

From: PlanningSSD <PlanningSSD@environment-agency.gov.uk>
Sent: 04 March 2025 13:47:06 UTC+00:00
To: "Andrew Clarke" <andrew.clarke@midsussex.gov.uk>
Subject: RE: Planning application DM/25/0097 - Infilling of pond adjacent to RH15 9XF
Attachments: SSD External Consultation Checklist March 23.pdf

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Hi Andy,

Thank you for your email.

This application falls outside of our remit (please see attached); therefore, we have no comments to make.

If you have any questions, please do not hesitate to contact us.

Kind regards,

Sustainable Places Team | Environmental Planning and Engagement | Solent and South Downs

Environment Agency | Chichester Office, Oving Road, Chichester, West Sussex, PO20 2AG

planningSSD@environment-agency.gov.uk

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From: Andrew Clarke <andrew.clarke@midsussex.gov.uk>
Sent: 28 February 2025 11:58
To: Farr, Heather <heather.farr@environment-agency.gov.uk>
Subject: Planning application DM/25/0097 - Infilling of pond adjacent to RH15 9XF

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Dear Heather,

I have been forwarded your email and advice below from Mr Haithwaite who is an interested third party to a current planning application being determined by Mid Sussex District Council. The application is a retrospective application for the infilling of a historic pond in the rear garden of 5 Shelley Place, Burgess Hill RH15 9XF. The pond was likely filled in in 2020. The content of the application can be found at the following link under reference DM/25/0097:

<https://pa.midsussex.gov.uk/online-applications/>

The Council has very little information regarding the pond (it is not mentioned at any time during the determination of the planning application for the wider residential development in 1994) and are of the opinion that it appears to be a historic pond and does not appear to be associated with any flood flow route or part of a wider surface water attenuation system and is not in-line with any ordinary watercourse system. The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers).

Third parties (incl Mr Haithwaite) have raised anecdotal evidence of a 'natural spring' in the location of the pond and that its removal has caused flooding to neighbouring gardens.

I'd be grateful if you could provide any information the EA may have on this pond and whether the EA would raise any concerns regarding this application. Happy to consult via formal routes if necessary and / or have a chat if that would assist.

Thanks in advance.

Kind regards

Andy Clarke BSc (Econ), PGDip
Senior Planning Officer
Planning Investigation and Enforcement
Mid Sussex District Council, Oaklands Road
Haywards Heath, West Sussex, RH16 1SS
Tel: +44 (0)1444 477332
Andrew.Clarke@midsussex.gov.uk <http://www.midsussex.gov.uk>

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From: "Farr, Heather" <heather.farr@environment-agency.gov.uk>
Date: 25 February 2025 at 09:56:35 GMT
To: ash.haithwaite@icloud.com
Subject: FW: Pond adjacent to RH15 9XF

Kind regards,

Heather Farr

Pronouns ([She/Her](#))

Customer Service Advisor

Environment Agency: Environment Agency: Contact Centre Services - Part of Strategy, Transformation & Assurance (STA)

Phone: 03708506506

Working hours: 8 – 4 Monday, Tuesday and Friday

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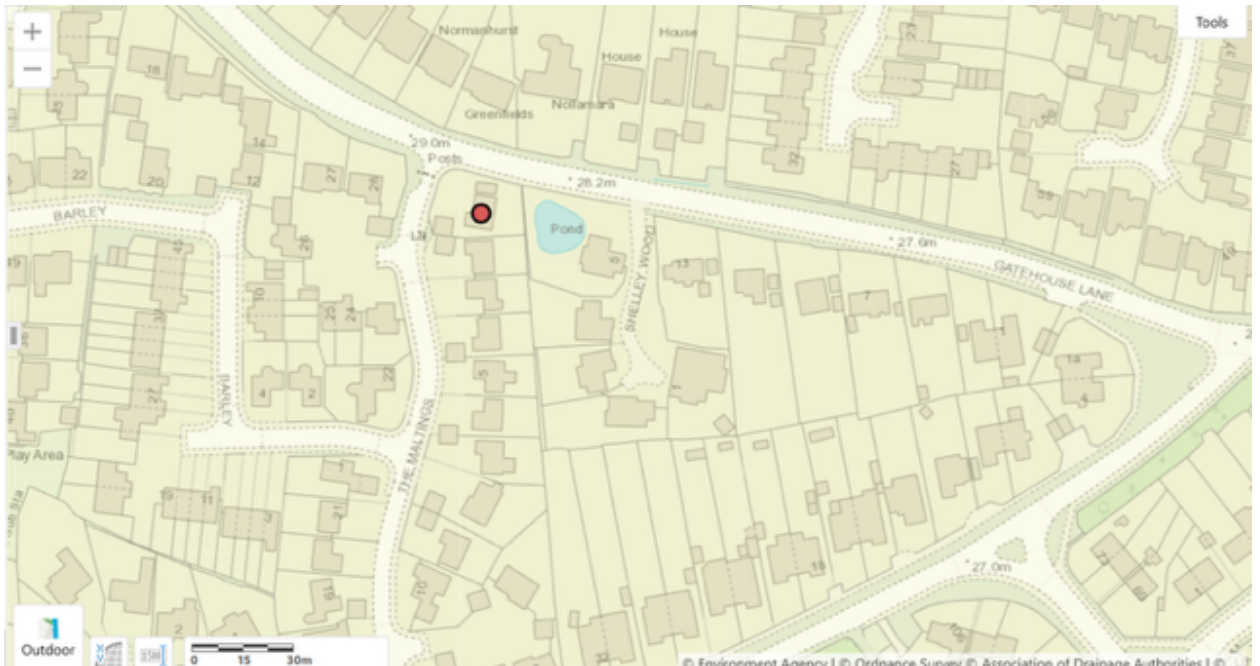
Click an icon to keep in touch with us:-



From: Farr, Heather
Sent: 24 February 2025 12:04
To: ash.haithwaite@icloud.com
Subject: Pond adjacent to RH15 9XF

Good Morning Ashley

Regarding your call this morning, the following map details the site.



As you can see this was a very large pond and it is likely that the Local Authority will have had to provide some risk assessment or monitoring visit.

There is a small surface water stream just to the north of the main road near the pond (light blue line) which would fall under local council or landowner management. This course may have been negatively affected by the filling in of the pond.

Certainly, if the pond formed part of the sealed main river system, then they would need a flood risk activity permit from ourselves.

I can confirm that TPO's or Tree Protection Orders are the responsibility of the relevant Local Council, in this case that would be West Sussex County.

<https://www.westsussex.gov.uk/planning/tree-preservation-orders/>

The only protected ponds information I can find is for a statue regarding Priority Ponds, so this may also be of some interest

<https://freshwaterhabitats.org.uk/our-work/conservation-and-practical-delivery/habitat-protection/priority-ponds/>

Lastly if your local council are not meeting their obligations after you have submitted a complaint the escalation would be through the Local Government Ombudsman

<https://www.lgo.org.uk/>

We do have Environment Agency teams that form part of our statutory consultee role on planning applications in England, as we discussed, these teams provide feedback and advice on planning applications but are not able to grant or block applications. You can reach that team on PlanningSSD@environment-agency.gov.uk to see if they are able to offer more targeted information based on any applications going forward.

I hope you find this information useful, if you have any further queries feel free to send them across, and I will respond as soon as I can.

Kind regards,

Heather Farr

Pronouns ([She/Her](#))

Customer Service Advisor

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