(English version)

Question for written answer E-002855/26
to the Commission
Arkadiusz Mularczyk (ECR)
(9 July 2026)

Subject: Precautionary principle and lack of EU standards on siting large-scale energy storage facilities

In its response to Question E-001873/2026 ([1]), the Commission confirmed that it supports accelerating the granting of permits to large-scale energy storage facilities, while noting that it does not envisage introducing rules on minimum distances between such facilities and housing, leaving spatial planning issues at the discretion of the Member States.

Article 191(2) TFEU stipulates that Union policy on the environment shall be based on the precautionary principle and ensure a high level of protection for the health of people and the environment.

In light of the above:

1. Does the Commission consider that accelerating the granting of permits to large-scale energy storage facilities, in the absence of common EU standards for their siting relative to residential development, aligns with the precautionary principle as set out in Article 191(2)?

2. On the basis of which scientific analyses or risk assessments did the Commission consider that the absence of minimum standards for the siting of such installations would not adversely affect the safety of residents and the high level of protection of health and the environment in the EU?

Submitted: 9.7.2026

Answer given by Mr Jørgensen on behalf of the European Commission
(17 September 2026)

Supporting the acceleration of permit-granting procedures for large-scale energy storage facilities should go hand in hand with safeguards relating to the siting of projects and their environmental and other assessments, as necessary.

The precautionary principle, as referred to in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), applies where a risk to human health or the environment has been identified.

Its application must be based on a case-by-case assessment, best available scientific evidence and in accordance with the principles of proportionality and non-discrimination.

While Member States have the discretion to lay down national planning, safety and public health rules, siting and permitting of such facilities remain subject to the relevant provisions of Union law, in particular Directives 2001/42/EC ([1]), 2011/92/EU ([2]), 2000/60/EC ([3]), 92/43/EEC ([4]) and 2009/147/EU ([5]) where applicable.

The absence of harmonised EU siting standards does not in itself imply incompatibility with Article 191(2) TFEU, provided that permitting decisions are based on an adequate risk assessment and comply with the applicable legal framework.

Setting minimum standards for the siting of large-scale installations such as minimum distances is the responsibility of Member States in line with national and regional specificities.

This does not mean that there is a lower level of protection for health and the environment, but rather that each Member State has the discretion to define appropriate safeguards. The same applies to wind installations, for instance ([6]).

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1 https://www.europarl.europa.eu/doceo/document/E-10-2026-001873_EN.html.
([1]) Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.
([2]) Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.
([3]) Directive 2000/60/EC establishing a framework for Community action in the field of water policy.
([4]) Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.
([5]) Directive 2009/147/EC on the conservation of wild birds.
([6]) Elsner, P., Collaer, J. and Uihlein, A., The onshore wind potential of the EU and neighbouring countries — ENSPRESO 2 — Update of the Energy Systems Potential Renewable Energy Sources dataset, Black, C. (ed.), Publications Office of the European Union, 2026, https://data.europa.eu/doi/10.2760/4154939.