

Mid Sussex District Council -
Development Control
OAKLANDS ROAD, HAYWARDS
HEATH, RH16 1SS

Reference: PA-0001234/01
Customer reference: DM/26/0682
13 April 2026

Reserved Matters Application Pursuant to Outline Planning Permission Mid Sussex District Council (MSDC) Reference: DM/25/1630, Lewes District Council (LDC) Reference: LW/2510707 at Hurst Farm, for appearance, layout, scale and landscaping only.

Land At Hurst Farm Hurstwood Lane Haywards Heath West Sussex RH17 7QX

Dear Planning Officer,

Thank you for contacting us.

This is our response to your consultation DM/26/0682.

Environment Agency position

It is noted that Condition 16 (contamination identification and remediation) and 26 (unidentified contamination) were imposed under application DM/22/2272. These conditions remain relevant to the proposed development and attention is drawn to the need for consideration of these conditions.

Subject to the above, **no objection** is raised to the proposed reserved matters application.

Advice to the applicant

Cemeteries – Obligation to apply for a permit

The information submitted in support of this planning application indicates that this cemetery development may require a permit. The applicant must therefore apply for a standard rules permit, and must not commence burials until the permit or exemption is granted.

The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity (the burial of human remains at a cemetery falls within the definition of a 'groundwater activity' for the purposes of these Regulations) unless the cemetery:

- operates under an exemption
- is authorised by an environmental permit

If you wish to discuss any of these issues the Environment Agency can be contacted on 03708 506 506 or by enquiries@environment-agency.gov.uk.

Further information can be found at:

[Low environmental risk cemeteries: exemption conditions - GOV.UK](#)

[Protecting groundwater from human burials - GOV.UK](#)

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.

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.

If you have any questions regarding our response, please contact planningssd@environment-agency.gov.uk.

Yours sincerely,

John Fanning
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