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

### **Planning, Design and Access Statement**

Application under Section 36 of the Electricity Act 1989 Statkraft UK Limited 31 March 2025

**LICHFIELDS** 

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# **Introduction**

### Overview

- Lichfields has prepared this Planning, Design and Access Statement on behalf of Statkraft UK Ltd ('the applicant') to support an application under Section 36 of the Electricity Act 1989 for energy consent to run a Battery Energy Storage System (BESS) at Land off Ayr Road, Coylton, East Ayrshire ('Coylton Greener Grid Park').
- 1.2 The proposals constitute a 100MW uplift of an up to 50MW BESS development which was granted 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 Applicant

1.3 Statkraft is 100% owned by the Norwegian state and is Europe's largest generator of renewable energy. In the UK, Statkraft UK Ltd 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 6GW of new-build renewable energy generation through PPAs.

### The Application

- 1.4This application seeks consent for an extension to the up to 50MW capacity facility<br/>permitted under permission ref. 23/0580/PP, to a total capacity of 150MW.
- 1.5 It should be noted that the physical development of the facility (including the siting of the batteries and associated infrastructure, wider compound and mitigation including access, fencing etc.) is already consented for the whole development site under planning permission ref. 23/0580/PP. The layout and design that already has planning permission including general mitigation is sufficient to accommodate the capacity uplift and will remain unaffected by the increase in capacity 24 battery blocks have planning permission and only 8.5 battery blocks are required for the first phase of the development that will deliver up to 50MW capacity.
- 1.6The consented development is shown on the approved drawings of permission ref.<br/>23/0580/PP, provided at Appendix 1.0:
  - 23/0580/PP Approved site layout plan 1:500 (15627 023)
  - 23/0580/PP Approved site layout plan 1:1000 (15629 049)
- 1.7 Further details of the planning history of the site are provided in Section 2.0.
- 1.8 Alongside this Planning, Design and Access Statement, the documents that make up the Section 36 application for energy consent are set out in the cover letter.

### Structure of this Planning, Design and Access Statement

1.9

- The structure of the remaining document is as follows:
- Chapter 2.0: Site location and context
- Chapter 3.0: Background to the project
- Chapter 4.0: Description of proposed development
- Chapter 5.0: Policy context
- Chapter 6.0: Planning assessment
- Chapter 7.0: Design and access
- Chapter 8.0: Conclusions

**2.0** Site Location and Context

#### Site Location

- <sup>2.1</sup> The site is located approximately 1.8km northeast from Drongan, 3.5 km west of Ochiltree and 4.8km east from Coylton.
- 2.2 The applicant has control of the surrounding agricultural fields to the east of the proposed development area (Figure 2.1).

Figure 2.1 Site location (red line denoting application site boundary, blue line denoting land within the control of the applicant)



### Site Context

- <sup>2.3</sup> The site was previously agricultural land south of the existing Coylton substation and south of the A70, but is now under construction as planning permission (Ref: 23/0580/PP) is currently being implemented.
- 2.4 Located within the site is a watercourse to the northern edge, which runs diagonally southward through the site. There are also several overhead electricity lines. The topography of the site is generally flat with a slight gradient decline from the north to the south of the site.
- 2.5 The area immediately surrounding the site is predominantly rural in nature, except for the existing Coylton substation which is immediately west of the site, and the Killoch Depot which is located approximately 1.7km northeast of the site. There are several individual properties and farms within the vicinity as well as the C9 Core Path Ochiltree to Drongan which lies 400m south of the site.
- 2.6 The site is within Landscape Character Type (LCT) 66 Agricultural Lowlands as defined within NatureScot's National Landscape Character Assessment (2019). The landscape is

also described as LCT-7c East Ayrshire Lowlands in the East Ayrshire Landscape Wind Capacity Study by Carol Anderson Landscape Associates.

- <sup>2.7</sup> The site falls within the Galloway and South Ayrshire Biosphere Reserve, and is within a Coal Mining Reporting Area.
- 2.8 There is an area of ancient woodland to the north of the A70 (approximately 0.6km from the site at its closest point), and the Barlosh Moss Site of Special Scientific Interest (SSSI) lies to the southeast (approximately 1.75km from the site at its closest point).

### **Planning History**

#### Planning Permission ref. 21/0748/PP

- 2.9 The first planning application for the Greener Grid Park proposed a 20MW Battery Energy Storage System, two synchronous compensators and associated infrastructure. This was granted permission on 23 August 2022. However, in the intervening time between submission and the grant of the planning permission, Statkraft was awarded a stability contract by National Grid ESO (NGESO, now rebranded as NESO) for a 50MW BESS rather than 20MW with synchronous compensation.
- 2.10 Planning permission ref. 23/0580/PP has in effect superseded this permission.

#### Planning Permission ref. 23/0580/PP

- 2.11 Planning permission ref. 23/0580/PP was for the "formation of 50MW Battery Storage Facility, comprising up to 24 battery storage container blocks and associated infrastructure, storage containers, site offices, comms house, noise attenuation fencing, CCTV and lighting poles and associated access, landscaping and underground grid connection cable. Planning permission (ref. 23/0580/PP) was granted on 29 February 2024.
- <sup>2.12</sup> The approved development related to the construction and operation of a *Greener Grid Park*' (GGP), with a capacity of up to 50 MW. The consented development consists of multiple containerised lithium-ion (Li-ion) battery storage units, along with associated equipment, including power converters, transformers, air conditioning (HVAC) units, and spares stores.
- 2.13 Access to the site is consented from the A70 via a new site entrance connecting to it and a newly constructed access road. The A70 runs in an east-west direction and provides a road link between Cumnock and Ayr.
- <sup>2.14</sup> The consented scheme includes appropriate surface water drainage, security fencing, and landscape and biodiversity enhancements.
- 2.15 The application site for permission ref. 23/0580/PP is the same as for this Section 36 application as this application is for the Phase 2 element of that consented development. Figure 2.2 identifies the site area.



Figure 2.2 Location Plan, permission ref. 23/0580/PP

Source: Location Plan, permission ref. 23/0580/PP

- 2.16 A request for a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2013 was submitted to East Ayrshire Council (ref. 23/0008/EIASCR). In the Screening Response issued by EAC it was confirmed that the proposals did not constitute EIA development.
- As a major application, as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, there was a statutory requirement to undertake Pre-Application Consultation (PAC). 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 as well as a virtual exhibition which was held on a dedicated project website from 23 May 2022 to 30 May 2022. 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.
- 2.18 To ensure the local residents were notified suitably of the events a letter drop was undertaken on 16 May 2022 to properties within a 2 km radius of the site. This totalled 99 properties, 94 of which were residential.
- 2.19 Neighbouring properties were notified of the application as per the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 as well as the application being advertised in a local press, the Cumnock Chronicle. Following the statutory consultation period there were no objections to the planning application.

2.20 A further public information day was held on 13 February 2024, post-submission and predetermination, where attendees could provide comments on the proposals directly to the applicant.

#### Discharge of conditions relating to planning permission ref. 23/0580/PP

2.21

Planning permission ref. 23/0580/PP is currently under construction. A number of discharge of conditions applications have been made to enable construction to commence, as set out in Table 2.1.

Reference	Description	Status
24/0090/AMCPP	Discharge of Conditions 11, 12 and 13 attached to ref. 23/0580/PP - Greener Grid Park including energy management and storage on land immediately to the east of the Coylton substation	Granted 13 June 2024
24/0093/AMCPP	Discharge of Condition 20 attached to ref. 23/0580/PP	Granted 13 June 2024
24/0096/AMCPP	Discharge of Conditions 10 and 14 attached to Ref. 23/0580/PP	Granted 13 June 2024
24/0077/AMCPP	Discharge of Condition (4)(a) (Water Culvert) and Condition (8)(a) (Site Access) of Planning Consent 23/0580/PP (Formation of 50MW Battery Storage Facility)	Granted 04 July 2024
24/0105/AMCPP	Substation Grid Park including energy management and storage on land immediately to the east of the Coylton substation - discharge of condition 19(c) (Lighting) of planning consent 23/0580/PP (Battery Storage Facility)	Granted 04 July 2024
24/0500/AMCPP	Re-Discharge of conditions 4, 8, 11 and 20 of Planning Consent 23/0580/PP.	Not yet determined

Table 2.1 Discharge of conditions applications relating to planning permission ref. 23/0580/PP

2.22

As the permission has progressed to an implementable development, amendments to the site layout and some components approved under the application and in the previous discharge of condition applications are required. These proposed amendments do not increase the number of BESS units or associated infrastructure as consented; but makes minor adjustments to the location of kit and dimensions of high voltage equipment within the consented BESS compound. A separate (re-)discharge of conditions application will be submitted to East Ayrshire Council, mirroring the design and details provided in this Section 36 application.

#### Planning Permission ref. 23/0604/PP

2.23

An application for planning permission (ref. 23/0604/PP) for a 29.9MW BESS development on land immediately west of the proposed site and south of the existing substation was granted on 04 March 2025. The applicant was Balance Power Projects Ltd.

# **3.0** Description of Proposed Development

- 3.1 This application seeks consent for an 100MW extension to the up to 50MW capacity facility permitted under permission ref. 23/0580/PP, to a total capacity of 150MW.
- 3.2 As set out in Section 1.0, the physical development of the facility is already consented under planning permission ref. 23/0580/PP and therefore is not subject to receiving deemed planning permission.
- 3.3 The layout consented under planning permission ref. 23/0580/PP retained space for 'Phase 2' as shown in the orange hatching in Figure 3.1. This was included specifically to facilitate the future extension of the consented development by a further 100MW through this Section 36 application. Notwithstanding the phasing plan, the approved drawings set out in Section 1.0 include all physical development required to operate Phase 2.



Figure 3.1 Phase 2 shown hatched orange an approved phasing drawing in application ref. 23/0580/PP

Source: TNEI

3.4 As a result, the proposed development does not introduce any new matters for consideration not previously considered by East Ayrshire Council, other than the fact that the Greener Grid Park development would host a BESS with a total of 150MW output rather than up to 50MW as currently consented. A number of supporting documents have been updated to reflect the uplift, whilst others remain unchanged from the planning application ref. 23/0580/PP. This is set out in Section 1.0 of this report.

3.5 As set out in the supporting drawings provided with this application, the full site is comprised of the key elements listed below. Again, for clarity these are consented via

planning permission ref. 23/0580/PP and subsequent discharge of conditions, and is not subject to receiving deemed planning permission.

- 24 blocks of battery storage containers, each measuring a maximum of 4m (H) and 28m • (L) x 15m (W);
- AUX Transformers, each 2.5m (H) x 3.2m (L) x 3.1m (W);
- Earthing Transformers, each 4.0m(H) x 5.05m (L) x 3.35m (W);
- LV Supply cabinet 2.05m (H) x 2.0m (L) x 2.0m (W);
- Storage containers, each 2.6m (H) x 6.1m (L) x 2.4 (W);
- Office cabins, each 3.60m (H) x 9.80m (L) x 3.1m (W); •
- An underground grid connection cable of approximately 0.3km in length; •
- Comms houses, each 5.63 m (H) x 14.7 m (L) x 3.9 m (W);
- 4.5 m (H) Internal noise attenuation fencing;
- 4.0m (H) Perimeter and noise attenuation fencing (3.5m close boarded fence with 0.5m security topper)
- 4.0 m (H) high Perimeter Gate (Close Boarded);
- 3.4 m (H) Internal security fencing for HV Yard. ٠
- 3.4 m (H) Palisade Gate for HV Yard;
- CCTV / Lighting Poles (6m High);
- Porous Crushed Aggregate Hard Surfacing;
- HV Equipment at 8 m (H) x 46 m (L) x 14.4 m (W); and •
- Landscape and biodiversity enhancements.
- It is intended that Phase 1 (up to 50MW) of the Greener Grid Park development will be operational in 2026 as per Statkraft's contract with NESO. To ensure the facility is operational by this date, the applicant is in the process of developing out the site and working with East Ayrshire Council to discharge / re-discharge conditions as necessary. This is set out in Section 2.0.

### **Background to the Project**

### Need for the Proposed Development

- 4.1 Addressing the climate emergency and moving towards decarbonising energy is a priority issue for the Scottish Government. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amends the Climate Change (Scotland) Act 2009 and sets a target to reduce Scotland's emissions of all greenhouse gases to net zero by 2045. This is five years ahead of the UK's Governments net-zero target for 2050.
- 4.2 Historically power has been generated in large nuclear, gas, or coal-fired power stations that have inherent stabilising qualities. Renewable energy generators such as wind turbines, solar farms, and interconnectors do not have the same stabilising properties. As the grid has transitioned toward these renewable generators there is now a need for standalone stability systems such as that proposed.
- 4.3 NESO developed an initiative to stabilise the generation of renewable electricity within the grid. NESO ran a procurement process for the stabilisation works called the National Grid Stability Pathfinder Phase 2 (SPP2) in which a variety of operators with a range of technologies, including batteries and synchronous compensators sought long-term commercial contracts with NESO to perform this service. Statkraft was awarded a stability contract in April 2022for a grid forming converter up to 50MW BESS connecting to the Coylton Substation.
- 4.4 In order to meet its contracted connection date of April 2025, as per the terms of its stability contract with NESO, Statkraft sought planning permission for a proposal of up to 50MW BESS (planning permission ref: 23/0580/PP details of which are contained in Section 2 of this report), in order to progress the development. Although limited to up to 50MW, this application was made with open acknowledgement of the site's capacity to accommodate a second phase, with the Phase 2 uplift being the subject of this new application under s.36 of the Electricity Act. The location of the batteries associated with Phase 2 are clearly identified on the layout approved by planning permission ref. 23/0580/PP (relevant approved drawings listed in paragraph 1.6).
- 4.5 This second phase of development within the GGP will utilise the existing infrastructure and grid connection of the consented development, and by doing so will increase the capacity of the site to store excess energy from the grid and release it when demand is higher, enabling increased use of renewable energy.
- 4.6 The project is a *national development* as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. National Policy Framework 4 (NPF4) sets out national developments and includes '*Strategic Renewable electricity Generation and Transmission Infrastructure*'. This national development is triggered by on and offshore electricity generation, including energy storage, from renewables exceeding 50MW capacity. The national development status in effect establishes the need for and in turn supports the principle of development.

### **Site Selection**

- 4.7 There are a limited number of sites which are available that can connect to the electrical grid networks. Coylton was identified by National Grid as a location that needed stability services. The existing substation is already a strong and central location on the Scottish grid, and was therefore a preferred location for the new grid services which are required to enable integration of large amounts of renewable energy that are needed to meet Scottish and UK Government targets.
- 4.8 This site was identified as being suitable in 2022 given the close proximity to Coylton substation which is part of the National Grid and operated by SP Energy Networks. Projects of this nature must be sited within close proximity to the connecting substation to avoid lengthy transmission cables, with increased distance away from the connecting substation ultimately threatening the technical and financial viability of a project.
- 4.9 It should again be noted that the site has already been granted planning permission through permission ref. 23/0580/PP, and that the site, layout and design including general mitigation of this permission is sufficient to accommodate the Phase 2 uplift and will remain unaffected by the increase in capacity. The principle and details of using the site for this purpose have therefore already been established and the site is currently under construction.

### **EIA Screening**

- 4.10 Regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 set a requirement for the proposal to be screened by the Scottish Ministers in accordance with regulation. Following a request for a screening opinion made under Regulation 8(1), Scottish Ministers are required to adopt an opinion as to whether the proposed development is EIA development.
- 4.11 A screening opinion of the Scottish Ministers (ref. ECU00006091) was provided on 27 February 2025, confirming that the proposal does not constitute EIA development and that the application submitted for this development does not require to be accompanied by an EIA report. In relation to potential impact, Scottish Ministers concluded that:

Visibility of the development is not predicted to extend widely and will be limited by screening from existing trees and vegetation that can be enhanced through mitigation measures in place as part of existing development. There are likely to be few visual receptors. As part of the existing development the developer has implemented areas of new planting to provide screening and enhance biodiversity habitat. There are no likely significant effects on biodiversity, landscape, cultural heritage, or material assets, taking into account the size and scale of the development and its location relative to potential receptors. There are no significant effects considered to be likely on the land within the site. The developer looks to secure financial provision for decommissioning and restoration following the conclusion of a legal agreement under section 75 of the Town and Country Planning (Scotland) Act 1997.'

4.12 The screening opinion letter is included in Appendix 2.0.

### **Pre-application Consultation and Engagement**

4.13

There is no statutory requirement for pre-application consultation but guidance from the ECU clearly sets out that undertaking pre-application consultation is considered best practice and encouraged. Details of pre-application consultation and engagement, including that undertaken in relation to planning permission ref. 23/0580/PP, public consultation, and pre-application engagement with the ECU and East Ayrshire Council, is set out the Pre-Application Consultation Report.

## 5.0 Policy Context

5.1

### **Relevant Planning Policy and Guidance**

The planning policy and guidance documents which are of relevance to the planning application are as follows:

- National Planning Framework 4 ('NPF4') approved 13 February 2023
- East Ayrshire Council LDP 2 ('EALDP2') adopted 08 March 2024
- The Minerals Local Development Plan adopted on 13 January 2020

### **National Planning Framework 4**

- 5.2 NPF4 is the national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy.
- 5.3 Part 1 of the document, the spatial strategy, sets out that Scotland has already "*taken significant steps towards decarbonising energy and land use*" but that there will be choices to be made about the most sustainable use of the country's natural assets. It also highlights the importance of reducing greenhouse gas emissions and adapting to the future impacts of climate change (page 03).
- 5.4 Part 2 of NPF4 sets out the national planning policy which development will be assessed against. The policies of relevance are:
  - Policy 1: Tackling the climate and nature crises
  - Policy 2: Climate mitigation and adaption
  - Policy 3: Biodiversity
  - Policy 5: Soils
  - Policy 6: Forestry, woodland and trees
  - Policy 7: Historic assets and places
  - Policy 11: Energy
  - Policy 22: Flood Risk and Water Management
  - Policy 23: Health and Safety
- 5.5 These policies are considered in further detail in Section 6.0.
- 5.6 Where NPF4's position differs when compared to the assessment of 23/0580/PP is that as this Section 36 application is for more than 50MW generation, the project becomes a *National Development* as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.
- 5.7 NPF4 sets out National Developments and includes '*Strategic Renewable electricity Generation and Transmission Infrastructure*' on p103. This national development is triggered by on and offshore electricity generation, including energy storage, from renewables exceeding 50MW capacity.

5.8 The national development status in effect establishes the need for and in turn principle of development.

### East Ayrshire Local Development Plan and Local Development Plan 2

- 5.9 The EALDP2 sets out how the Council wants to see East Ayrshire develop. The policies which are of particular relevance to establishing the acceptability of the proposals for BESS projects in planning terms are:
  - Policy SS1: Climate Change
  - Policy RE1: Renewable Energy
  - Policy OS1 Green and Blue Infrastructure
  - Policy NE1 Protecting and Enhancing Landscape and Features
  - Policy NE6 Vulnerable, Threatened and Protected Species
  - Policy NE8 Trees, Woodland, Forestry and Hedgerows
  - Policy NE11 Soils
  - Policy NE12 Water, Air, Light and Noise Pollution
  - Policy RES3 Residential Amenity
  - Policy INF1 Infrastructure First
  - Policy T1 Transport Requirements in New Development
  - Policy T4 Development and Protection of Core Paths and Other Routes
  - Policy CR1 Flood Risk Management
- 5.10 That said, all physical aspects of the project already have planning permission under ref. 23/0580/PP.
- 5.11 EALDP2 was adopted in March 2024. This replaced the previous EALDP which was in place at the time of the determination of planning permission ref. 23/0580/PP was primarily assessed. However, planning application ref. 23/0580/PP was assessed in terms of the extant and emerging policies and was found to align with both.
- 5.12 These policies are considered in further detail in Section 6.0.

### 6.0 Planning Assessment

#### Overview

6.1 It should again be noted that this application seeks energy consent for the extension to the generating station permitted under ref. 23/0580/PP; as set out in Section 1.0, the physical development of the facility is already consented under planning permission ref. 23/0580/PP.

### **Benefits of the Proposed Development**

- 6.2 The proposals will result in an improvement to the reliability of the electrical network. In the move toward a low carbon economy, it will allow increasing levels of renewable energy generation to be more fully integrated into the electrical system.
- By supporting the increased availability of renewable generation to the National Grid network, the proposed development will provide the grid network with increased flexibility and stability. This provides more opportunities for renewable energy generation developments to connect into the National Grid and to provide stable availability of electricity transmission. The Proposed Development is therefore in accordance with EALDP2, specifically, EALDP2 Policy RE1 (Renewable Energy) of which provides the criteria in which renewable development should adhere to. EALDP2 Policy SS1 (Climate Change) also gives significant weight to the climate emergency in considering proposals.
- 6.4 The proposed development will contribute significantly to the renewable energy directive (2009/28/EC) as it will provide the grid network with stability throughout varying changes in electricity demand, acting as a balancing service.
- 6.5 As previously mentioned, (section 5.0), the proposals will constitute a ND 3 Strategic
   Renewable Electricity Generation and Transmission Infrastructure national
   development project under NPF4. In the statement of need for ND 3, it is emphasised that:

*`...certain types of renewable electricity generation will also be required, which will include <u>energy storage technology</u> and capacity, to provide the vital services, including <i>flexible response, that a zero-carbon network will require'.* (underline added)

6.6 Additionally, **NPF4 Policy 11 (Energy)** set outs intentions to support low-carbon and net zero energy technologies throughout the transition to a net-zero Scotland by 2045, stating that the policy intent is to encourage, promote and facilitate all forms of renewable energy development:

*`...energy generation, <u>storage</u>, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)'.* (underline added)

6.7 Given the above context, it is considered that the proposals are therefore of national strategic importance and should be afforded significant material weight. They are an important mechanism to support the grid network and facilitate greater flexibility and stability; as such, the proposed development will contribute to the low carbon energy effort by being able to provide a balance to renewable energy generation.

- 6.8 As set out in Section 5.0, application ref. 23/0580/PP was primarily assessed against the previous version of the EALDP, although it was also assessed against the then emerging EALDP2 policies and was found to align with both. The officer concluded that, due to the overlap with the detailed assessment criteria included in (superseded) Policy RE1 Renewable Energy Development, which the proposals were found to be in accordance with, it was considered that the proposals were compliant with other policies contained in the LDP by default. Adopted policy RE1 Renewable Energy is similar to the superseded RE1. As a result, we expect that the position taken by the Council previously will apply again to these new policies.
- 6.9 The proposals are also in compliance with **NPF4 Policy 1 (Tackling the Climate and Nature Crises)** and **NFP4 Policy 2 (Climate Mitigation and Adaptation)**.
- 6.10 Also considered within the case officer's assessment were a series of other policies which they found could be relevant to the application.

### Flood Risk and Drainage

- 6.11 The site is not at risk of river flooding. Whilst SEPA flood maps show limited area of surface water and small watercourses flooding, the surface water drainage strategy and detailed design established through planning permission ref. 23/0580/PP and subsequent discharge of conditions applications demonstrates that the development will provide a sustainable surface water management scheme and ensure no increase in downstream flood risk by managing discharges from the site to the local water environment in a controlled manner.
- 6.12 As the permission has progressed to an implementable development, some amendments to the drainage scheme approved under permission ref. 23/0580/PP and in the previous discharge of condition applications are required. A separate (re-)discharge of conditions application will be submitted to East Ayrshire Council.
- 6.13 The proposals are therefore generally in compliance with **NPF4 Policy 22 (Flood Risk** and Water Management), EALDP2 Policy CR1 (Flood Risk Management) and Policy NE12 (Water, Air, Light and Noise Pollution).

#### Noise

- 6.14 The impact on noise was assessed as part of the consideration of planning permission ref 23/0580/PP. A noise impact assessment was undertaken and submitted which assessed the potential operational noise from up to 50MW.
- 6.15 Planning permission ref. 23/0580/PP included the following condition for compliance:

Condition 16: "When assessed in accordance with BS 4142:22014+A1:2019, the excess of the Rating Level above the Background Sound Level due to the Greener Grid Energy Park shall not reach or exceed 5 dB. The Background Sound Levels detailed in the 'Environmental Noise Impact Assessment - Coylton Greener Grid Park. Ref: 15416-003-Ro' (dated October 2023), shall apply in carrying out such an assessment."

6.16 A Noise Impact Assessment has been produced to support this Section 36 application, to assess the uplift in capacity to 150MW. This assessment considers the potential operational noise from Phase 1 and Phase 2 together, beyond background noise levels. The assessment concludes that operation of the Greener Grid Park would still be in compliance with Condition 16 of permission ref. 23/0580/PP with the Phase 2 uplift. The assessment also noted that, as noise model assumes that all plant will be operating continuously and concurrently which is unlikely to occur for the majority of the time, the noise predictions are inherently conservative. Further details can be found in the Noise Impact Assessment.

6.17 The proposals are therefore generally in compliance with NPF4 Policy 23 (Health and Safety), EALDP2 Policy NE12 (Water, Air, Light and Noise Pollution) and Policy RES3 (Residential Amenity).

### Landscape and Visual Impact

- 6.18 The impact on landscape and visual receptors was fully assessed as part of the consideration of planning permission ref 23/0580/PP. The proposed uplift in capacity by 100MW does not require these matters to be considered again. All the physical elements required to deliver the capacity uplift have been approved and the site is currently under construction although limited in capacity to up to 50MW at present.
- 6.19 The Landscape and Visual Statement produced to support this Section 36 application concludes that there are no additional landscape or visual impacts as a result of the uplift in capacity of the site.

6.20 The proposals are therefore generally in compliance with NPF4 Policy 11 (Energy),
 EALDP2 Policy NE1 (Protecting and Enhancing Landscape and Features).

### **Biodiversity and Trees**

6.21 The impact on biodiversity and trees was fully assessed as part of the consideration of planning permission ref 23/0580/PP. The proposed uplift in capacity by 100MW does not require these matters to be considered again. All the physical elements required to deliver the capacity uplift have been approved and the site is currently under construction although limited in capacity to up to 50MW at present.

#### 6.22 A Construction Environmental Management Plan is in place to:

- Ensure, as far as possible, that all construction activities carried out are undertaken in a manner which minimises impacts on the environment.
- Remind individuals working on the site of their responsibilities and to ensure that measures to prevent, reduce or mitigate potentially adverse environmental impacts are carried out/
- Advise of good construction practices and ensure they are adopted and maintained throughout construction.
- Provide assurance to third parties that their requirements and expectations with respect to environmental performance are met.
- 6.23 The proposals are therefore generally in compliance with EALDP2 Policy NE6 (Vulnerable, Threatened and Protected Species), Policy NE8 (Trees, Woodland, Forestry and Hedgerows) and Policy OS1 (Green and Blue Infrastructure). They are also in compliance with NPF4 Policy 3 (Biodiversity) and Policy 6 (Forestry, Woodland and Trees).

### Soils and Peat

- 6.24 The impact on soils and peat was fully assessed as part of the consideration of planning permission ref 23/0580/PP. A Peat Probing Survey was undertaken as part of this planning application; no peat was encountered and there is no evidence of peatlands present in the surrounding agricultural land. The survey concluded that no peat or peaty soils will be affected as a result of the proposals.
- 6.25 The proposals are therefore in compliance with **EALDP2 Policy NE11 (Soils)** and **NPF4 Policy 5 (Soils)**.

### **Cultural Heritage and Archaeology**

- 6.26 An Archaeological Assessment was undertaken to support planning application ref. 23/0580/PP, which showed that there are no known heritage assets within the Site. The desk-based study shows that the Historic Environmental Records ('HER') holds no entries relating to evidence of activity earlier than the Medieval period in the study area and evidence of pre-Medieval activity in this part of East Ayrshire is relatively sparse. Furthermore, the ground within the site boundary and surrounding the site is poorly draining and hence unattractive for settlement. It is considered therefore that there is low potential for hitherto unrecorded archaeology to be present on the site.
- 6.27 The proposals are therefore in compliance with **NPF4 Policy 7 (Historic Assets and Places)**.

### **Transport and Movement**

- 6.28 A Transport Statement and Construction Traffic Management Plan (CTMP) was prepared in support of planning application ref. 23/0580/PP. Traffic management procedures will ensure the safe operation of the approach route to the site during construction. The TS & CTMP demonstrate that the impact on the wider road network.
- 6.29 There will be no increase in traffic during the operational phase in respect of the capacity up lift to 150MW. The CTMP will manage impacts during construction.
- 6.30 The proposals are therefore generally in compliance with EALDP2 Policy T1 (Transport Requirements in New Development), Policy INF1 (Infrastructure First) and Policy T4 (Development and Protection of Core Paths and Other Routes).

### 7.0 Design and Access

### **Design Considerations**

- 7.1 There are no new design considerations associated with this application. All physical aspects of the development of the site were considered in the determination of planning application 23/0580/PP.
- 7.2 The dimensions, design, and finishing materials and colour of all buildings, containers, plant and other component infrastructure of the development have subsequently been approved by East Ayrshire Council through planning permission ref. 24/0096/AMCPP. (This is subject to a separate (re-)discharge of planning application to be submitted to East Ayrshire Council, as noted in paragraph 2.22.)

### **Access Considerations**

7.3 All access arrangements have already been consented under planning permission ref. 23/0580/PP and do not require to be altered as a result of this application to increase the capacity of the Greener Grid Park to 150MW.

#### Access to the Site

Vehicular access to the site will be via an access point from the A70, directly to the north of the site, which has been consented and subsequently constructed under planning permission ref. 23/0580/PP. This will be the only connection point to the public network. This has been facilitated by a new bellmouth junction at the access point to enable safe use (see approved drawings listed in paragraph 1.6). This allows for visibility splay of 4.5 m x 215 m in both east and west directions. The junction has been designed to accommodate the transformer deliveries as well as Heavy Goods Vehicles (HGVs).

#### **Internal Access**

7.5 An under construction internal access track within the site joins the new access junction from the A70. The track is a gravel surface on a sub-surface. No new internal access tracks are required for the 100MW uplift.

#### **Construction Traffic Impact**

7.6 The Transport Statement & Construction Traffic Management Plan prepared as part of planning application ref. 23/0580/PP demonstrated that the impact on the wider road network from the proposals will be negligible. Construction traffic will be managed via the agreed CTMP which is already in place.

#### **Operational Traffic Impact**

7.7 Once in full operation, the development will not generate any significant traffic movements, with security and maintenance staff travelling to the site only occasionally, and by cars or small vans.

## 8.0 Conclusions

- 8.1 This application seeks consent for a 100MW extension to the up to 50MW capacity GGP facility consented under permission ref. 23/0580/PP. For the avoidance of doubt the total capacity of the site would be 150MW should this application be approved.
- 8.2 The physical development of the facility is already consented under planning permission ref. 23/0580/PP. The layout and design including general mitigation is sufficient to accommodate the capacity uplift and will remain unaffected by the increase in capacity.
- 8.3 As a result, the proposed development does not introduce any new matters for consideration not previously considered by East Ayrshire Council, other than the fact that the Greener Grid Park development would host a BESS with a total of 150MW output rather than up to 50MW as currently consented.

# **Appendix 1** Approved Drawings



LEGEND
APPLICATION SITE BOUNDARY LAND WITHIN THE CONTROL OF THE
APPLICANT INDICATIVE GRID CABLE ROUTE 0.32 km
FENCING AT 4.5m HIGH EXISTING OVERHEAD LINE (33 kV)
EXISTING OVERHEAD LINE (33 kV) TO BE DIVERTED UNDERGROUNDING OF 33 kV CABLE
EXISTING DITCH EXISTING INDICATIVE DITCH
HV YARD INTERNAL SECURITY FENCING AT 3.4m HIGH
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2.40 m (W) OFFICES 3.60 m (H) x 9.80 m (L) x 3.1 m
(W) POROUS CRUSHED AGGREGATE HARD SURFACING
→ 4.5 m HIGH GATE (CLOSE BOARDED)
<ul> <li>3.4 m PALISADE GATE</li> <li>CCTV / LIGHTING POLE (6m High)</li> </ul>
PROPOSED SuDS ATTENUATION FEATURE (DETENTION BASIN / SOAKAWAY)
PROPOSED CULVERT - DETAILS TO BE PROVIDED BY WAY OF A CONDITION
EXISTING TREES - TO BE RETAINED EXISTING SCRUB VEGETATION - TO BE RETAINED
EXISTING HEDGEROW - RETAINED
REINSTATED (3) PROPOSED NATIVE TREE (SELECT STANDARD)
PROPOSED NATIVE TREE (FEATHER) PROPOSED NATIVE WOODLAND EDGE MIX
PROPOSED NATIVE WILDFLOWER MEADOW PROPOSED WET WILDFLOWER MIX (SuDS AREA)
BATTERY CONTAINER AND HV YARD KEY:
HV EQUIPMENT 8 m (H) x 28.1 m
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Rev.         Date         Amendment Details         Drw'n         Chk'd         App'd           This drawing should not be relied on or used in circumstances other than those for which it was originally prepared and for which TNEI Services Ltd was commissioned. TNEI Services Ltd accepts no         This drawing should not be relied on or used in circumstances other than those for which it was originally prepared and for which TNEI Services Ltd was commissioned. TNEI Services Ltd accepts no
responsibility for this drawing to any party other than the person by whom it was commissioned. Any party which breaches the provisions of this disclaimer shall idemnify TNEI Services Ltd for all loss or damage arising therefrom.
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Drawing Status
FOR INFORMATION
Project Title
COYLTON BESS
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	LEGEND
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# **Appendix 2 EIA Screening Opinion**



Arabella Stewart-Leslie Lichfields By email only

By email only to:

Our ref: ECU00006091

27<sup>th</sup> February 2025

Dear Arabella Stewart-Leslie,

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCREENING OPINION OF THE SCOTTISH MINISTERS

#### IN RESPECT OF THE PROPOSED APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 TO CONSTRUCT AND OPERATE THE PROPOSED COYLTON GREENER GRID PARK BATTERY ENERGY STORAGE SYSTEM ON LAND OFF AYR ROAD COYLTON A70 FROM B730 TO U74 BARDARROCH OCHILTREE EAST AYRSHIRE

Thank you for your request dated 24<sup>th</sup> January 2025 requesting a screening opinion in respect of a proposed application under section 36 of the Electricity Act 1989 ("the Electricity Act") to extend and operate a battery energy storage system with an existing generating capacity of 50 megawatts (MW). The proposed development would provide an additional 100MW in capacity, in addition to the 50 megawatts already granted planning permission. The proposed development comprises an additional 14 blocks of battery storage containers, additional ancillary structures have been granted planning permission.

#### **Background**

The proposed development as described briefly above is entirely within the planning authority area of East Ayrshire Council ("the Planning Authority").

The proposal requires to be screened by the Scottish Ministers in accordance with regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the Regulations"). Following a request for a screening opinion made under regulation 8(1), Scottish Ministers are required to adopt an opinion as to whether the proposed development is or is not EIA development

#### The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

The Regulations set out at 8(2) the information that must accompany a request to the Scottish Ministers to adopt a screening opinion. Scottish Ministers consider that the information included in the screening request and documents supporting the request is sufficient to meet the requirements set out in regulation 8(2), and that the submitted information has been compiled taking into account the selection criteria in schedule 3 of the Regulations.

#### **Statutory Consultation**

Under regulation 8(5) of the Regulations, Scottish Ministers are required to consult the Planning Authority within whose land the proposed development is situated. The Planning Authority was consulted on 7<sup>th</sup> February 2025 and responded on 19<sup>th</sup> February 2025 advising that, in their view, the proposed development does not constitute EIA development and therefore any application for construction and operation of the development described in the screening request does not need to be accompanied by an EIA report. A copy of the Planning Authority's response is annexed to this screening opinion (**Annex A**).

#### **Scottish Ministers' Considerations**

EIA development is defined in the Regulations, in respect of an application, as a proposed development, which is either Schedule 1 development, or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The proposed development constitutes Schedule 2 development in terms of the Regulations.

In adopting a screening opinion as to whether Schedule 2 development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the Regulations as are relevant to the proposed development, and the available results of any relevant assessment.

Scottish Ministers have taken the selection criteria in Schedule 3 and all the information submitted in respect of the screening request in account and taken account of the views of the Planning Authority. Scottish Ministers adopt the opinion that the proposal does not constitute EIA development and that the application submitted for this development does not require to be accompanied by an EIA report.

In accordance with regulation 7(2), this opinion is accompanied by the following written statement with reference to the relevant selection criteria within Schedule 3 of the Regulations. In accordance with the Regulations, a copy of the screening opinion has been sent to the Planning Authority.

#### Written Statement

#### **Characteristics of Development**

The development covers an area of 13.10 hectares. The proposed development would provide an additional 100MW in capacity, on top of the 50 megawatts already granted planning permission. The proposed extension consists of additional infrastructure within the boundary of the existing site. The additional structures on site would comprise of 14 battery storage units (taking the total number on site to 38). The main element of the battery energy storage system would be multiple containerised lithium-ion battery storage units. The equipment would be sited on a porous crushed aggregate hard surface, with sustainable urban drainage and the compound enclosed by noise attenuation/security perimeter fencing. The development is not expected to be viewed in cumulation with other existing or approved development. The development would not involve use of significant levels of natural resources, with excavated material being used to backfill on site. There will be a measure of construction waste consistent with development of this type, but this is not considered likely to be significant. It is unlikely the site will be visited more than once per week when operational, so it is not anticipated to generate significant levels of waste. There is no significant pollution or nuisance anticipated either at construction or operation stages, and no anticipated risk of accidents or disasters or to human health.

#### Location of Development

The land is currently used for an existing BESS development. A Badger Sett has been identified within the proposed site, but impacts can be mitigated through the various proposed plans and assessments - including the 30m buffer zone that extends to machinery, equipment and personnel. As construction has already commenced on site, it is likely the site provides low ecological value. There are a number of Sites of Special Scientific Interest (SSSI) within a 5-kilometre radius of the proposed development including Barlosh Moss SSSI, Stairhill SSSI and River Ayr George SSSI, however impacts on these sites from the proposed development are unlikely as the proposed development is located at distance. The proposed development is not in close proximity to a World Heritage Site, and the nearest Listed Buildings are located more than 1km from the site. There is one Scheduled Monument located within 3km of the site - as it is located at distance, impacts are unlikely.

#### **Characteristics of the Potential Impact**

Visibility of the development is not predicted to extend widely and will be limited by screening from existing trees and vegetation that can be enhanced through mitigation measures in place as part of existing development. There are likely to be few visual receptors. As part of the existing development the developer has implemented areas of new planting to provide screening and enhance biodiversity habitat. There are no likely significant effects on biodiversity, landscape, cultural heritage, or material assets, taking into account the size and scale of the development and its location relative to potential receptors. There are no significant effects considered to be likely on the land within the site. The developer looks to secure financial provision for decommissioning and restoration following the conclusion of a legal agreement under section 75 of the Town and Country Planning (Scotland) Act 1997.

# Features of the proposed development and measures proposed to avoid or prevent significant effects

An updated noise assessment will be carried out and mitigation put in place if required to ensure there is no impact on residential amenities close to the site. Appropriate siting, design and screening will avoid non-significant landscape and visual effects. A range of assessments and plans are proposed, including the aforementioned assessments, an updated Landscape and Visual Impact Assessment, Construction Traffic Management Plan, Preliminary Ecological Appraisal, Badger Survey and Lighting Design.

This screening opinion does not constitute pre-application advice and is provided without prejudice to the assessment of any future application under section 36 of the Electricity Act 1989.

Yours sincerely

Graeme Cox

A member of the staff of the Scottish Government

(Cc: East Ayrshire Council)



Governance



Direct Line:

Our Ref: 25/0003/S36SCR

Date: 19th February 2025

Statkraft UK Ltd Per Lichfields Per The Scottish Government

Dear Sir/Madam

Scottish Government

**Energy Consents Unit** 

APPLICATION NO.: 25/0003/S36SCR

PROPOSAL: SCREENING OPINION REQUEST FOR AN EXTENSION

TO A GENERATING STATION (BATTERY ENERGY

STORAGE SYSTEM)

ADDRESS: LAND OFF AYR ROAD COYLTON

A70 FROM B730 TO U74 BARDARROCH

OCHILTREE

EAST AYRSHIRE

I write in connection with the recent consultation sent by the Scottish Government to East Ayrshire Council, as Planning Authority, in respect of the above which seeks the Council's views on whether the proposed development is EIA development, as required by Regulation 8 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

EIA development is defined in the Regulations, in respect of an application, as a proposed development which is either Schedule 1 development, or Schedule 2 development which is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

With due regard to the selection criteria of Schedule 3 for screening Schedule 2

development set out within the above Regulations, the Council is of the view that this development is not EIA development. A brief overview of the reasons for this is set out below.

The following statement gives the full reasons for this conclusion:

#### **Characteristics of development**

The proposal involves the increase in the storage capacity of a battery energy storage system, by increasing the number of battery units on site from 24 to 38. The consented scheme which is currently under construction, comprises a 50MW BESS. The applicant is seeking to upgrade the capacity by 100MW and the resultant application would be submitted under Section 36 of the Electricity Act.

The Proposed Development (as consented) includes the following key components:

- 24 blocks of battery storage containers, each measuring a maximum of 4m (H) and 28m (L) x 15m (W);

- 4no. AUX Transformers, each 2.5m (H) x 3.2m (L) x 3.1m (W);
- 4no. storage containers, each 2.6m (H) x 9.75m (L) x 3.05m (W);
- 4no. office cabins, each 3.60m (H) x 9.80m (L) x 3.1m (W);Pg 6/1533137934v3
- An underground grid connection cable of approximately 0.32km in length;
- 3no. comms houses, each 5.63m (H) x 14.7m (L) x 3.9m (W);
- 4.5 m (H) Noise attenuation/security perimeter fencing;
- 4.5 m (H) high Perimeter Gate (Close Boarded);
- 3.4 m (H) Internal security fencing for High Voltage Yard.
- 3.4 m (H) Palisade Gate for High Voltage Yard;
- CCTV / Lighting Poles (6m High);
- Porous Crushed Aggregate Hard Surfacing;
- High Voltage Equipment at 9 m (H) x 46 m (L) x 14.4 m (W);
- High Voltage Yard at 61.6 m (L) x 25.0 m (W) ;
- Earthing Transformer at 3.35m (L) x 5.05m (W) x 4m (H);
- LV Supply Cabinet at 2.05m (H) x 2m (L) x 2m (W); Landscape and biodiversity enhancements; and
- Sustainable Urban Drainage.
- The proposed application comprises the installation of 14 additional battery units, taking the total number on site up to 38.

#### Location of the development

The proposed development would be located approximately 2km north-east of Drongan and 3.5km south-west of Ochiltree. There are a number of individual properties and farms located at distances of approximately 40m from the application site and further. The proposed application site would be located to the south and east of the existing Coylton substation, with the main infrastructure proposed to the south of the substation. The Killoch Depot is located approximately 800m north-east of the application site. The proposed development site would therefore be located in an area which features similar electricity generation infrastructure and nearby industrial/commercial premises, accessed from the A70 road.

#### **Characteristics of potential impacts**

The Proposed Development is required to be screened for Environmental Impact Assessment (EIA) as it is considered a Schedule 2 development in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the 'EIA Regulations').

The Applicant has provided an assessment of the proposals against the relevant EIA regulations. They have concluded that the impact would not trigger an EIA under Part 2 (a) of regulations. Brief preliminary assessments of the main issues which would determine the requirement for an EIA have been carried out, with the intention of developing these further as the design and scope of the project develops. The initial assessments do not anticipate any significant impacts in regards to these matters and given the nature of the development, the Council would largely agree with this view.

Given the narrow scope of works in terms of physical development, there are a limited range of issues which require to be re-assessed in terms of EIA screening, which are considered as follows;

#### Landscape & Visual Impact

The application consists of including additional infrastructure within the boundary of the site, as was consented under the previous application. The additional structures on site comprise of 14 battery storage units (taking the total number on site to 38). They would be positioned adjacent to the 24 consented units and would not project any higher than these, at 4m in height. Given the original application was not considered to have any significant visual impact which could not be mitigated for, the additional units proposed would not trigger the requirement for EIA in terms of any visual/landscaping impacts.

#### **Ecological Impacts & Biodiversity**

Given that the works on site have commenced, conditions relating to Ecology and Biodiversity have been discharged and any required monitoring and mitigation is already now in place. During the assessment of the original application, it was concluded that there were no significant impacts in regards to these issues, provided suitable mitigation was controlled via conditions. Again, given the limited scale of the proposed changes to the overall scheme, there would be no impacts in regards to these matters which require further assessment through EIA.

#### **Residential Amenity Impacts**

The main potential impact which could result from the proposed increase in battery capacity, would be noise impact on neighbouring sensitive receptors. The applicant has confirmed that an updated BS4142:2014 compliant noise assessment will be submitted with the application, (on which the Council will be consulted in relation to the methodology which will be employed). Construction noise would be managed through the adoption of best practice measures incorporated within a Construction Environmental Management Plan (CEMP), (as was conditioned on the original consent). There is the potential for a cumulative impact with the other BESS site which has been consented within the immediate vicinity, however the applicant is aware of this and intends to factor this into the methodology. As such, while any additional noise impact will require full consideration, there is no anticipated impact with would require EIA.

#### Conclusions

A full schedule of mitigation measures which would cover all the above subjects, is likely to further reduce potential significant impacts and subject to that additional mitigation and appropriate refinement of the development upon further information being gathered, the development is unlikely to result in significant effects on that basis.

The Council, having considered the selection criteria of Schedule 3, the information submitted by the Applicant in respect of their screening request, details of other schemes that have potential cumulative interest and together with the above assessment, considers that the proposed development does not constitute EIA development.

I trust the above is helpful. If you would like to discuss anything or require any further information please do not hesitate to contact me.

#### Yours faithfully

David Wilson Interim Development Management Manager