

South Oxfordshire District Council
Eastern Avenue
Mitlon Park
Abingdon
OX14 4SB

Our ref: WA/2024/131539/01-L01
Your ref: P24/S1498/FUL
Date: 25 July 2024

Dear Sir/Madam

**THE DEVELOPMENT OF A BATTERY ENERGY STORAGE SYSTEM (BESS),
COMPRISING A 500 MEGAWATT (MW) BATTERY STORAGE FACILITY WITH
ASSOCIATED INFRASTRUCTURE, ACCESS AND LANDSCAPING, WITH A
CONNECTION INTO THE CULHAM JET NATIONAL GRID SUBSTATION.**

LAND TO THE NORTH OF CULHAM SCIENCE CENTRE, THAME LANE OX14 3GY

Thank you for consulting us on the above application on 14/06/2024. Apologies for our delay in responding to you. We have reviewed the application in line with our planning remit.

Environment Agency position

We have **no comments** to make on the submitted application. However please consider the informative provided below.

Informative – BESS facilities

Energy storage will play a significant role in the future of the UK energy sector. Effective storage solutions will benefit renewables generation, helping to ensure a more stable supply and give operators access to the Grid ancillary services market. Currently, DEFRA does not consider the need to regulate the operation of battery energy storage systems (BESS) facilities under the Environmental Permitting Regulations regime. These facilities also do not currently fall within the Control of Major Accident Hazards Regulations.

Although these are a source of energy to the National Grid they do not result in a direct impact to the environment during normal operations. However, the potential to pollute in abnormal and emergency situations should not be overlooked. Applicants should consider the impact to groundwater and surface waters from the escape of firewater/foam and any metal leachate that it may contain. Where possible the applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring. Proposals should avoid being situated near to rivers and sensitive drinking water sources.

An important factor that can be overlooked by parties involved in new battery storage projects or investing in existing projects is that battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs, but on the positive side, the regime also creates opportunities for battery recyclers and related businesses. Operators of battery storage facilities should be aware of the Producer Responsibility Regulations. Under the Regulations, industrial battery producers are obliged to:

- Take back waste industrial batteries from end users or waste disposal authorities free of charge and provide certain information for end users.
- Ensure all batteries taken back are delivered and accepted by an approved treatment and recycling operator.
- Keep a record of the number of tonnes of batteries placed on the market and taken back.
- Register as a producer with the Secretary of State.
- Report to the Secretary of State on the weight of batteries placed on the market and collected in each compliance period (each 12 months starting from 1 January).

Putting aside the take back obligations under the producer responsibility regime, batteries have the potential to cause harm to the environment if the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place. Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport.

The Waste Batteries and Accumulators Regulations 2009 also introduced a prohibition on the disposal of batteries to landfill and incineration. Batteries must be recycled or recovered by approved battery treatment operators or exported for treatment by approved battery exporters only.

Advice to applicant - Other Consents

As you are aware we also have a regulatory role in issuing legally required consents, permits or licences for various activities. We have not assessed whether consent will be required under our regulatory role and therefore this letter does not indicate that permission will be given by the Environment Agency as a regulatory body. The applicant should contact 03708 506 506 or consult our website to establish if consent will be required for the works they are proposing. This includes any proposal to undertake work in, over, under, or within 8 metres of the top of the bank of a designated Main River, called a Flood Risk Activity permit. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

Closing comments

Thank you again for consulting us on this application. Our comments are based on the best available data and the information as presented to us. Should you require any

additional information, or wish to discuss these matters further, please do not hesitate to contact me. Please quote our reference number in any future correspondence.

Yours faithfully,

Mr Nathan Davis
Planning Advisor

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