

Mr Oliver Phippen
Wiltshire Council
Development Control North
Monkton Park Offices Monkton Park
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Wiltshire
SN15 1ER

Our ref: WX/2025/139168/02-L01
Your ref: PL/2025/05830

Date: 07 November 2025

Dear Mr Phippen

49.9MW SOLAR FARM TO INCLUDE GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) ARRAYS, ELECTRICAL SUBSTATIONS, GRID BALANCING INFRASTRUCTURE, CABLING, BESS (49.9MW CAPACITY), COMMUNICATIONS TOWER, OTHER ASSOCIATED INFRASTRUCTURE AND AREAS FOR BIODIVERSITY NET GAIN (BNG) ENHANCEMENT AND LANDSCAPE MITIGATION

FLAXLANDS FARM, ROYAL WOOTTON BASSETT, SWINDON

Thank you for re-consulting the Environment Agency on the above application.

Environment Agency position

We can now **remove our objection** subject to the following conditions being included with any planning permission granted.

Groundwater

The proposed development presents a risk to groundwater which is particularly sensitive in this location, due to the site residing within Source Protection Zone 2/2c and is located upon a Secondary A aquifer. Therefore, we require a Hydrogeological Risk Assessment to identify how the site can be managed to prevent groundwater pollution over its operational lifetime. Without this condition, we would object to the proposed development, as we are unable to determine that the risks to groundwater can be safely at this location.

Condition – Hydrogeological Risk Assessment

No development shall commence until a Hydrogeological Risk Assessment (HRA) has been submitted to and approved in writing by the Local Planning Authority. The HRA must be prepared by a suitably qualified hydrogeologist and include the following as a minimum:

- Assessment of potential risks to groundwater arising from the proposed development
- Include an updated site conceptual model identifying potential pollutant sources, groundwater flow pathways, and sensitive receptors.
- Provide a tiered risk assessment (screening, generic quantitative, and detailed site-specific evaluation).
- Identify mitigation measures

Development shall proceed in accordance with the approved HRA, and any mitigation measures identified therein, unless otherwise agreed in writing, by the local planning authority.

Reason

To ensure that any potentially contaminated effluent in the event of a pollution incident does not pose an unacceptable risk to the water environment in line with paragraph 187 of the National Planning Policy Framework.

Surface water drainage

In the event of a fire at a BESS, it is accepted as best practice to let the containers on fire burn out and use water to cool neighbouring containers. This water could enter burning containers through surface water run off or directly from spray cooling neighbouring containers. Furthermore, during or following a fire at a BESS development, water could enter exposed containers through rainfall during the period of time it takes to remove, or cover burnt out containers. This may potentially result in contaminated water entering the ground or surface water bodies. Furthermore, groundwater is particularly sensitive in this location because the proposed development site is located upon Secondary A aquifer .

Condition – Surface water drainage

Prior to installation of battery energy storage system units on the site, a final scheme to dispose of surface water for the battery storage area/s in the event of a fire has been submitted to, and approved in writing by, the local planning authority. The final drainage design should demonstrate that in the event of a battery fire, all firefighting effluent can be retained on site with no discharge to surface or ground waterbodies. The scheme shall be implemented as approved.

Reason

To ensure that any potentially contaminated effluent in the event of a pollution incident does not pose an unacceptable risk to the water environment in line with paragraph 187 of the National Planning Policy Framework.

Note to Condition – Surface Water Drainage

The use of naturally available impermeable materials in the construction of the drainage system is acceptable, however if during site construction it is found that the materials' present are more permeable than anticipated, an artificial impermeable layer would be required.

We recommend that battery energy storage sites have drainage systems which can be completely sealed in the event of a fire (i.e. there is no infiltration to ground), to contain all contaminated firewater within the site and ensure there is no discharge of polluted water to ground or surface water bodies.

The drainage scheme should also demonstrate there is sufficient capacity to contain the expected volume of firefighting water in addition to any surface water within the system.

Pollution Control

Condition – Emergency pollution control method statement

Prior to installation of battery energy storage system units on the site, a detailed method statement and emergency plan for pollution control in the event of, and remediation following, a battery fire incident has been submitted to and approved in writing by the local planning authority. The scheme shall include, but not necessarily be limited to:

- The pollution control methods used in case of a fire, such as how and when valves will be closed to ensure firewater is stored on site and ensuring there is sufficient capacity within the system if needed.
- How and where contaminated surface water, materials and drainage infrastructure will be sampled, managed and remediated/replaced following a fire incident to ensure no contamination enters the environment when normal operation resumes.
- A verification plan providing details of the data that will be collected and provided in order to demonstrate that the works set out in the remediation strategy are complete

The scheme shall be implemented as approved in the event of a fire incident and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason

To ensure that the any potentially contaminated effluent does not pose an unacceptable risk to the water environment in line with paragraph 187 of the National Planning Policy Framework.

Pollution Prevention

We advise that appropriate pollution prevention methods are to be implemented to prevent toxic substances affecting the natural environment and entering a watercourse.

Condition

No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason

To prevent pollution of the water environment in line with the National Planning Policy Framework.

Note on condition

The submitted CEMP must include safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles

- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes
- how silt generated from the development will be managed

Advice applicant/ LPA – Fire Rescue Service

Sealed drainage limits the amount of potential contamination (and subsequent remediation required) of the soil and gravel by firefighting runoff, as well as reduces the risk to the wider environment in the event of a fire. The developer and LPA should engage with the Fire Rescue Service to make sure there is an adequate supply of water for the maximum expected duration of a fire.

Advice to applicant – Further BESS guidance

In line with [Renewable and low carbon energy - GOV.UK](https://www.gov.uk/government/consultations/renewable-and-low-carbon-energy):

- Applicants are encouraged to engage with Local Fire & Rescue Services to ensure 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 are encouraged to engage with Local Fire & Rescue Services and to refer to [guidance produced by the National Fire Chiefs Council](#) for consideration when determining applications.
- Applicants will also need to comply with relevant Building Regulations in [Part B](#). They require applicants to provide suitable access for the fire service.

Applicants should also refer to guidance published by The Department for Energy Security and Net Zero: [Health and safety in grid scale electrical energy storage systems](#), which provides guidance on a number of topics related to health and safety including on 'Design and planning' that provides guidance on battery technology, site selection, site layout and emergency planning. It also includes a section on 'Decommissioning and end of life', including dealing with batteries that have come to the end of their use in the BESS.

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

Yours sincerely

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