

Naomi Reynard
North Hertfordshire District Council
Planning Control & Conservation
Council Offices Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

Our ref: NE/2025/138252/01
Your ref: 25/01349/FP
Date: 2 July 2025

Dear Naomi,

**Land North of Stevenage Road, Titmore Green, Little Wymondley,
Hertfordshire, SG4 7JT.**

Installation and operation of a battery energy storage system (BESS) facility incorporating batteries, transformers, inverters, switchrooms, substation, water tank, other associated infrastructure plus cable ducts, fencing, access track, landscaping and drainage infrastructure.

Thank you for consulting us on the above application on 10 June 2025.

Environment Agency Position

Based on a review of the submitted information, **we object** to the planning application, as submitted, because the risks posed by the development to groundwater are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks can be satisfactorily managed. We recommend that planning permission be refused on this basis in line with paragraph 187 of the National Planning Policy Framework. This is also in line with Policy NE11 of North Hertfordshire's Local Plan (2011-2031).

Reasons

The site is underlain by superficial geology of Lowestoft Formation and Glaciofluvial Deposits, these are designated as a Secondary (undifferentiated) and a Secondary A aquifer respectively. The bedrock consists of Holywell Nodular Chalk Formation and New Pit Chalk Formation (undifferentiated) which is designated as a Principal aquifer. The site is located within Source Protection Zone 1 (SPZ1).

The applicant has not provided any Contaminated Land Assessment for the site. Given that the site is located within a SPZ1 and the potentially contaminative nature of the proposed development we would expect a Preliminary Risk Assessment (PRA) to have been produced as a minimum.

Overcoming our objection

We will maintain our objection until we receive an adequate PRA. Appropriate consideration should be given to fire water runoff as a potential pollutant to controlled waters.

We expect land contamination assessments to follow the tiered approach laid out in our [Land contamination risk management \(LCRM\)](#) guidance. The PRA should include historical plans of the site, an appraisal of the environmental setting (including geology, hydrogeology, groundwater and surface water receptors, potential contaminants of concern and source areas), an initial conceptual site model (CSM) describing possible pollutant linkages for controlled waters, and identification of potentially unacceptable risks. Appropriate consideration should be given to fire water runoff as a potential pollutant to controlled waters.

Land contamination investigations should be undertaken by suitably qualified and experienced professionals and in accordance with BS 5930: [Code of practice for ground investigations](#) and BS 10175: [Investigation of potentially contaminated sites – code of practice](#). Soil and water analysis should be fully MCERTS accredited. Investigation, demolition, remediation, or construction works must not create new pathways or linkages to controlled waters. Clean drilling techniques may be required for boreholes that penetrate contaminated ground.

Advice to applicant

Drainage and Fire Water Runoff

We understand that infiltration drainage is not considered suitable for the site, and that the intention is to attenuate runoff and discharge to the existing drainage pond and ditch.

Although under normal operation BESS developments do not present significant risks to groundwater or surface water, there is potential for pollution of the water environment due to abnormal and emergency situations at BESS developments, in particular fires. This would be exacerbated if in a vulnerable location, such as in this case due to the site being located within a SPZ1. There is a risk that highly polluting chemicals in batteries could enter groundwater or surface water in firewater or rainfall. Applicants should consider this risk and ensure mitigation is in place to ensure containment of this water.

Consideration does appear to have been given to preventing potentially contaminated fire water from entering Lawn Pond and other local watercourses with the inclusion of a penstock and interceptor within the drainage system. However, the potential for runoff to impact groundwater does not appear to have been addressed.

The Design and Access Statement details that the battery units will be installed on concrete plinths, but that the undeveloped areas will use a permeable gravel compound to allow runoff to percolate through the gravel subbase into perforated pipes. Can the applicant advise what measures are in place to ensure this would contain all surface water and prevent potentially contaminated fire water from infiltrating through to ground or running off around the perimeter of the gravel compound.

Pre-Application Advice

We strongly encourage applicants to seek our pre-application advice to ensure environmental opportunities are maximised and to avoid any formal objections from

us. If the applicant had come to us we could have worked with them to resolve these issues prior to submitting their planning application. The applicant is welcome to seek our advice now to help them overcome our objection via HNL SustainablePlaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at; <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

Elizabeth Clements
Sustainable Places Planning Specialist

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