

Coylton Greener Grid Park - Battery Energy Storage System (over 50MW) at Land off Ayr Road, Coylton, East Ayrshire Pre-Application Consultation Report

Application under Section 36 of the Electricity Act 1989

Statkraft UK Limited

31 March 2025

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1.0 Introduction

Purpose of Report

- 1.1 This Pre-Application Consultation Report has been prepared on behalf of Statkraft UK Ltd ('the Applicant') to accompany an application for energy consent under Section 36 ('s.36') of the Electricity Act 1989 ('the Electricity Act') to run a Battery Energy Storage System ('BESS') at Land off Ayr Road, Coylton, East Ayrshire (the 'Site').
- 1.2 There are no statutory pre-application consultation procedures for section 36 applications under the Electricity Act. However, applicants are encouraged by the Energy Consents Unit ('ECU') to undertake pre-application consultation ('PAC'). This is set out within their Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (2022). This Good Practice Guidance applies to all s.36 applications, including BESS developments with a capacity of over 50MW.
- 1.3 This PAC Report, therefore, details the pre-application consultation carried out by the Applicant prior to the submission of the s.36 application.

Report Structure

- 1.4 This report is structured as follows:
- Section 2: Background to the Proposed Development
 - Section 3: Pre-Application consultation undertaken by the Applicant
 - Section 4: Comments and Feedback received during the pre-application consultation
 - Section 5: Summary and Conclusions

2.0 Background to the Proposed Development

The Applicant

- 2.1 Statkraft is 100% owned by the Norwegian state and is Europe's largest generator of renewable energy. In the UK, Statkraft develop, own, and operate wind, solar, hydro and Greener Grid Park projects. Since 2006, Statkraft has invested over £1.4 billion in the UK's renewable energy infrastructure and is a leading provider of Power Purchase Agreements (PPAs), having facilitated over 6 GW of new-build renewable energy generation through PPAs.
- 2.2 Statkraft is fully committed to public involvement and engagement and believes it is important to provide opportunities for the local community to view the proposals and discuss the Proposed Development with members of the project team at an early stage. Statkraft strives to ensure that, where reasonably practicable, developments bring forward initiatives to support economic opportunities and societal benefit for the areas in which they operate.
- 2.3 The Applicant has therefore carried out a programme of pre-application consultation for the Proposed Development, during which efforts have been made to consider comments and queries raised by the community and to respond accordingly. The programme of consultation was undertaken prior to the submission of the s.36 Application and is set out in Section 3 of this PAC Report.

Description of the Proposed Development

- 2.4 The Proposed Development to which the s.36 Application relates is for a 100-megawatt ('MW') uplift of a 50MW BESS development, known as Coylton Greener Grid Park ('CGGP'), which was granted planning permission by East Ayrshire Council on 29 February 2024 under the Town and Country Planning (Scotland) Act 1997 as amended (Planning Permission reference 23/0580/PP). The consented layout and design including the mitigation measures proposed is sufficient to accommodate the uplift in megawatts and will remain unaffected by the increase in capacity.

Pre-Application Consultation undertaken for 23/0580/PP

- 2.5 Statkraft's major application, as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, complied with the statutory requirement to undertake Pre-Application Consultation prior to the submission of application ref. 23/0580/PP. This included two public consultation events. One in-person event was held at Ochiltree Community Hub on 26 May 2022 between 14:30 to 20:30, and a virtual exhibition was held on a dedicated project website from 23 May 2022 to 30 May 2022.
- 2.6 Local residents were notified of the events by a letter drop on 16 May 2022 to properties within a 2 km radius of the site. This totalled 99 properties, 94 of which were residential. Neighbouring properties were notified of the application as per the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The event was also advertised in the local press (the Cumnock Chronicle and the Kilmarnock Standard) and on posters which were placed on local notice boards and shop windows.

- 2.7 An online event where interested parties could engage with the project team via the website also took place on 16 June 2022 between 11:00 – 13:00 and 17:00 – 19:00.
- 2.8 A further public Information Day regarding Application ref. 23/0580/PP was held on 13 February 2024, post-submission and pre-determination, where attendees could provide comments on the proposals directly to the Applicant. During this Information Day, proposals to increase the capacity of the 50MW BESS development through a s.36 application, should Application ref. 23/0580/PP be consented, were shared with the local community. Further details of this Information Day will be provided in Section 3 of this Report.
- 2.9 Application ref. 23/0580/PP was then granted approval by East Ayrshire Council on 29 February 2024, and construction commenced on 8 July 2024.
- 2.10 A copy of the PAC Report that accompanied planning application ref. 23/0580/PP is included in Appendix 1.

3.0 Pre-application Consultation

Pre-Application Discussions with ECU

- 3.1 On 03 June 2024, a new project form was submitted to the ECU alongside a Pre-Application Introductory Report (Appendix 2) to inform pre-application discussions. Representatives of the ECU, Statkraft, and Lichfields held a pre-application consultation meeting on 14 June.
- 3.2 The Applicant engaged with East Ayrshire Council ('EAC') as part of the pre-application process and to the extent of the deemed planning permission to be sought from the ECU as part of the s.36 process. This engagement was requested during the meeting on 14 June.
- 3.3 ECU's Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (2022) advises that the applicant should undertake two public consultation events prior to submitting the application. As set out in the Pre-Application Introductory Report, Statkraft considered that holding two more pre-application events for a proposal nearly identical to one already consulted on and consented may lead to confusion and contribute to engagement fatigue. Therefore, the applicant undertook one additional event, and the ECU did not request any further consultation.
- 3.4 Following the meeting, Lichfields engaged with EAC with regard to the deemed planning permission component of the energy consent. It was set out in an email on 30 July 2024 that the application was for an extension to the energy storage facility, resulting in an increased capacity of over 50MW. The extension that deemed Planning Permission will be sought for will essentially comprise the siting and operation of the additional batteries with the associated plant. All the other associated infrastructure, wider compound and mitigation, including access, fencing, etc, have already been consented to under planning permission 23/0580/PP. The council was agreeable to this energy consent being an extension to what will be an existing development.
- 3.5 Following the closure of the pre-application process with EAC (see below), confirmation of the council's comments on the pre-application was provided to the ECU on 22 January 2025. On 17 February 2025, the ECU confirmed that they would not be commenting on the pre-application.

Pre-Application Discussions with East Ayrshire Council

- 3.6 On 05 November 2024, the EAC received a pre-application advice request, which was accompanied by a Pre-Application Introductory Report (Appendix 3.1) and a letter from TNEI, the project's noise consultant, setting out how they proposed to assess cumulative noise impact. EAC responded to the pre-application advice request and confirmed that the granting of 23/0580/PP had established the principle of development and that for the s.36 application, they would anticipate updated noise and landscape information. A copy of this response is set out in Appendix 3.2.

Public Consultation

- 3.7 Section 3.2 of the ECU's Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (2022) sets out the minimum expectations for consultation with

any communities or groups who would be affected by development proposals. This includes the expectation that the Applicant should hold at least two public consultation events prior to submitting the Section 36 application, giving members of the public the opportunity to make comments to the Applicant as regards the proposed development.

3.8 The public pre-application consultation activities undertaken by the Applicant in 2024 were as follows:

1 Information Day

- Notification Period - 17 January to 23 January 2024. This involved notifying residents and local stakeholders about the consultation event.
- Consultation Period - 23 January to 20 February 2024. The consultation event included:
 - One in-person Information Day (held on 13 February 2024); and
 - One Virtual Exhibition (held from 23 January to 20 February 2024).

2 S.36 Consultation Event - Public Exhibition

- Notification Period - 5 September to 19 September 2024. This involved notifying residents and local stakeholders about the Public Exhibition.
- Consultation Period - 10 September to 04 October 2024. The Public Exhibition included:
 - One in-person Public Exhibition (held on 19 September 2024); and
 - One Virtual Exhibition (held from 10 September to 4 October 2024).

3.9 These consultation events provided various ways the local community could provide feedback on the Proposed Development with the Applicant and raise any questions or concerns they might have. Any comments or feedback received are discussed in Section 4 of this PAC Report.

Information Day

Notifications

3.10 The Information Day comprised an in-person event and a Virtual Exhibition. The Information Day was to provide an update on the general progression of Coylton GGP, as construction was due to commence in July 2024. This event has been included in this PAC Report as it comprised further consultation with the public post submission of the major planning application, and consultation in advance of the submission of the s.36 application.

3.11 The Information Day was initially scheduled for 23 January 2024 but was rescheduled due to adverse weather warnings (Storm Jocelyn). The event was successfully held on 13 February 2024 at Ochiltree Community Hub, 45 Main Street, KA18 2PE. Various methods including communication with local elected officials, website updates, mailing new invitations and putting a new advert in the paper were employed to notify key stakeholders and the public about the new date.

3.12 In accordance with the ECU's Good Practice Guidance, communication materials distributed prior to the first event included a description of the proposed development;

details of the time, date and location of the Information Day; the project website link where exhibition materials could be viewed; and details as to how the Applicant could be contacted.

3.13 Set out below are the methods by which members of the public, community councils, and councillors were notified of the Information Day.

- **Community Councils and Councillors**

Ochiltree Community Council Members, Local Ward Councillors and the Local MSP were notified of the originally scheduled Information Day via email on 10 January 2024 (Appendix 4.1). Also attached to this email was a copy of the letter of invitation sent to local residents.

- Ochiltree Community Council Members, Local Ward Councillors and the Local MSP were subsequently informed of the event rescheduling through further emails on 22 January 2024 (Appendix 4.2) and 1 February 2024 (Appendix 4.3). Also attached to this second email was a letter containing the same information as was sent to local residents (Appendix 4.4).

- **Letters and Postcard Distribution**

Local residents were notified of the originally scheduled Information Day through a mailout on 8 January 2024. A total of 106 local residents and businesses within 7.18 square miles of the Site were notified. This mailout included the letter of invitation (Appendix 4.5), a short feedback reply card (Appendix 4.6) and a freepost envelope.

Local residents were subsequently informed of the event rescheduling through a second mailout on 31 Jan 2025 (Appendix 4.7).

- **Newspaper Advertisement**

A quarter-page advert was placed in the Cumnock Chronicle on Wednesday 17 January 2024. A copy of this advertisement is provided in Appendix 4.8.

Following event rescheduling, a second quarter-page advert was placed in the Cumnock Chronicle on Wednesday 7 February 2024. A copy of this advertisement is provided in Appendix 4.9.

- **Poster Display**

The Information Day was also advertised via posters displayed in the local area. Posters were put up on 17 January 2024 at Ochiltree Community Hub. A copy of this poster is provided at Appendix 4.10. A poster for the rescheduled date was advertised from 30 January 2024.

- **Pre-Application Consultation Website**

A project website was established in November 2021 as a central platform for sharing project information and keeping interested parties informed of the project's progress.

The project website can be accessed via this link:

<https://projects.statkraft.co.uk/coylton/>.

The Information Day Virtual Exhibition period ran from 23 January to 20 February 2024. All materials distributed during the in-person Information Day were made available on the project website on 23 January 2024 and have remained accessible in the 'Project Documents' section of the website since 20 February 2024.

In-Person Information Day

- 3.14 An in-person public consultation event took place on Tuesday, 13 February 2024, at Ochiltree Community Hub, between 3:30 pm and 7:30 pm. As set out in Section 2, this Information Day outlined to local residents and stakeholders details of the Planning Application for the 50MW BESS Development (ref. 23/0580/PP), submitted on 27 October 2023. It also included information about the potential for a future s.36 application to increase the capacity of the BESS, should Application ref. 23/0580/PP be granted by East Ayrshire Council.
- 3.15 The Ochiltree Community Hub was identified as a suitable location for consultation events due to Ochiltree's close proximity to the Site – approx. 2.6 miles away – and its accessibility by public transport. The bus stop located directly outside of the Community Hub provides regular services, connecting to nearby villages such as Drongan and Schaw, where invitation letters were also distributed. This ensured that the Information Day was more accessible to those who had been invited and in the broader area.
- 3.16 This public consultation event took the form of an Information Day hosted by the Applicant who offered a range of information to those who attended. Eight poster boards displayed information on:
- Who Statkraft are;
 - What Greener Grid Parks are and why we need them;
 - A general overview of the project;
 - The design evolution of the Greener Grid Park;
 - The community benefits associated the Greener Grid Park; and
 - How to find out more and comment on the project.
- 3.17 The poster boards (Appendix 4.11) presented the information in a range of formats including statistics, maps, images, and brief text, ensuring the project information was accessible and informative. Photomontages were also prepared to provide a visual representation of how the project may look within the landscape if developed (Appendix 4.12)
- 3.18 A total of 12 members of the public attended the Information Day, including residents and Community Council members.
- 3.19 No reply cards were filled out by attendees on the Information Day relating to the s.36 application. Further details of the verbal feedback received during the Public Exhibition are detailed in Section 4 of this Report.

Virtual Exhibition

- 3.20 In order to ensure the consultation was accessible to all, all materials distributed during the in-person Information Day were made available on a 'Virtual Exhibition' page of the project website on 23 January 2024. This Virtual Exhibition ran from 23 January to 20 February 2024, and visitors to the webpage were encouraged to ask questions related to the Proposed Development or fill out an Online Feedback Form (Appendix 4.13).

Project Website

- 3.21 Exhibition materials have remained accessible in the 'Project Documents' page since 20 February 2024.
- 3.22 The website's 'Project Updates' page provides a timeline of all consultation activities undertaken amongst other project updates.
- 3.23 The 'Frequently Asked Questions' page, in addition to providing information about the developer and the project, covers topics such as environmental considerations, construction and transport matters, local benefits, and emergency procedures.
- 3.24 The 'Consented 50MW scheme' page provides links to all planning documents associated with the now consented 50MW BESS scheme under Planning Application ref. 23/0580/PP.
- 3.25 The 'Get in Touch' page allows members of the public to raise questions or share comments. On this page, visitors can provide feedback by filling in the Online Feedback Form. This page also provides a freephone contact telephone number answered by a member of Statkraft's development team, and an online form is available for members of the public to request a call back (Appendix 4.14).
- 3.26 The project website will remain accessible throughout the ECU application process to keep local residents and stakeholders informed about project developments. It will include the full list of s.36 application documents and provide a link to the ECU applications portal, where they can comment on the application.
- 3.27 During this Virtual Exhibition period, the Virtual Exhibition page received 18 unique visitors, 4 of which were returning users. This resulted in 23 visits and a total of 45 page views.
- 3.28 The website's homepage, during the Virtual Exhibition period, received 92 unique visitors, 9 of which were returning users. This resulted in 113 visits and a total of 202 page views. It is worth noting that the homepage also provided access to the construction updates page, which may have led to some overlap in traffic, though this cannot be separated out in the data.
- 3.29 No online feedback forms were received regarding the s.36 application during the first virtual Exhibition period.

S.36 Consultation Event – Public Exhibition

Notifications

- 3.30 The Public Exhibition comprised an in-person event and a Virtual Exhibition. The Public Exhibition was held on 19 September 2024 at Ochiltree Community Hub.

3.31 In accordance with the ECU's Good Practice Guidance, all communication materials distributed prior to the Public Exhibition included a description of the proposed development; details of the time, date and location of the Public Exhibition; the project website link where exhibition materials could be viewed online; and details as to how the Applicant could be contacted and corresponded with.

3.32 Set out below are the methods by which members of the public, community councils, and councillors were notified of the Public Exhibition.

- **Community Councils and Councillors**

Ochiltree Community Council Members, Local Ward Councillors and the Local MSP were notified of the Public Exhibition via email on 6 September 2024 (Appendix 5.1 and 5.2).

- **Letters and Postcard Distribution**

Local residents were notified of the Public Exhibition through a mailout on 5 September. A total of 107 local residents and businesses within a 7.18 square miles of the Site were notified. This mailout included both a letter of invitation (Appendix 5.3) and project postcards containing updates on ongoing construction (Appendix 5.4).

- **Newspaper Advertisement**

In accordance with the ECU's Good Practice Guidance, a quarter-page advert was placed in the Cumnock Chronicle on Wednesday 11 September 2024. A copy of this advertisement is provided in Appendix 5.5.

- **Pre-Application Consultation Website**

The Virtual Exhibition period ran from 10 September to 4 October 2024. All materials distributed at the in-person Public Exhibition were made available on the project website on 10 September 2024 and have remained accessible in the 'Project Documents' section of the website since 4 October 2024.

In-Person Public Exhibition

3.33 The in-person public consultation event took place on Thursday 19 September 2024 at Ochiltree Community Hub, between 3:30pm and 7:30pm, hosted by the Applicant.

3.34 Eight poster boards were displayed during the Public Exhibition (Appendix 5.6), following a similar format to the Information Day. The eight poster boards presented the following topics information:

- Who Statkraft are;
- What Greener Grid Parks are;
- A general overview of the project;
- The ongoing construction works on the Site for the consented 50MW BESS;
- Any potential impact of the Proposed Development under the s.36 Application on the appearance on the consented 50MW BESS (highlighting there was minimal difference);
- Indicative timescales for the Site to be fully operational if the s.36 is granted;

- The community benefits associated the Greener Grid Park; and
- How to find out more and comment on the project.

- 3.35 Photomontages were again prepared to provide a visual representation of how the Proposed Development may look within the landscape if developed (Appendix 5.7)
- 3.36 The series of poster boards and photomontages were displayed in the event hall (Appendix 5.8) to illustrate and explain the details of the proposal to attendees. Newsletters (Appendix 5.9) with a summary of the information on the poster boards were made available for attendees to take home as shown in Appendix 5.10. Attendees were also invited to provide feedback on the Proposed Development via feedback reply cards (Appendix 5.11). Attendees were also encouraged to provide ideas on what the community benefit fund could be used for by leaving sticky notes on the poster boards (see Appendix 5.12).
- 3.37 A total of 17 members of the public, including residents, Community Council members, and a local charity, attended the Public Exhibition.
- 3.38 Attendees filled out two reply cards on the day of the Public Exhibition regarding the s.36 application. Section 4 of this report details the feedback received during the Public Exhibition.
- 3.39 One of the reply cards received at the Public Exhibition from a local resident requested a visit from the project team to discuss the construction works of the consented Development. In response, members of the project team, including the Community Liaison Manager, have been engaging with the resident since the exhibition to discuss their concerns and the best solution for enhanced visual screening which is expected to be resolved in Spring 2025.

Virtual Exhibition

- 3.40 All materials exhibited at the Public Exhibition were made available on the project website via a Virtual Exhibition page. This Virtual Exhibition ran from 10 September to 4 October 2024, and visitors to the webpage were encouraged to ask questions related to the Proposed Development or fill out the Online Feedback Form.
- 3.41 During this Virtual Exhibition period, the Virtual Exhibition page received 15 unique visitors, 2 of which were returning users. This resulted in 23 visits and a total of 58 page views.
- 3.42 The Project Website homepage, during this period, received 94 unique visitors, 13 of which were returning users. This resulted in 116 visits and a total of 210 page views. Again, it should be noted that the homepage provides access to the construction updates page, which may have resulted in some cross-traffic.
- 3.43 No online feedback forms were received regarding the s.36 application during the Virtual Exhibition period.

Post Exhibition Contact with Community Councils and Councillors

- 3.44 Following the Public Exhibition, a letter was sent on 7 October 2024 to Ochiltree Community Council Members and Local Ward Councillors to ensure they were kept informed of key outcomes of the consultation event. This letter provided an overview of the

Public Exhibition and summarised feedback received from attendees. Construction updates for Coylton GGP and anticipated timescales for the submission of the S.36 application were also included, and plans were outlined for further engagement regarding the Community Benefit Fund and the formation of the Community Liaison Group.

3.45 A copy of this letter is provided at Appendix 5.13.

4.0 **Comments and Feedback**

4.1 This section sets out the findings of the public consultation process undertaken by the Applicant between January and October 2024, as set out in Section 3 of the PAC Report. This will include:

- Feedback received at the in-person events held at the Ochiltree Community Hub on 13 February 2024 and 19 September 2024;
- Feedback received via the dedicated Project website, during the virtual exhibition periods 23 January - 20 February 2024 and 10 September - 4 October 2024.

4.2 As detailed in Section 3 of this report, no online feedback forms were received during the consultation period relating to the s.36 application, and no reply cards were filled out at the in-person Information Day (February 2024) relating to the s.36 application. Two reply cards were filled out on the day of the in-person Public Exhibition (September 2024).

4.3 The majority of feedback on the Proposed Development was therefore verbal feedback received during the in-person Information Day on 13 February 2024 and the in-person Public Exhibition on 19 September 2024. The verbal feedback received during both events was mostly positive in that the attendees showed general support for the use of BESS technology and understood the need for the Proposed Development.

5.0 **Summary and Conclusions**

- 5.1 This Pre-Application Consultation Report has been prepared on behalf of Statkraft UK Ltd to accompany the Section 36 Application submitted to the ECU.
- 5.2 Pre-application consultation has been undertaken with the ECU and the relevant local planning authority. The local community and other key stakeholders have been given the opportunity to be involved in the pre-application process, and through this consultation process, the Applicant has helped the community understand the benefits and impacts of the proposed development. The report has also outlined the feedback received from the local community and how the applicant has responded to this.
- 5.3 The pre-application consultation undertaken by the Applicant has taken into account the ECU's Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (2022). As set out in this report, the Applicant only undertook one additional pre-application event rather than two as the s.36 proposal is nearly identical to the development that has already been consulted on and is the subject of a planning permission (currently under construction). Additionally, as the potential for a s.36 proposal was discussed at the Information Day event, it was felt that further consultation may lead to confusion and contribute to engagement fatigue.
- 5.4 In all respects, therefore, it is considered that the pre-application consultation has been effective relative to the proposal and the site.