

**Herefordshire Council Environmental Advice Service (EAS)
Application Guidance**

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1. What is Herefordshire Council Environmental Advice Service? (EAS)

The EAS is a paid service and sits within the Built and Natural Environment Service. It is an opportunity for land owners, developers, businesses and service providers to seek advice from the Council's specialist officers relating to the environmental impacts of projects.

Projects which may benefit from the advice of the EAS include (but are not limited to):

- Phosphate mitigation projects
 - o Integrated wetlands
 - o Agricultural land use and practice changes
 - o Foul water system upgrades
 - o Phosphate banking
- Projects aimed at managing and disposing of phosphate rich agricultural products
 - o Anaerobic digestion particularly relating to digestion of poultry litter
 - o Installation of chicken litter boilers for the purposes of heating poultry houses
 - o Pyrolysis for the purposes of producing biochar
- Biodiversity Net Gain Banking proposals

2. EAS and Planning

EAS is available for projects which require planning permission and also for projects which do not require other consents. Our advice will focus around the environmental impacts of the project and does not constitute a view on the acceptability of the proposal in planning terms.

Where planning permission is required the EAS process sits separate to the planning process and it may be appropriate to also seek pre-application planning advice from the Council relating to the proposal.

3. Proposals requiring legal agreements

Some proposals for which advice is sought, for example phosphate banks and habitat banks, may require Section 106 or other legal agreements in due course. The drafting of those legal agreements is a separate process with associated fees which is carried out by the Council's Legal Team.

4. EAS and the Statutory Agencies

Some projects which seek advice through the EAS may also benefit from advice from Natural England (NE) (through the Discretionary Advice Service), from Environment Agency (EA) (through the Preliminary Opinion Enquiry process) or from Natural Resources Wales (NRW) (through the Preliminary Opinion service).

This may particularly be the case where:

- The project will require a consent or permit from that organisation
- Where the project is within a designated site or will have an impact upon a designated site
- Where a Habitats Regulations Assessment is likely to be required at planning application stage
- Where the project relates to a new or emerging technique or methodology on which a statutory agency may have a view or a role in regulation

Where you consider your project may benefit from advice from NE, EA or NRW we are happy to co-ordinate that advice for you and to incorporate the fees for those processes into our service.

It is preferable to seek advice from the statutory agencies in this way as it enables a co-ordinated response.

It should be noted that the advice services offered by NE, EA and NRW all have their own fee structures and timescales:

- Those fees would become an itemised element on our invoice to you, should you choose to utilise this service, and would be passed on as they are charged by the relevant agency.
- The relevant timescales would be built into our timeline for providing EAS to you.

It should be noted that these services sit outside Herefordshire Council and that the Council cannot be held accountable for fee changes, timetables and any organisation declining an advice request.

5. Our Commitment to You

The EAS commits to delivering a clear, plain English response to your request for advice.

Our specialist officers will carry out a technical assessment, meet with you to discuss your proposal and provide a written response.

Your EAS fee is a flat rate dependent on the complexities of the project you wish to discuss. Projects are classified as either 'simple' or 'complex,' and fees are set accordingly. All elements included in the fee are set out below.

Where further advice, or assessment of additional or amended materials is required further fees will be incurred. Our charging structure is clearly set out and we will communicate with you prior to commencing any additional work.

We will commit to turning your request around within our stated timeframes and will discuss progress with you at regular intervals throughout the process. Where third party advice is being sought as part of the EAS request the Council will communicate with you over projected timescales.

6. What we ask of our Applicants

We can provide the best advice to you where your project is as clear and detailed as possible, where relevant site locations are clearly identified and described and where relevant supporting technical documents and drawings are made available to us.

Payment is required prior to commencement and once processed we will provide confirmation of receipt.

We ask that the project remains as described in the application throughout the advice process. If, following our meeting or our report, you wish to make changes and have us consider those changes we will advise you of any required additional fee.

Where our service is seeking to engage with advice from one or more statutory agency we will be guided by their projected timescales.

7. What is a Simple Project?

Simple projects rely on established techniques and methodologies, use well known tools or are small in scale.

Examples include Foul water system upgrades, some methods of phosphate banking where only established and agreed methodologies are being utilised, and proposed biodiversity net gain habitat banks covering one location of up to 50ha.

8. What is a Complex Project?

Complex projects rely on new techniques and technologies, deviate from standardised approaches, are unique or are large in scale.

Examples are likely to include: Most phosphate mitigation projects (with the exception of foul water system upgrades or phosphate banking following the established methodology), Projects aimed at managing and disposing of phosphate rich agricultural products. Larger habitat banks (over 50ha) or habitat banks across multiple sites would be considered to be complex projects.

If you would like advice on how we would classify your project please email us at EAS@Herefordshire.gov.uk.

9. What Information do I need to provide with my Application

The information required to support an application is likely to vary depending on the project a definitive list has not therefore been identified by the Council.

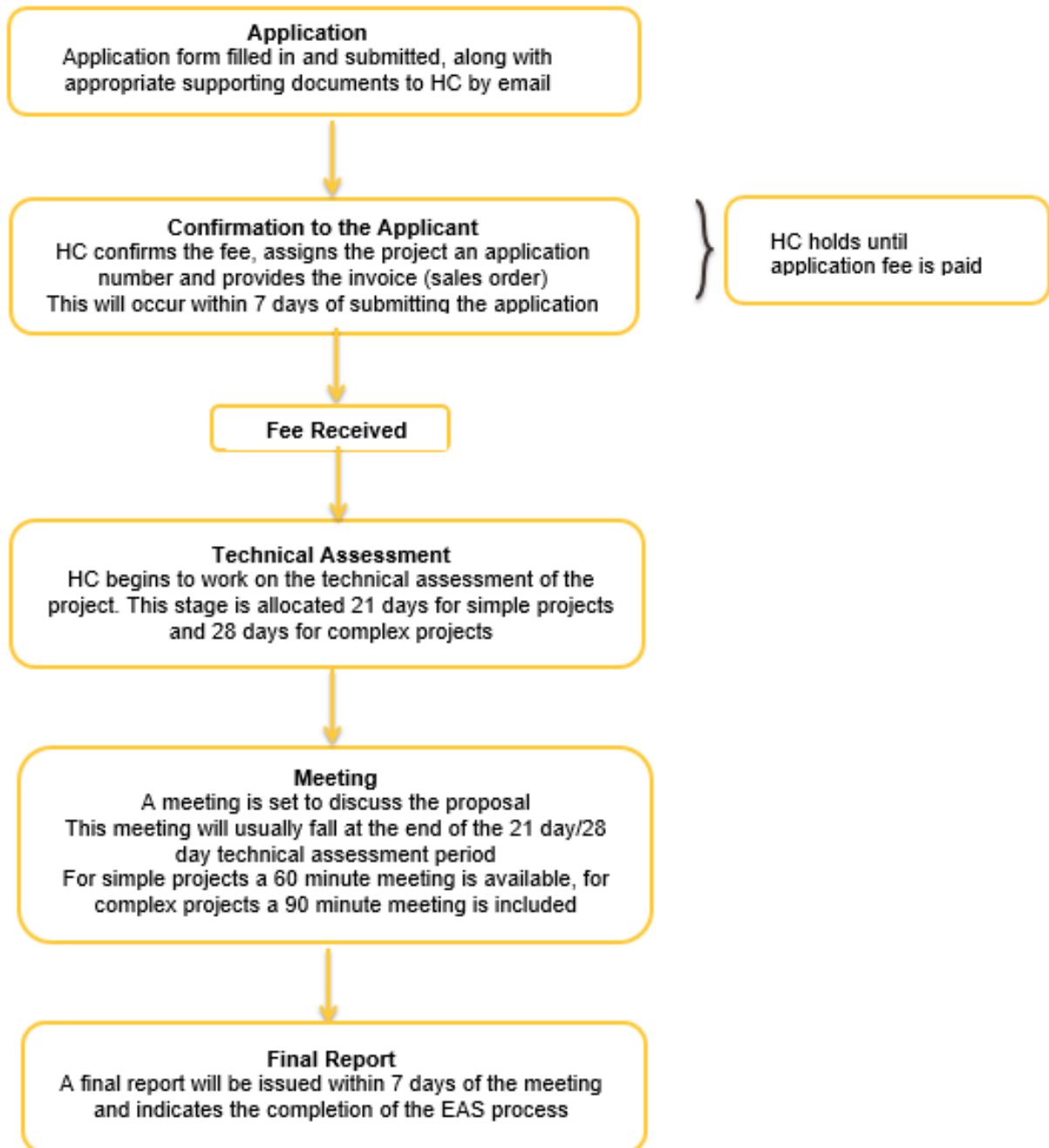
As a guide supporting information should be sufficient to allow the team to understand the project and assess its environmental impacts. Reports from relevant specialists including, but not limited to, drainage engineers, nutrient specialists, modelling experts, ecologists and developers of any new or unique approaches may all be relevant. These documents should be provided where they are available.

Where a proposal is linked to a specific site a site location plan should be provided and any proposed layout or design plans are also likely to be useful.

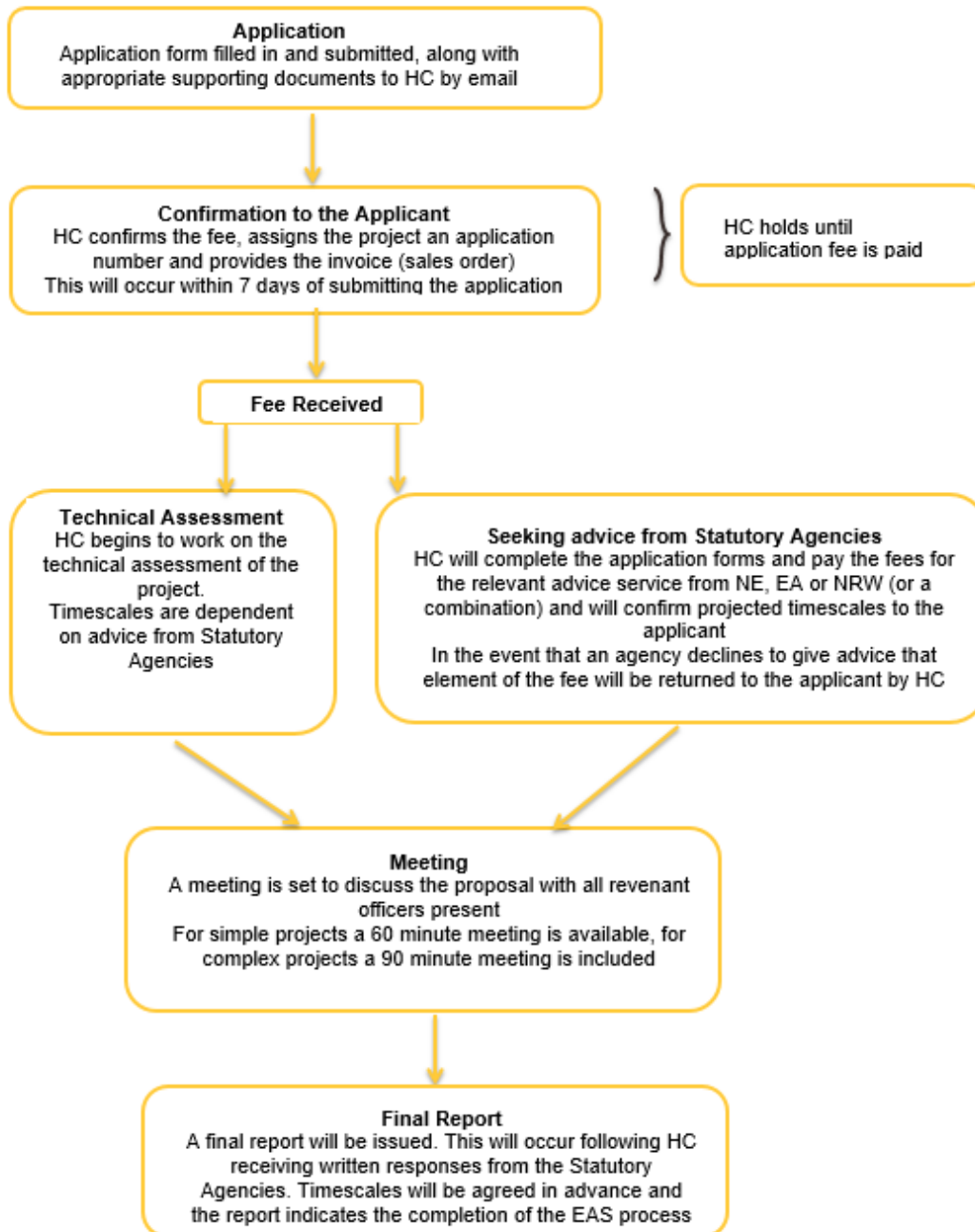
There are no 'validation requirements' for using the EAS but the more information which supports an application the more detailed the assessment and associated report will be.

10. Process

Where HC is the only party providing advice



Where HC and one or more Statutory Agencies are providing advice



11. Timescales

Your emailed application will receive an automatic response from our inbox so you can be confident your request has been received.

We will acknowledge your emailed application within 7 working days. Your acknowledgement email will include an application number and your sales order (invoice). Please pay the fee as soon as you are able. We are not able to commence work on your request until payment has been received.

Where HC is the only organisation providing advice the timescales following confirmation of payment are:

- Technical Assessment (21 days for simple projects, for complex projects timescales will be agreed at the outset dependent on the nature of the project and the information provided)
- Meeting (falling at the end of the assessment period)
- Final Report (provided within 7 days of the date of the meeting for simple projects and will be agreed in advance for complex projects)

Where advice is being sought from one or more Statutory Agencies the timescales are governed by the response of those organisations:

- Technical Assessment (which occurs during the period of seeking advice from Statutory Agencies and is somewhat dependent on them)
- Meeting (as agreed by all relevant parties)
- Final Report (provided within 7 days of HC receiving written advice from the relevant Statutory Agencies)

12. Fees

Requests to the EAS are clarified as 'simple' or 'complex' by the Council on submission.

Fees are payable upfront and work on the technical assessment of a project will not commence until the required fee is paid.

Simple Projects - A flat fee of £500 will be charged for the Council officer's time and assessment.

This will include: Up to four hours of officer time on the technical assessment of the project and preparing our report and one hour of meeting time (usually via video conferencing).

Complex Projects – A flat fee of £1500 will be charged for the Council officer's time and assessment.

This will include: Up to six hours of officer time on early technical assessment, one 90 minute meeting (usually via video conferencing), up to a further five hours drawing together the outcomes of the meeting, any statutory advice sought and preparing our report.

VAT is not applicable to our fees.

Where additional consideration is required, either because the proposal is amended following the meeting or the final report so that the applicant would like further advice, or where, for example, an additional meeting is required, these elements are charged at an hourly rate of £110 per hour. If the proposal is significantly altered it may be more appropriate for it to be considered as a new project and for a new application to be made.

13. How to make an Application

You can find the EAS application form [here](#).

14. How to seek guidance on the EAS process

If you have a question about EAS, whether it might be for you, how to classify your project or what supporting information we require please contact the team at EAS@Herefordshire.gov.uk