

Mr Gareth Elliott
Development Control
Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG

Our ref: LT/2024/128434/02-L01
Your ref: 24/00161/FUL
Date: 08 November 2024

Dear Mr Elliott

CONSTRUCTION, OPERATION AND SUBSEQUENT DECOMMISSIONING OF A RENEWABLE ENERGY PARK COMPRISING GROUND MOUNTED SOLAR PV WITH CO-LOCATED BATTERY ENERGY STORAGE SYSTEM (BESS) AT THE POINT OF CONNECTION, TOGETHER WITH ASSOCIATED INFRASTRUCTURE, ACCESS, LANDSCAPING AND CABLING.

LAND WEST OF BRADMORE ROAD AND NORTH OF WYSALL ROAD, LAND WEST OF WYSALL, WYSALL

Thank you for re-consulting us on the above application following further information submitted, including an amended site layout plan.

Environment Agency position

Whilst we have no comments to make on the additional information submitted, comments in our previous letter dated 7 March 2024, still remain pertinent and are detailed below for ease of reference.

The proposals include 3 instances of access roads crossing ordinary watercourses, including the Kingston Brook. The permanent structures and the associated temporary works may require consent under Section 23 of the Land Drainage Act 1991. It is recommended that the applicant engages early with Nottinghamshire County Council as the Lead Local Flood Authority with details of their proposals.

We also have the following informative comments to share with the Applicant and Local Planning Authority.

Informative – General guidance for BESS developments

In line with Planning Practice Guidance:

Applicants should engage with Local Fire & Rescue Services issues of siting and location of BESS are dealt with before applications are made. Ideally this should be done before submitting a planning application.

Local Planning Authorities to refer to guidance produced by the National Fire Chiefs

Council for consideration when determining applications and consult with local Fire & Rescue Services before issuing decisions.

Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service.

Informative - Management of end of life industrial batteries

Battery Energy Storage Systems (BESS) facilities are not regulated under the Environmental Permitting Regulations regime.

However, 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.

Batteries have the potential to cause harm to the environment if stored inappropriately e.g. subject to a fire as 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.

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.

Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport.

In accordance with the Planning Practice Guidance (Reference ID: 7-043-20140306), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Yours sincerely

Ms Lydia Bond
Planning Specialist

