

Lucie Turner
Wiltshire Council
Development Control West
County Hall Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Our ref: WX/2026/139704/01-L01
Your ref: PL/2026/01036

Date: 06 March 2026

Dear Ms. Turner,

**DEMOLITION OF BLOCK G AND AN EXISTING FREE-STANDING BUILDING
KNOWN AS SCOUTS HUT / SCOTTS GYM**

AVONSIDE ENTERPRISE PARK, NEW BROUGHTON ROAD, MELKSHAM

Thank you for consulting the Environment Agency on the above application. We have **no objection** to the proposals.

Advice to applicant

Environmental permit - Flood risk activities

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure

- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Movement of waste off-site

The Waste (England and Wales) Regulations 2011 for dealing with waste materials are applicable to anyone who produces, carries, keeps, disposes of, treats, imports or has control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure they deal with it responsibly. They must only pass it to someone authorised to take it. You can find the waste duty of care code of practice here: [Waste duty of care code of practice - GOV.UK](#)

If you need to register as a carrier of waste, please follow the instructions here: [Register or renew as a waste carrier, broker or dealer - GOV.UK](#).

Use of waste on site

If excavated materials are to be used on the development site, the applicant will need to comply with the exclusion from the Waste Framework Directive (WFD) article 2(1) (c) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...') for waste controls to not apply to their use. Meeting these criteria will mean environmental permitting requirements do not apply.

Where the developer cannot meet the criteria, they will need an appropriate environmental permit from us or to register an exemption.

A deposit of waste to land must either be a disposal or a recovery activity. The legal test for recovery is set out in Environmental Permitting (England and Wales) Regulations 2016, and is defined in schedule 9 and/ or schedule 1A (Article 3(15) of WFD) as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed at [Waste recovery plans and deposit for recovery permits - GOV.UK](#).
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You can find more information on the WFD here: [Environmental permitting guidance: The waste framework directive - GOV.UK](#)

More information on the definition of waste can be found here: [Legal definition of waste guidance - GOV.UK](#)

More information on the use of waste in exempt activities can be found here: [Waste exemption guides - GOV.UK](#)

The Environment Agency does not regulate non-waste operations. The person producing the material will need to decide if it is waste or a by-product. If it is waste they can consider if it meets End of Waste criteria. You can [check if your material is waste](#) or [get an opinion from the definition of waste service](#) on if a material is a by-product or meets 'end of waste' status. There is a cost for this service.

If you have any queries regarding our response please get in touch at swx.sp@environment-agency.gov.uk

Yours sincerely,

Matthew Pearce - Planning Specialist
Wessex Sustainable Places

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