

Your guide to...

ENVIRONMENTAL PERMITTING

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Beyond the planning system: Environmental Permitting

Some facilities could harm the environment or human health unless they are regulated. The **Environmental Permitting Regime (EPR)** requires operators of “regulated facilities” to obtain a permit or to register some activities. In England the regulator for the EPR is the **Environment Agency (EA)**. In Wales, it is **Natural Resources Wales (NRW)**. Many agricultural developments will need a permit under the EPR. All sewage treatment works will need a permit.

The legal framework

The EPR regime is set out in the **Environmental Permitting Regulations 2016** and described in accompanying **Core Guidance** (and other, related government guidance documents). The **Core Guidance** explains the concepts used in the EPR and gives guidance as to what is covered by the regime and how it will work in practice.

Environmental permit applications

An operator of a facility which is subject to the EPR will have to obtain one or more environmental permits for each regulated facility it operates.

Unfortunately, there is no legal requirement for applications for a permit to the EA or NRW to be consulted on. The EPR is therefore very different from the planning system in not facilitating public participation. But if you are aware of a permit application to the EA or NRW, you can submit comments unprompted which must be taken into account.