and N6 - Water and Development Planning of [The Environment Agency's approach to groundwater protection](#).

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 of a decision being made or if the application is withdrawn.

Yours sincerely,

Briony Waterman, Planning Specialist
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