

Guidance for Developers

The Environment Agency's Planning Advice November 2013

We are changing how we give you planning advice. We will continue to provide an initial free, standard level of pre-application advice to all developers regardless of the scale and complexity of the development. Where there are significant environmental issues to be resolved we will offer you a charged service for further detailed advice.

We are launching this service nationally between January - March 2014.

Introduction

We give environmental advice to developers on planning applications for Town and Country Planning development and for nationally significant infrastructure projects (NSIPs). Our advice is for environmental issues that concern us, for example flood risk, protection of land and water quality, waste management facilities and fisheries. Our advice is part of our contribution to achieving sustainable growth.

Our advice will help you to identify any serious environmental risks that you need to address in order to obtain planning permission or development consent. We can also help you to identify opportunities for environmental enhancements.

We receive a large number of enquiries for free pre-application advice, most of which we respond to within 21 days - the statutory planning time limit. In some cases you may ask us for further advice.

We'll now charge you when we give you further advice.

Our free service

Our free service is made up of standing advice and guidance that we make available on websites as well as our free advice.

When you request our free advice on your proposed development we will:

- Check environmental constraints from our constraint maps
- Check for site specific local environmental issues that concern us
- Provide a statement of any environmental issues you should consider further
- Let you know about environmental permits, licences and consents that your proposed development will need from us

Based on the information you have given us we will give you our 'preliminary opinion' that:

- The proposed development raises no environmental issues for us, or
- The proposed development raises some environmental issues that concern us and you'll need to undertake further work to show how to ensure no adverse environmental impacts, or
- On environmental grounds we would object in principle to the proposed development

We may offer you a meeting for complicated cases. Where we have advised you that you need further work to resolve specific environmental issues we will offer you further advice through a charging agreement.

Our charged service

Our charged service will help you to improve your application and to meet conditions placed on permission already granted. We may offer advice on for example mitigating the environmental impacts that concern us and opportunities for environmental enhancements.

We will provide a project manager to oversee our advice, agreeing tasks and timetables with you. This is so that we can make specialists available when you need advice from them. We may provide advice on documents and plans you provide, advice on aligning planning and permitting requirements, and other specific tasks we agree. Furthermore, we may carry out desk based analysis, arrange meetings and make site visits as set out in our agreement with you.

Our local Area Office will contact you to discuss the advice you want and prepare an agreement that is made up of an offer letter, a programme, and our standard terms and conditions. The programme will specify the tasks we will carry out, giving the approximate timetable and an order of cost for our advice. We use a national hourly rate, currently £84 per person per hour, for our planning advice agreements. We can vary a programme when we agree with you in writing the changes you want to make.

Our agreement with you would not prejudice our statutory planning advice to a planning authority once you have formally submitted your planning application and we don't guarantee that your development will be approved. Furthermore, our agreement with you wouldn't affect decisions we make about environmental permits, other consents and licences we issue.

Please contact us to find out how our charged service can help you.

Contacting us

To enquire about, or request, our planning advice you may:

- Call our Area office that will deal with your proposed development, or
- Call our national contact number 03798 506 506 (Monday - Friday, 8am to 6pm), or
- E-mail us at enquiries@environment-agency.gov.uk or
- Post your request to: National Customer Contact Centre, PO Box 544, Rotherham S60 1BY