

Mid Sussex District Council
Planning team
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our ref: HA/2025/126801/01
Your ref: DM/25/1317
Date: 02 June 2025

Dear Planning team (FAO: Joseph Swift),

**PROPOSED PIPE BRIDGE, TO BE ATTACHED TO THE NORTH SIDE OF
EASTERN BRIDGE.**

**ADJ TO MARKETING SUITE, PLATINUM WAY, BURGESS HILL, WEST
SUSSEX, RH15 8RY.**

Thank you for consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We have no objection to the proposal provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: 761003, dated 25.03.2025, by Southern Water) and the following mitigation measure it details:

- **The above ground pipeline will be placed between the soffit and bridge deck of the existing bridge.**

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

Reasons

To reduce the risk of flooding and reduce impacts on the flow conveyance of the river.

Please notify us immediately if you are unable to apply our suggested condition to allow further consideration and advice.

Advice to the Applicant

Flood Risk Activity Permit

Please note that this development and the associated works on the site may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from us for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Adur, designated as a main river. This type of permit is called a 'Flood Risk Activity Permit'.

Further details about Flood Risk Activity Permits can be found on the gov.uk website using the following link –

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

To enquire about the permit application process, the Applicant should contact our National Customer Contact Centre on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. We would advise the Applicant to contact us at the earliest opportunity.

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution.
- Treated materials can be transferred between sites as part of a hub and cluster project.
- Some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the 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 (on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

We recommend that developers should refer to:

- The [position statement](#) on the Definition of Waste: Development Industry Code of

Practice.

- The [waste management](#) page on gov.uk.

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 (on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#).

Pollution prevention

All precautions must be taken to avoid discharges and spills to the ground both during and after construction. Guidance on pollution prevention for businesses can be found on the gov.uk website here – <https://www.gov.uk/guidance/pollution-prevention-for-businesses>.

In the event of a pollution incident, all works should cease immediately and the Environment Agency should be contacted via our incident hotline **0800 80 70 60** (24-hour service).

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Environment Agency – Solent & South Downs

Sustainable Places Advisor: Anna Rabone

Direct dial: 02077 140525

Direct e-mail: anna.rabone@environment-agency.gov.uk

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