
STATUTORY INSTRUMENTS

2014 No. 255

The Environmental Permitting (England and Wales) (Amendment) Regulations 2014

Schedule 3 (exempt facilities: descriptions and conditions)

13. In Schedule 3, in Part 3, after paragraph 3 insert—

“Open-loop ground source heating and cooling systems

4.—(1) For the purpose of paragraph 5(a)(i) of Schedule 2, the description is the discharge of water to groundwater from a heating or cooling system to which sub-paragraph (3) applies with altered temperature.

(2) For the purpose of paragraph 5(a)(ii) of that Schedule, the conditions in relation to a groundwater activity of that description are—

- (a) that nothing should be added to water discharged from the system;
 - (b) that the temperature of water discharged from the system—
 - (i) subject to sub-paragraph (ii), must not exceed 25° C, and
 - (ii) must not vary by more than 10° C compared to that in the aquifer from which it was abstracted;
 - (c) that the system must not be on a known contaminated site or have had a previous contaminative use;
 - (d) that water from the system must not be discharged less than 50 metres from a watercourse or groundwater-fed wetland;
 - (e) that water from the system must not be discharged within—
 - (i) 50 metres of a point at which water is abstracted from underground strata, or
 - (ii) a zone defined by a 50-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes;
 - (f) that the discharge of water from the system must be to the same aquifer as that from which it was abstracted;
 - (g) that water within the system must not be used for any other purpose.
- (3) This sub-paragraph applies to a system—
- (a) that involves—
 - (i) the abstraction of groundwater to obtain heating or (as the case may be) cooling, and
 - (ii) the subsequent discharge of that water; and
 - (b) that is—
 - (i) a cooled aquifer system with a volume of less than 1500 cubic metres per day;

- (ii) a balanced system with a volume of less than 430 cubic metres per day; or
- (iii) a heated aquifer system with a volume of less than 215 cubic metres per day.

(4) In this paragraph—

“balanced system” means a system used for both heating and cooling and where in a 5-year period the ratio of the discharge water temperature to the abstracted water temperature is within the range 0.8 to 1.2;

“cooled aquifer system” means a system used for both heating and cooling and where in a 5-year period the ratio of the discharge water temperature to the abstracted water temperature is less than 0.8;

“groundwater-fed wetland” means a terrestrial ecosystem directly depending on a body of groundwater (within the meaning of the Water Framework Directive) and includes—

- (a) a European site (which has the meaning given in regulation 8 of the Conservation of Habitats and Species Regulations 2010⁽¹⁾);
- (b) a site of special scientific interest (which has the meaning given in section 52(1) of the Wildlife and Countryside Act 1981⁽²⁾);

“heated aquifer system” means a system used for both heating and cooling and where in a 5-year period the ratio of the discharge water temperature to the abstracted water temperature exceeds 1.2.”.

⁽¹⁾ S.I. 2010/460, to which there are amendments not relevant to this instrument.

⁽²⁾ 1981 c. 69; the definition was inserted by the Countryside and Rights of Way Act 2000 (c. 37), section 75(1) and Schedule 9, paragraph 5(1) and (2).