



Environment Agency – our role in planning and permitting

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Protecting European sites

- ⇒ Where water dependent European sites fail to achieve favourable condition we work with Natural England to identify and set out measures to achieve site restoration
- ⇒ Statutory roles under the planning and permitting regimes help us to do this

Planning

- ➔ We are a statutory consultee in the planning process. We want to see sustainable growth that contributes positively to creating resilient places and a healthy environment
- ➔ **Strategic Planning:** We provide advice to LPAs on developing the evidence, plans and policies they need to demonstrate how growth will be delivered within the capacity of the water environment and infrastructure
- ➔ Our expert advice will focus on compliance with the Water Environment (WFD) Regulations
- ➔ Where growth strategies will impact on designated sites (e.g. due to nutrients), it is important that Natural England are engaged on water cycle evidence

Planning

- ➔ **Planning applications:** We are not the statutory conservation body for Habs Regs, and do not *typically* make comment on Appropriate Assessment.
- ➔ It is important that nutrient mitigation does not give rise to other environmental issues. Where mitigation proposals may create other environmental risks within our remit, early advice from EA is recommended.
- ➔ For example, developments proposing **not** to discharge wastewater to main foul sewer may be inconsistent with planning practice guidance and our own permitting requirements. This could generate objections from the EA, and result in refusal of any subsequent application for an environmental permit.

Permitting

- ⇒ EA is responsible for protecting and improving the environment and fulfils these duties through a range of activities, including deciding whether to grant environmental permits for discharges to the water environment.
- ⇒ In the granting and onward review of permits, the EA is a competent authority under the Habitats Regulations. This requires us to assess the effects of such permits on European sites.

Permitting cont.

- ➔ The EA can identify changes to water company discharge permits and secure implementation as part of the water industry 5-year price review investment period.
- ➔ Any persons wishing to discharge polluting substances into the environment are required to apply to the EA for an environmental permit.
- ➔ These permits will set limits on the amount of certain pollutants that can be included in the discharge to ensure impacts on the environment are considered, and that it will comply with relevant legislation.

Permitting cont.

- ⇒ Any plan or project which requires planning permission, Building Regulations approval or an environmental permit from the EA must comply with the requirements of those regulatory regimes as well as what is needed to meet the Habitat Regulations.
- ⇒ Example: foul sewer network connections
- ⇒ Parallel tracking of planning and environmental permit applications is recommended.

A partnership approach

- ➔ EA and Natural England are committed to working jointly with Local Authorities to ensure agreed measures are appropriate to achieve nutrient neutrality, prevent deterioration, take account of wider environmental considerations and do not present a barrier to meeting objectives to achieve favourable conservation status.