Westport BESS Planning Statement

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For: Westport Energy Storage Ltd.

Application Site: Westport BESS

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Staff Detail

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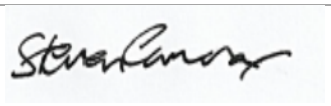
SC	Steven Cameron	Principal Planning Lead	

Contents

Tables

1. Introduction

1.1 Planning Application

Westport Energy Storage Limited. (herein the Applicant) is applying to the Scottish Ministers for consent under Section 36 of the Electricity Act 1989 for the construction and operation of a proposed up to 150MW Battery Energy Storage System (BESS) development and associated infrastructure (herein referred to as the 'Proposed Development'). The Application Site would cover a site area of approximately 18.3 hectares with the compound and tracks (actual Proposed Development) covering no more than 4-hectares. The Proposed Development is situated on land at Killoch, East Ayrshire, KA18 2QH, approximately centred on grid reference E248076, N620884 (herein referred to as the 'Application Site').

The description of the Proposed Development is as follows:

"The construction and operation of a Battery Energy Storage System (BESS) development and its associated infrastructure."

1.2 Planning Application Submission

In addition to the completed application forms and certificates, the planning application is supported by technical and environmental assessment reports, including the following:

- Planning Statement (this report);
- Design and Access Statement;
- Pre-Application Consultation (PAC) Report;
- Landscape and Visual Impact Assessment (LVIA);
- LVIA Graphics & Visualisations;
- Landscape Masterplan;
- Ecological Impact Assessment (EcIA);
- Biodiversity Net Gain (BNG) Report;
- Noise Impact Assessment
- Flood Risk Assessment and Drainage Strategy;
- Transport Statement;
- Construction Traffic Management Plan (CTMP);
- Historic Environment Assessment;
- Preliminary Contamination Risk Assessment (Phase I) Report;
- Coal Mining Risk Assessment (CMRA);
- Construction Environmental Management Plan (CEMP);
- Land Capability Classification for Agriculture (LCCA) Report;
- Tree Survey Report & Arboricultural Impact Assessment; and
- Outline Fire Risk Management Plan (OFRMP).

1.3 The Applicant

Westport Energy Storage Ltd. will be responsible for the development of the Proposed Development. The Section 36 application is supported by the technical expertise of RES (Renewable Energy Systems Ltd).

RES is the world's largest independent renewable energy company, working across 24 countries and active in wind, solar, energy storage, green hydrogen, transmission and distribution. As an industry innovator for over 40 years, RES has delivered more than 27GW of renewable energy projects across the globe and supports an operational asset portfolio exceeding 41GW worldwide for a large client base.

More recently, between 2020-2024, RES successfully developed, consented and secured investment for over 400MW of battery energy storage projects, including: the 50MW Roaring Hill Project, in Fife; the 80MW Stoney Project, in Buckinghamshire, and the 50MW Drum Farm Project, in Moray. Furthermore, following the development and construction of the 100MW Lakeside Project in North Yorkshire, RES has recently taken on full asset management services for the project which is currently the largest transmission-connected BESS in the UK.

The Applicant is committed to finding effective and appropriate ways of engaging with all its stakeholders, including local residents and community organisations, and believes that the views of local people are an integral part of the development process. The Applicant is also committed to developing long term relationships with the communities around its projects, proactively seeking ways in which it can support and encourage community involvement in social and environmental projects near its developments.

1.4 Environmental Impact Assessment

The Electricity Works (Environmental Impact Assessment (EIA)) (Scotland) Regulations 2017 identify types of development as either Schedule 1 or Schedule 2. Schedule 1 development always requires an EIA to be undertaken unless it is exempt development. Schedule 2 identifies types and scales of development that may require an EIA whereby a project is likely to have significant effects on the environment.

BESS developments, such as the Proposed Development, are not listed within Schedule 1 of the EIA Regulations, Therefore, an EIA is not mandatory. Schedule 2 developments within the EIA Regulations are defined as:

"The carrying out of development (other than development which is Schedule 1 development) to provide any of the following

(1) A generating station;
(2) An electric line installed above ground –
  a. With a voltage of 132 kilovolts or more;
  b. In a sensitive area; or
  c. The purpose of which installation is to connect the electric line to a generating station the construction or operation of which requires consent under section 36 of the Electricity Act 1989."

While BESS is not explicitly identified and detailed in Schedule 2, the Schedule does refer to generating stations (of a type that is not classed as Schedule 1 development). In reference to a letter issued by the Chief Planner regarding battery storage consents in August 2020, *"the Scottish Government considers that a battery*

installation generates electricity and is therefore to be treated as a generating station"[1]. It is therefore considered that the Proposed Development falls under Category (1) of Schedule 2.

An EIA Screening request was lodged with the Energy Consents Unit (ECU) on the 2nd December 2024. An EIA screening response was received from the ECU on the 18th February 2025 confirming the Scottish Ministers adopt the opinion that *"the proposal does not constitute EIA development and that the application submitted for this development will not require to be accompanied by an EIA report."*

1.5 Scope of Planning Statement

This Planning Statement has been prepared by Arthian Ltd. (Arthian) on behalf of the Applicant to assess the extent to which the Proposed Development complies with relevant national and local planning policies and any other material considerations. The remainder of this Planning Statement is structured as follows:

Section 2.0: Application Site & Surrounding Area;
Section 3.0: Proposed Development;
Section 4.0: The Development Plan;
Section 5.0: Other Material Considerations;
Section 6.0: Planning Policy Assessment;
Section 7.0: Need for the Proposed Development; and
Section 8.0: Summary and Conclusion.

The planning application is supported by the following technical drawings:

- Figure 1: Location Plan (Drawing Number: 05200-RES-MAP-DR-XX-001) (Rev 1)
- Figure 2: Infrastructure Layout (Drawing Number: 05200-RES-LAY-DR-PT-001) (Rev 2)
- Figure 3: Infrastructure Layout Elevations (Drawing Number: 05200-RES-LAY-DR-PT-002) (Rev 1)
- Figure 4: Swept Path Analysis – Fire Tender Tracking (Drawing Number: 05200-RES-ACC-DR-PT-001) (Rev 1)
- Figure 5: Existing and Proposed Site Elevation (Drawing Number: 05200-RES-ERW-DR-PT-001) (Rev 1)
- Figure 6: Battery Storage Enclosure (Drawing Number: 05200-RES-BAT-DR-PT-001) (Rev 2)
- Figure 7: Spares Storage Container (Drawing Number: 05200-RES-BLD-DR-PT-001) (Rev 2)
- Figure 8: Auxiliary Transformer (Drawing Number: 05200-RES-SUB-DR-PT-001) (Rev 3)
- Figure 9: Harmonic Filter (Drawing Number: 05200-RES-SUB-DR-PT-002) (Rev 2)
- Figure 10: Pre-Insertion Resistor (Drawing Number: 05200-RES-SUB-DR-PT-003) (Rev 2)
- Figure 11: Capacitor Bank (Drawing Number: 05200-RES-SUB-DR-PT-004) (Rev 2)
- Figure 12: BESS Substation Building (Drawing Number: 05200-RES-SUB-DR-PT-005) (Rev 2)
- Figure 13: DNO Substation Building (Drawing Number: 05200-RES-SUB-DR-PT-006) (Rev 1)
- Figure 14: LV Feeder Pillar & Aggregation Panel Details (Drawing Number: 05200-RES-SUB-DR-PT-007) (Rev 2)
- Figure 15: Typical LV Switchgear Room (Drawing Number: 05200-RES-SUB-DR-PT-008) (Rev 2)
- Figure 16: Substation Compound (Drawing Number: 05200-RES-SUB-DR-PT-009) (Rev 1)

[1] Scottish Government: Battery Storage Consents: Chief Planner Letter August 2020. Available online: Battery storage consents: Chief Planner letter August 2020 - gov.scot

- Figure 17: Power Conversion System & Transformer (Drawing Number: 05200-RES-PCS-DR-PT-001) (Rev 2)
- Figure 18: Typical Security Fence Details (Drawing Number: 05200-RES-SEC-DR-PT-001) (Rev 2)
- Figure 19: Typical Acoustic Fence Detail (Drawing Number: 05200-RES-SEC-DR-PT-002) (Rev 2)
- Figure 20: Typical Lighting & CCTV Column (Drawing Number: 05200-RES-SEC-DR-PT-003) (Rev 2)
- Figure 21: Typical Stock Proof Fence (Drawing Number: 05200-RES-SEC-DR-PT-004) (Rev 2)

2. Application Site and Surrounding Area

2.1 Introduction

This section details the location of the Application Site and the surrounding area. It also provides a description of the Application Site and how this is proposed to be accessed from the local road network. Additionally, this section of the Planning Statement discusses the planning history of the Application Site and details any BESS developments within 5km of the Proposed Development. Furthermore, this section details the site selection process for the Application Site by the Applicant.

2.2 Application Site Location and Surrounding Area

For the purposes of this Planning Statement, the term 'Application Site' refers to the red line illustrated on Figure 1 - Location Plan (drawing reference: 05200-RES-MAP-DR-XX-001), submitted with the planning application.

The Application Site is located on land at Killoch, East Ayrshire. The Application Site covers approximately 18.3-hectares of agricultural land used for pasture farming. The compound and tracks (actual Proposed Development) cover no more than 4-hectares. A 33kV overhead line crosses the middle of the Application Site and an 11kV overhead line crosses at the east corner and briefly at the north.

According to Scotland's Soils Land Capability for Agriculture Map, the land within the Application Site mostly comprises Class 4.1 land which is considered to be land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

A Land Capability Classification for Agriculture (LCCA) survey was undertaken at the Application Site and the report has been submitted alongside this planning application. The report determined that 67% of the Application Site is Class 4.1 land and the remaining 33% is Class 4.2 land. Therefore, the land at the Application Site is not considered to be prime agricultural land.

The Application Site comprises agricultural land bound by sparse field boundary hedgerows, fence lines and an Ancient Woodland Inventory designation to the south. A topographical survey was undertaken at the Application Site, detailing that the site slopes from approximately 168.49 metres Above Ordnance Datum (m AOD) in the south-east in the north-eastern boundary to 133.61m AOD in the northern boundary.

An Ancient Woodland Inventory designation lies adjacent to the Application Site boundary to the south classified as 2B – 'Long established plantation woodland (continuously wooded since 1860)'. An arboricultural consultant undertook a site visit in October 2024 and confirmed that this is not ancient woodland; both sections to the south have been cleared and replanted at various times. In addition to this, they are not Ancient Semi-Natural Woodland (ASNW) or Planted Ancient Woodland Sites (PAWS) and do not appear to have much or any evidence of significant increased value.

Notwithstanding the foregoing, no loss of trees is required for the construction and operation of the Proposed Development.

2.3 Surrounding Area

The village of Ochiltree lies approximately 1.75km to the east of the Proposed Development at its closest, the settlement of Coalhall lies approximately 3.7km southwest at its closest and the village of Drongan lies approximately 4km southwest at its closest.

The A70 is situated approximately 300m to the south of the Application Site which leads to the town of Ayr to the west and the town of Cumnock to the east. Creoch Road runs adjacent to the Application Site to the west and to the south.

2.4 Accessibility

The access route would be taken from the A70 Ayr Road located to the south, leading to Creoch Road which would provide access to the Application Site via two points – one to the south and one to the west. The access point to the west of the Application Site would be for emergency vehicle access during the site's operational period.

Details of this can be found within the Transport Statement submitted alongside the planning application.

2.5 Planning History of Application Site

A search was undertaken in March 2025 of any existing and/or approved developments located within the boundary of the Application Site using the East Ayrshire Council planning search facility. No planning history was found at the Application Site. A search was also undertaken of any BESS developments within a 5km vicinity using the East Ayrshire Council planning search facilities. Table 2.1 provides information in relation to BESS developments within 5km of the Application Site.

Table 2.1: Cumulative Search of BESS Development located within 5km of the Application Site

Reference	Description of Development	Year Determined	Decision
23/0604/PP	Battery Energy Storage System (BESS) with a maximum generating capacity of 29.9MW involving the installation of up to 18 battery containers, a substation and related electrical equipment, and associated ancillary infrastructure including a new access track, existing access track improvements, surface water	2025	Granted Conditionally

	drainage/SUDS, acoustic fencing, perimeter fencing with lighting/CCTV, and landscape planting | Land South of Electricity Substation, A70 From B730 To U74, Bardarroch, Ochiltree, East Ayrshire. Located approximately 2.5km to the southwest of the Application Site boundary.		
23/0580/PP	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 | Land Off Ayr Road, Coylton, A70 From B730 To U74, Bardarroch, Ochiltree, East Ayrshire. Located approximately 2.2km to the southwest of the Application Site boundary.	2024	Granted Conditionally
22/0405/PP	Development of a 49.9MW battery energy storage facility and associated infrastructure | Killoch Depot, Killoch Colliery off A70 West of Ochiltree, East Ayrshire, KA18 2RL. Located adjacent to the south of the Proposed Development	2023	Granted Conditionally

2.6 Site Selection

The Application Site was deemed suitable for BESS development for the following reasons:

- It maintains sufficient distance from potentially sensitive residential receptors.
- It maintains sufficient distance from potentially sensitive environmental receptors.
- The Application Site is not located on prime agricultural land.
- The Application Site is in close proximity to hedgerows, trees, woodland and the colliery, allowing for natural screening of the Proposed Development, particularly to the south.
- The Application Site lies within close proximity of the local highway network, with access available from the A70 leading to Creoch Road.
- The Application Site is approximately 1.9km from the existing Coylton Substation, which is the project's Point of Connection

3. Proposed Development

3.1 Introduction

The Proposed Development comprises the construction and operation of a Battery Energy Storage System (BESS) development of a maximum generation capacity of 150MW with associated infrastructure, fencing and security measures.

The Proposed Development would be temporary, with an operational phase of up to 40-years, after which, the Application Site would be reinstated.

The layout of the Proposed Development is illustrated in the Figure 3: Infrastructure Layout (Drawing Number: 05200-RES-LAY-DR-PT-001) which has been submitted alongside the planning application.

3.2 Proposed Development

The key elements of the Proposed Development are detailed within Table 3.1 below. As part of the planning application package, typical drawings and plans have been submitted.

Table 3.1: Key Elements of the Proposed Development

Element	Description
Battery Storage Enclosures	Battery Energy Storage Systems (BESS) use batteries to store and release electrical energy. The energy that is stored in these enclosures can be drawn upon when needed to meet the demand for power. BESS enclosures would be a height of approximately 2.9m. These BESS containers would be sited upon areas of hardstanding. Details of this are shown in Figure 6: Battery Storage Enclosure (Drawing Number: 05200-RES-BAT-DR-PT-001).
Spares Storage Containers	There would be spares storage containers for the Proposed Development up to a height of approximately 2.9m. Details of this are shown in Figure 7: Spares Storage Container (Drawing Number: 05200-RES-BLD-DR-PT-001).
Power Conversion Systems (PCS)	There would be Power Conversion Systems (PCS) with twin MV skid and apron slab for the Proposed Development located adjacent to the battery storage enclosures. These would be up to a height of approximately 2.4m. Details of this are shown in Figure 17: Power Conversion System & Transformer (Drawing Number: 05200-RES-PCS-DR-PT-001).

BESS Substation	BESS Substation buildings for the Proposed Development up to a height of approximately 4.5m. Details of this are shown in Figure 12: BESS Substation Building (Drawing Number: 05200-RES-SUB-DR-PT-005).
DNO Substation	A Distribution Network Operator (DNO) substation is required for the BESS development. The DNO substation contains the electrical switchgear, which comprises of disconnect switches used to control and protect the electrical equipment, as well as isolate the circuit if a fault occurs in the BESS containers or in the local electricity distribution network. Elements of the DNO Substation would be up to a height of approximately 6.8m. Details of this are shown in Figure 13: DNO Substation Building (Drawing number: 05200-RES-SUB-DR-PT-006).
Harmonic Filter	Harmonic filters for the Proposed Development would be up to a height of approximately 2.7m. Details of this are shown in Figure 9: Harmonic Filter (Drawing number: 05200-RES-SUB-DR-PT-002).
Pre-Insertion Resistor	Pre-insertion resistors for the Proposed Development would be up to a height of approximately 2.7m. Details of this are shown in Figure 10: Pre-Insertion Resistor (Drawing number: 05200-RES-SUB-DR-PT-003).
Capacitor Bank	Capacitor banks for the Proposed Development would be up to a height of approximately 2.6m. Details of this are shown in Figure 11: Capacitor Bank (Drawing number: 05200-RES-SUB-DR-PT-004).
LV Switchgear Rooms	LV switchgear rooms adjacent to the auxiliary transformers for the Proposed Development would be up to a height of approximately 3m. Details of this are shown in Figure 15: Typical LV Switchgear Room (Drawing number: 05200-RES-SUB-DR-PT-008).
Fencing & Security Measures	Security fencing would be constructed for health, safety and security reasons, anticipated to be no more than 3m in height and would comprise green wire mesh. Details of the security fencing

	are shown in Figure 18: Typical Security Fence Details (Drawing Number: 05200-RES-SEC-DR-PT-001). Acoustic fencing would be installed around the perimeter of the Proposed Development to a maximum height of 4m. Details of the security fencing are shown in Figure 19: Typical Acoustic Fence Detail (Drawing Number: 05200-RES-SEC-DR-PT-002). Inward facing CCTV security cameras, constructed on concrete foundations, at a height of 4m are anticipated to be installed for the Proposed Development. There would be no artificial lighting around the site as CCTV would be inward facing infra-red cameras. Details of the CCTV can be seen in Figure 20: Typical Lighting & CCTV Column (Drawing Number: 05200-RES-SEC-DR-PT-003).
Maintenance Tracks & Site Access Gate	Maintenance tracks will be constructed within the fenced Application Site boundary to provide access to the infrastructure by construction vehicles. The tracks will be designed to have sufficient radii for turning of the construction vehicles. Site access would be taken to the south off Creoch Road where the existing gate and fence is to be modified to accommodate the construction traffic. A secondary access track with a passing/holding place would be constructed to the west of the Application Site which is for emergency use. In order to create the access tracks throughout the site, the removal of a small section of hedgerow to the west would be required. The remainder of the Proposed Development would be set back from trees and hedgerow where appropriate to avoid impact where possible. The access tracks would be approximately 4.5m wide.

3.3 Construction Phase

The construction phase of the Proposed Development is anticipated to take place over a period of approximately 21-24 months. The construction activities that will be required include:

- Site preparation;
- Construction of the BESS and associated infrastructure;
- Commissioning;
- Site reinstatement; and
- Landscape planting and habitat enhancement measures.

A temporary construction compound would be located close to the site access point at the south to facilitate the construction of the Proposed Development. The compound would allow for the laydown of materials and vehicle parking throughout the duration of the construction phase.

3.4 Operational Phase

The Proposed Development would be operational for a period of up to 40 years. During the operational phase the Proposed Development would be unmanned and would be monitored externally. Activity onsite during the operational phase would therefore be limited to vegetation and habitat management, equipment maintenance, servicing of components and any reactive maintenance servicing requirements.

3.5 Decommissioning Phase

As discussed above, the operational phase of the Proposed Development is expected to take place over a period of 40 years. Following which, the Proposed Development would be decommissioned, and the components removed from the site after which, the Application Site would be returned to agricultural usage. The following activities may be associated with the decommissioning of the Proposed Development:

- The components of the BESS would be dismantled and removed from the site utilising the proposed access;
- As much material will be recycled or re-used on-site where possible, and
- The land will be restored by infilling holes, backfilling cable trenches to a maximum of 0.9m and landscaping/re-seeding.

Should the opportunity arise for re-powering of the Proposed Development, then a new consenting process would be required.

4. The Development Plan

4.1 Introduction

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended)[2] require planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. The effect of these legislative provisions is that where a Proposed Development accords with the Development Plan, it must be permitted unless there are material considerations of such significance to warrant refusal.

This section of the Planning Statement identifies the Development Plan as comprising the adopted National Planning Framework 4 and East Ayrshire Local Development Plan 2 and discusses policies within these documents that are relevant to the Proposed Development.

4.2 National Planning Framework 4

The National Planning Framework 4 (NPF4) was adopted in February 2023[3], replacing the previous National Planning Framework 3 (NPF3) and forming part of the Development Plan. The former Scottish Planning Policy (SPP) (2014) was amalgamated with NPF4 in the adoption of the new framework.

In relation to energy, NPF4 intends to *"encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)."*

Policy 11 of the NPF4 outlines the following:

- *"a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:*
  - *wind farms including repowering, extending, expanding and extending the life of existing wind farms;*
  - *enabling works, such as grid transmission and distribution infrastructure;*
  - *energy storage, such as battery storage and pumped storage hydro;*
  - *small scale renewable energy generation technology;*
  - *solar arrays;*
  - *proposals associated with negative emissions technologies and carbon capture; and*
  - *proposals including co-location of these technologies"*

[2] UK Government (1997): The Town and Country Planning (Scotland) Act 1997. Available online: Town and Country Planning (Scotland) Act 1997 (legislation.gov.uk)

[3] Scottish Government (2023) National Planning Framework 4. Available online: National Planning Framework 4 (www.gov.scot)

- *"c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- *d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.*
- *e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:*
    - *Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
    - *Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
    - *Public access, including impact on long distance walking and cycling routes and scenic routes;*
    - *Impacts on aviation and defence interests including seismological recording;*
    - *Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
    - *Impacts on road traffic and on adjacent trunk roads, including during construction;*
    - *Impacts on historic environment;*
    - *Effects on hydrology, the water environment and flood risk;*
    - *Biodiversity including impacts on birds;*
    - *Impacts on trees, woods and forests;*
    - *Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
    - *The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
    - *Cumulative impacts."*

Part 2 of NPF4 sets out National Planning Policy. Many of NPF4's policies are relevant to the Proposed Development. Key policies considered to be relevant have been detailed within Table 4.1 below.

Table 4.1: Applicable NPF4 Policies

Policy Reference	Description
Policy 1 (Tackling the Climate and Nature Crises)	This policy intends to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.
Policy 2 (Climate Mitigation and Adaptation)	This policy intends to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
Policy 3 (Biodiversity)	This policy intends to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. It includes a series of requirements for proposals for major development.

Policy 4 (Natural Places)	This policy intends to protect, restore and enhance natural assets, making best use of nature-based solutions.
Policy 5 (Soils)	This policy intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.
Policy 6 (Forestry, Woodland and Trees)	This policy intends to protect and expand forests, woodland and trees.
Policy 7 (Historic assets and places)	This policy intends to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
Policy 11 (Energy)	This policy intends to encourage, promote and facilitate all forms of renewable energy development onshore and offshore.
Policy 22 (Flood risk and water management)	This policy intends to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.
Policy 23 (Health and Safety)	This policy intends to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.
Policy 29 (Rural Development)	This policy intends to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

4.3 East Ayrshire Local Development Plan 2

East Ayrshire Local Development Plan 2 (EALDP2)[4] Volumes 1 and 2 was adopted in April 2024 alongside its associated maps and documents. EALDP2 represents East Ayrshire Council's (EAC) settled views on how East Ayrshire should be developed over the next 10-20 years. The recently adopted Plan has primacy over NPF4.

[4] East Ayrshire Council: East Ayrshire Local Development Plan 2. Available online: Information about local development plan 2 · East Ayrshire Council

The adopted Local Plan policies considered to be relevant to the Proposed Development have been identified in Table 4.2 below.

Table 4.2: Local Plan Policies

Policy	Title
Policy SS1	Climate Change
Policy SS2	Overarching Policy
Policy SS10	Skills and Employment
Policy DES1	Development Design
Policy HE1	Listed Buildings
Policy HE2	Conservation Areas
Policy HE3	Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environment Assets
Policy NE1	Protecting and Enhancing Landscape and Features
Policy NE4	Nature Crisis
Policy NE5	Protection of Areas of Nature Conservation Interest
Policy NE6	Vulnerable, Threatened and Protected Species
Policy NE8	Trees, Woodland, Forestry and Hedgerows
Policy NE10	Protection of Agricultural Land
Policy NE11	Soils
Policy NE12	Water, Air, Light and Noise Pollution
Policy NE13	Contaminated Land
Policy T1	Transport Requirements in New Development
Policy T4	Development and Protection of Core Paths and Other Routes
Policy RE1	Renewable Energy
Policy FIN1	Financial Guarantees
Policy CR1	Flood Risk Management

4.4 Supplementary Planning Guidance

As part of EALDP2, Supplementary Planning Guidance (SPG) has been published in order to provide further information. The relevant SPG for the Proposed Development is as follows:

- East Ayrshire Council Supplementary Guidance: Energy and EV Charging (2024)[5]; and

[5] East Ayrshire Council: Energy and EV Charging Supplementary Guidance (2024). Available Online: EAC

- East Ayrshire Council Supplementary Guidance: Design (2024)[6].

[6] East Ayrshire Council: Design Supplementary Guidance (2024). Available online: East Ayrshire Council, LDP2

5. Other Material Considerations

5.1 Planning Advice Notes

Annex A 'Defining a Material Consideration' of Planning Circular 3/2013 'Development Management Procedures'[7] identifies a range of considerations that may be material in planning terms, this includes published Scottish Government Planning Advice Notes.

The Scottish Government Planning Advice Notes (PANs) provide advice on good practice and other relevant information. The PANs considered to be of relevance to the Proposed Development include:

- PAN 51: Planning, Environmental Protection and Regulation[8] (revised October 2006);
- PAN 60: Natural Heritage[9] (2000, revised January 2008);
- PAN 61: Sustainable Urban Drainage Systems[10] (July 2001);
- PAN 79: Water and Drainage[11] (September 2006);
- PAN 1/2011: Planning and Noise (March 2011)[12] ;
- PAN 2/2011: Planning and Archaeology (July 2011)[13]; and
- Energy Storage: Planning Advice (December 2013)[14].

5.2 National Climate & Energy Policy

5.2.1 Overarching National Policy Statement for Energy (EN-1) (2024)

The Secretary of State will have no functions under the Planning Act 2008 in relation to consenting energy infrastructure projects in Scotland. Nonetheless, energy policy in a general matter reserved to UK Ministers therefore the National Policy Statement (NPS) can be considered relevant for planning decisions in Scotland.

[7] Scottish Government (2013) Planning Circular 3/2013, Annex A: Defining a Material Consideration. Available online: https://www.gov.scot/publications/planning-series-circular-3-2013-development-management-procedures/pages/12/

[8] The Scottish Government: Planning Advice Note 51: Planning, Environmental Protection and Regulation (2006). Available online: Planning Advice Note 51: planning, environmental protection and regulation - gov.scot (www.gov.scot)

[9] The Scottish Government: Planning Advice Note 60: Natural Heritage (2000). Available online: Planning Advice Note 60: natural heritage - gov.scot (www.gov.scot)

[10] The Scottish Government: Planning Advice Note 61: Sustainable Urban Drainage Systems (2001). Available online: Planning Advice Note 61: Sustainable urban drainage systems - gov.scot (www.gov.scot)

[11] The Scottish Government: Planning Advice Note 79: Water and Drainage (2006). Available online: Planning Advice Note 79: water and drainage - gov.scot (www.gov.scot)

[12] The Scottish Government: Planning Advice Note 1/2011: Planning and Noise (2011). Available online: Planning Advice Note 1/2011: planning and noise - gov.scot

[13] The Scottish Government: Planning Advice Note 2/2011: Planning and Archaeology (2011). Available online: Planning Advice Note 2/2011: Planning and archaeology - gov.scot

[14] The Scottish Government: Energy Storage: Planning Advice (2013). Available online: Energy storage: planning advice - gov.scot (www.gov.scot)

The current Overarching National Policy Statement for Energy (EN-1) (NPS)[15] was published by the Department of Energy Security and Net Zero (DESNZ) (which replaced the former Department of Energy and Climate Change (DECC)) in November 2023 (last updated January 2024), replacing the previous NPS EN-1 published in 2011. The NPS sets out the national policy for energy infrastructure. Although the primary purpose of the NPS is for the determination of Nationally Significant Infrastructure Projects (NSIP), it is set out within the NPS that it is still relevant as a material consideration for the determination of applications that fall under the Town and Country Planning Act 1990 (as amended).

Section 3.3.26 of the NPS states that *"storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. There is currently around 4GW of electricity storage operational in GB, around 3GW of which is pumped hydro storage and around 1GW is battery storage."*

5.2.2 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)

The NPS for Renewable Energy infrastructure (EN-3)[16] was also adopted in November 2023 (last updated January 2024), replacing the previous NPS EN-3 published in 2011. Similarly, with NPS EN-1, NPS EN-3 is primarily focussed on NSIP developments. However, it is still relevant as a material consideration for the determination of applications that fall under the Town and Country Planning Act 1990 (as amended). Similarly to the NPS discussed above, this document can be considered relevant for planning decisions in Scotland despite the Secretary of State having no functions under the Planning Act 2008 in relation to consenting energy infrastructure projects in Scotland.

In relation to BESS developments, Section 3.9.17 of the EN-3 states that *"as the electricity grid sees increasing levels of generation from variable renewable generators such as offshore wind, onshore wind and solar power, there will be an increasing need for storage infrastructure to balance electricity supply and demand."*

5.3 Other Material Considerations

The following sections detail other material considerations that are considered to be relevant to the Proposed Development as a renewable energy proposal.

5.3.1 The United Nations Framework Convention on Climate Change

International energy policy is based on the demand to battle climate change and reduce carbon dioxide (CO_2) emissions and, therefore, is relevant to renewable energy development. The United Nations Framework

[15] DECC (2023) Overarching National Policy Statement for Energy (EN-1). Available Online: EN-1 Overarching National Policy Statement for Energy (publishing.service.gov.uk)

[16] Department for Energy Security and Net Zero (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Available online: NPS EN-3 - Renewable energy infrastructure (publishing.service.gov.uk)

Convention on Climate Change (UNFCCC) implemented by the United Nations in May 1992, determined a long-term objective to stabilise greenhouse gas concentrations in the atmosphere, with the purpose of preventing anthropogenic interference with the climatic system. Subsequently, the Kyoto Protocol[17] was implemented in 1997. National governments who signed up to the Kyoto Protocol are committed to reducing their greenhouse gas emissions.

5.3.2 The Climate Change Act (2008) (2050 Target Amendment) Order 2019

The Climate Change Act (2008) is the basis for the UK's approach to tackling and responding to climate change. This act legally committed the UK to reducing greenhouse gas emissions by at least 80% in 2050, when compared to the 1990 levels.

In May 2019, the Committee on Climate Change published their 'Net Zero Technical Report'[18], setting out a new emissions target for the UK of net zero greenhouse bases by 2050. In response to this, the Climate Change Act 2008 (2050 Target Amendment) Order 2019 came into force on 27 June 2019 and amended the previous legally binding target to reduce greenhouse gas emissions from 80% to 100%.

In order to track progress, the 2008 Act introduced a system of carbon budgets setting five-year caps on greenhouse gas emissions. The carbon budgets restrict the amount of greenhouse gas the UK can legally emit in a five-year period. The UK is currently in the third carbon budget period, which runs from 2018 – 2022. The Climate Change Committee states:

"UK emissions were 44% below 1990 levels in 2018. The first carbon budget (2008 to 2012) was met, as was the second (2013 to 2017) and the UK is on track to outperform the third (2018 to 2022). However, it is not on track to meet the fourth (2023 to 2027). To meet future carbon budgets and the 100% target for 2050 it will require the government to apply more challenging measures."

The Act also requires the UK Government:

- To assess regularly the risks to the UK of the current and predicted impact of climate change;
- To set out its climate change adaptation objectives; and
- To set out its proposals and policies for meeting these objectives.

[17] United Nations: Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997) Available online: kpeng.pdf (unfccc.int)

[18] Climate Change Committee (2019) Net Zero Technical Report. Available online: Net Zero - Technical Report - Climate Change Committee (theccc.org.uk)

5.3.3 Electricity Generation Policy Statement

The Scottish Government published the Electricity Generation Policy Statement (EGPS) on 28 June 2013[19]. Paragraph 1 highlights that electricity generation and the economic and environmental benefits which could arise from a shift from fossil fuel generation to a portfolio comprising renewable and cleaner thermal generation are matters of considerable importance to the Scottish Government.

The report summarises the Scottish Government's targets and these are set out as inter alia:

- Delivering the equivalent of at least 100% of gross electricity consumption from renewables by 2020 as part of a wider, balanced electricity mix.
- Enabling local and community ownership of at least 500 MW of renewable energy by 2020.
- Seeking increased interconnection and transmission upgrades capable of supporting projected growth and renewable capacity'.

In terms of economic benefit, the report states that it is expected that there would be, over the decade to 2020, from renewables alone, a provision of up to 40,000 jobs and £30 Billion of investment to the Scottish economy and a transformational opportunity for local ownership and benefits.

Paragraph 17 states that the Government estimates that the 100% target will require around 14-16GW of installed capacity to be deployed.

Page 11 of the report explains that the UK target is to produce 15% of all energy from renewable sources and an estimated 30% of electricity from renewable sources by 2020 and that this:

"... will require connection to Scotland's vast energy resource and we will continue to work to connect Scotland to an ever more integrated UKL and EU market' The Report cross refers to the 2020 Routemap for renewable energy in Scotland. Paragraph 32 reiterates the EU context and states that Scotland has the potential to make a 'major contribution to the EU's overall renewables target."

5.3.4 The Paris Agreement

The Paris Agreement's central objective is to boost global response to climate change, keep global temperature rise low and strengthen efforts to support this. The European Union signed the UK and Northern Ireland up to the Agreement on 22nd April 2016 and it came into force on the 18th December 2016. In line with Article 4 of the Paris Agreement, a Nationally Determined Contribution (NDC)[20] was drawn up which commits the UK to reduce economy-wide greenhouse gas emissions by at least 68% by 2030, compared to 1990 levels.

[19] The Scottish Government: Electricity Generation Policy Statement 2013. Available online: ELECTRICITY GENERATION POLICY STATEMENT - Electricity generation policy statement 2013 - gov.scot

[20] United Kingdom of Great Britain and Northern Ireland's Nationally Determined Contribution (2022). Available online: United Kingdom of Great Britain and Northern Ireland's Nationally Determined Contribution (publishing.service.gov.uk)

European and national energy policy has been established from the Kyoto Protocol and Paris Agreement requirements and will continue to be framed by emerging guidance and scientific information.

5.3.5 The Clean Growth Strategy

The Clean Growth Strategy Policy Paper[21] sets out the *"ambitious blueprint"* for the UK's low carbon future. The Strategy sets out ambitions for the delivery of clean, smart and flexible power, including the need for a diverse electricity system that supplies homes and businesses with secure, affordable and cheap energy.

5.3.6 The Ten Point Plan for a Green Industrial Revolution

In November 2020, former Prime Minister Boris Johnson announced his Ten Point Plan[22] for the UK to lead the world into a new Green Industrial Revolution. This innovative programme sets out ambitious policies and significant new public investment to support green job creation, accelerate our path to reaching net zero by 2050 and lay the foundations for building back greener. Spanning clean energy, buildings, transport, nature and innovative technologies, the Ten Point Plan will mobilise £12 billion of government investment to unlock 3 times as much private sector investment by 2030; level up regions across the UK; and support up to 250,000 highly skilled green jobs.

5.3.7 National Infrastructure Strategy (2020)

The National Infrastructure Strategy (NIS)[23] was published in November 2020, setting out the Government's plans to deliver a radical improvement in the quality of the UK's infrastructure. Chapter 3: Power of the NIS emphasises the importance of renewable energy deployment as part of the plan, whilst balancing between reducing power sector emissions, maintaining energy security and providing affordable electricity for households and businesses.

To achieve net zero by 2050, the NIS states *"the power system will need to be virtually carbon free and significantly larger to cope with the additional demand from electrification in transport, heating and some industrial processes…"*. It is acknowledged that the greatest proportion of this generation will be provided by low-cost renewable technologies.

[21] HM Government (2017): The Clean Growth Strategy. Available Online: Clean Growth Strategy - GOV.UK (www.gov.uk)
[22] HM Government (2020): The Ten Point Plan for a Green Industrial Revolution. Available online: The Ten Point Plan for a Green Industrial Revolution (publishing.service.gov.uk)
[23] HM Treasury (2020) National Infrastructure Strategy. Available Online: CP 329 – National Infrastructure Strategy – Fairer, faster, greener – November 2020 (publishing.service.gov.uk)

5.3.8 Climate Change Committee: The Sixth Carbon Budget: The UK's Path to Net Zero

The Climate Change Committee advised the UK Government to set its Sixth Carbon Budget to require a reduction in emissions of 78% by 2035, relative to 1990 levels, a 63% reduction from 2019[24]. The accompanying document 'The Sixth Carbon Budget: Electricity Generation'[25] contains a summary of content for the electricity generation sector. The Report identifies the *"need to continue to reduce emissions from electricity generation, while meeting new demands from the electrification of heat and transport"*. In order to meet this need, the UK will require a portfolio of renewable energy generation technologies, including variable renewables, such as solar PV.

The Report states that *"in an electricity system based on renewables, storage will be important to manage variable output... Battery storage can provide within-day flexibility when renewable output falls rapidly."*

5.3.9 Energy White Paper: Powering our Net Zero Future (2020)

The Energy White Paper: Powering our Net Zero Future[26] was published in December 2020. The White Paper states that the UK energy system is still largely dominated by the use of fossil fuels, which will need to change dramatically by 2050 if the net zero target is to be achieved. Decarbonising the energy system over the next thirty years means replacing – as far as it is possible to do so – fossil fuels with clean energy technologies such as renewables. The UK Government is not planning for any specific technology solution; however, the future generation mix will comprise a low-cost, net zero consistent system, likely to be composed predominately of wind and solar, alongside complementary technologies such as battery storage. The White Paper states *"we will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios."*

5.3.10 The Scottish Energy Strategy Position Statement

The Scottish Government published 'Scotland's Energy Strategy Position Statement' in March 2021[27]. The Position Statement provides an overview of key priorities for energy.

The Ministerial Foreword refers to the challenges of the pandemic which has created an economic crisis, stating that *"the need for a Just Transition to net zero greenhouse gas emissions by 2045, in a manner that supports sustainable economic growth and jobs in Scotland, is greater than ever"*.

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[24] Climate Change Committee (2020) Sixth Carbon Budget. Available Online: Sixth Carbon Budget - Climate Change Committee (theccc.org.uk)
[25] Climate Change Committee (2020) The Sixth Carbon Budget: Electricity Generation. Available Online: Sector-summary-Electricity-generation.pdf (theccc.org.uk)
[26] UK Government (2020). Powering our Net Zero Future. Available Online: Energy White Paper (publishing.service.gov.uk)
[27] The Scottish Government: Energy Strategy: Position Statement. Available online: Energy strategy: position statement - gov.scot

Since Scotland's last Energy Strategy was published, the Scottish Government has continued to commit to achieving ambitious targets of net zero greenhouse gas emissions by 2045 and a 75% reduction by 2030.

Section 5: A Green Economic Recovery of the document states that *"Creating green jobs are at the heart of the Scottish Government's plans for a fair, resilient and green economic recovery."* When describing how the support for industries and sectors across the energy landscape would be support, it is highlighted that the continued growth of Scotland's renewable energy industry is fundamental to enable Scotland to create sustainable jobs in order to transition towards net zero.

5.3.11 Net Zero Strategy: Build Back Greener (2021)

The Net Zero Strategy [28] was published in October 2021, setting out the policies and proposal for decarbonising all sectors of the UK economy in order to meet the net zero target by 2050. The Net Zero Strategy identifies key policies in relation to the energy sector, those considered relevant to the Proposed Development include:

- *"By 2035, the UK will be powered entirely by clean electricity, subject to security of supply.*
- *Deployment of new flexibility measures including storage to help smooth out future price spikes."*

5.3.12 CCC Report to Parliament 'Progress in reducing emissions in Scotland'

The Climate Change Committee (CCC) published a report to the Scottish Parliament 'Progress in reducing emissions in Scotland' in December 2021[29]. This report looks at Scotland's progress in emissions reduction, policy plans, and delivery of those plans in the last year. The focus is to monitor a set of quantified indicators of decarbonisation progress. The key messages taken from this report include:

- Changes in emissions accounting methodology do not imply the need to change the Net Zero and 2030 and 2040 interim targets, as legislated by the Scottish Parliament.
- Scotland's annual targets in the 2020s should be adjusted and recommend that the annual targets be adjusted to align with a translation of the legislated 2020 target to the new inventory basis.
- Meeting the 2030 means that policies must go further than the CCC pathway.
- The 2020 interim target was achieved however the fall in emissions in 2020 was largely due to travel restrictions during the COVID19 pandemic, without which it is unlikely the target would have been met.

[28] HM Government (2021) Net Zero Strategy: Build Back Greener. Available Online: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033990/net-zero-strategy-beis.pdf
[29] Climate Change Committee: Progress in Redcuing Emissions in Scotland – 2023 Report to Parliament. Available online: Progress in reducing emissions in Scotland - 2023 Report to Parliament - Climate Change Committee

5.3.13 Draft Energy Strategy and Just Transition Plan

In January 2023, the Scottish Government published a new Draft 'Energy Strategy and Just Transition Plan' entitled 'Delivering a fair and secure zero carbon energy system for Scotland'[30]. The Ministerial Foreword in this plan states the following:

"The imperative is clear: in this decisive decade, we must deliver an energy system that meets the challenge of becoming a net zero nation by 2045, supply safe and secure energy for all, generate economic opportunities, and build a just transition...

The delivery of this draft Energy Strategy and Just Transition Plan will reduce energy costs in the long term and reduce the likelihood of future energy cost crises.

It is also clear that as part of our response to the climate crisis we must reduce our dependence on oil and gas, and that Scotland is well positioned to do so in a way that ensures we have sufficient, secure and affordable energy to meet our needs, to support economic growth and to capture sustainable export opportunities.

For all these reasons, this draft Strategy and Plan supports the fastest possible just transition for the oil and gas sector in order to secure a bright future for a revitalised North Sea energy sector focused on renewables."

A fundamental point within the strategy is the need to expand the energy generation sector. Page 8 of the strategy discusses that Scotland's renewable resources mean that:

"We can not only generate enough cheap green electricity to power Scotland's economy, but also export electricity to our neighbours, supporting jobs here in Scotland and the decarbonisation ambitions of our partners.

We are setting an ambition of more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind....

An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030....."

Regarding BESS, the strategy details that *"there are several technologies that can increase flexibility in our electricity system and provide wider benefits for consumers and society. This includes grid scale battery storage, as well as pumped hydro storage. Scotland has approximately 864 MW of electricity storage capacity, and 2.2 GW of battery storage that has been approved planning permission. We need to significantly increase this capacity."*

The strategy also states that *"we urge the UK Government to make ancillary markets more accessible for Battery Energy Storage Systems (BESS) and other low carbon technologies ahead of fossil fuel powered alternatives."*

[30] The Scottish Government: Draft Energy Strategy and Just Transition Plan (2023). Available online: Draft Energy Strategy and Just Transition Plan - gov.scot

5.3.14 Powering Up Britain

The Powering Up Britain report[31] (2023) emphasises energy security as one of the Government's greatest priorities and sets out how the Government aim to enhance our country's energy security, seize the economic opportunities of this transition and deliver on the UK's net zero commitments.

5.3.15 Climate Change Committee: Progress in Reducing Emissions, 2024 Report to Parliament

The 2024 Report to Parliament[32] identified that in Scotland, greenhouse gas emissions in 2022 were 40.6 $MtCO_2e$, approximately the same as in 2021 and 50% below 1990 levels. It was reported that the largest reduction in emissions was in the residential buildings sector alongside small reductions in agriculture, non-residential buildings and industry emissions. Nonetheless, these reductions were offset by increases in other sectors, notably aviation, where emissions increased as the sector recovered from the COVID-19 pandemic.

The report notes that whilst there have been some notable steps forward in the past year, overall policy progression is clearly insufficient and leaves the UK Government's emissions reductions goals at high risk.

The report states: "*Renewable electricity capacity has been growing steadily. However, roll-out rates will need to increase, compared to those since the start of this decade, to deliver the capacity needed by the end of the decade. Annual installations of offshore wind will need to more than treble, onshore wind more than double and solar increase by a factor of five.*"

Urgent action is required in relation to electricity decarbonisation in order to deliver the objective of decarbonising the sector by 2035. The report states:

"To meet its goals for decarbonising electricity generation, the UK must continue to invest in additional renewable energy capacity."

5.3.16 COP 29

COP 29 is the United Nations Climate Change Conference which took place in Baku, Azerbaijan from 11th-22nd November 2024. The UK set new ambitious climate targets of 81% emission reduction by 2035.

[31] HM Government: Powering Up Britain. Available online: Powering Up Britain - Joint Overview (publishing.service.gov.uk)

[32] The Committee on Climate Change (2024) 2024 Progress Report to Parliament. Available online: Progress in reducing emissions 2024 Report to Parliament - Climate Change Committee (theccc.org.uk)

5.3.17 Clean Power 2030 Action Plan

The Clean Power 2030 Action Plan: A new era of clean electricity, was published by the Secretary of State for Energy Security and Net Zero on 16 December 2024[33]. Driven by the need to provide national energy resilience, the Action Plan seeks to decarbonise the electricity grid by 2030. With particular regard to battery capacity, the Plan sets out an ambition of achieving 23-27 GW (by 2030).

The purpose of the Clean Power 2030 Action Plan is to provide a path to tackling the three key challenges the UK currently faces:

1. The need for a secure and affordable energy supply;
2. The creation of essential new energy industries, supported by skilled workers in their thousands; and
3. The need to reduce greenhouse gas emissions

As presented, the Government considers planning and consenting in its current form as a deterrent to renewable energy development. A key objective of The Clean Power 2030 Action Plan is prioritising planning and consenting, ensuing the planning system can prioritise 2030- critical projects. Measures in relation to this include:

- Updating the national policy statements for energy every five years and Planning Policy Guidance in 2025.
- Undertaking an ambitious programme of legislative reform, including through the planning and infrastructure bill. Legislative changes will be made to the NSIP planning system in the Planning Act 2008 in England and Wales for all infrastructure projects.
- Ensuring that communities directly benefit from the clean energy infrastructure they host by building upon existing approaches and encouraging consistency in community benefits across technologies.

The Clean Power 2030 Action Plan is a clear demonstration of the Government's priority to develop renewable energy, at pace and scale throughout the UK. This Proposed Development will play its part in achieving this ambition.

5.4 Local Climate & Energy Policy

The Committee on Climate Change (CCC) states that LPAs have a crucial role in contributing to the reduction in emissions and helping the UK to meet its carbon reduction targets. LPAs are well placed to influence reductions in emissions across their wider areas through the services they deliver, their role as trusted community leaders and major employers, as well as their regulatory and strategic functions.

[33] HM Government: Clean Power 2030 Action Plan: A new era of clean electricity. Available online: Clean Power 2030 Action Plan: A new era of clean electricity

5.4.1 East Ayrshire Council

East Ayrshire Council (EAC) published the 'Clean Green East Ayrshire Climate Change Strategy'[34] which in regard to battery storage states that:

"With windfarms such as Whitelee and Hare Hill windfarms already in the area, and further windfarm development planned, East Ayrshire currently has the capacity to generate a 90% surplus above local demand. However, at times of peak production, with the national grid unable to cope with the amount of energy being transmitted, these turbines are often switched off. We hope our [Community Renewable Energy] CoRE project research into battery storage and formation of local supply grids will help us maximise the uptake and efficiency of the rich energy source on our doorstep, to create a more effective match between supply and demand in future".

[34] East Ayrshire Council: Clean Green East Ayrshire: Climate Change Strategy. Available online: Climate-Change-Strategy.pdf

6. Planning Policy Assessment

6.1 Introduction

While the Development Plan always has to be read as a whole, it follows that the greatest weight should be attributed to both site-specific policies relating to the Application Site and bespoke policies that are designed to address a specific development type or policy area. In this case, the predominant policies are Policy RE1: Renewable Energy and NPF4 Policy 11 on Energy.

Having regard to the Development Plan as a whole, it is possible to identify a number of policies that the planning application should be assessed against. The following section of this Planning Statement considers each of these policies in turn, assessing the Proposed Development against the terms of the Development Plan. Table 6.1 sets out these policy topics and cross refers the relevant Local Plan policies and applicable material considerations.

Table 6.1: Planning Policy Topics and Policies

Topic	Development Plan	Supplementary Guidance
Energy	• Policy RE1: Renewable Energy • NPF4 Policy 11: Energy	• East Ayrshire Council Supplementary Guidance: Energy and EV Charging
Location of Proposed Development	• NPF4 Policy 29: Rural Development	
Climate Change and Sustainability	• Policy SS1: Climate Change • Policy SS2: Overarching Policy • NPF4 Policy 1: Tackling the Climate and Nature Crises • NPF4 Policy 2: Climate Mitigation and Adaptation	
Design and Infrastructure	• Policy DES1: Development Design • NPF4 Policy 23: Health and Safety	• East Ayrshire Council Supplementary Guidance: Design
Landscape	• Policy NE1: Protecting and Enhancing Landscape and Features	
Flood Risk and Water Management	• Policy CR1: Flood Risk Management • NPF4 Policy 22: Flood Risk and Water Management	
Biodiversity	• Policy NE4: Nature Crises • Policy NE5: Protection of Areas of Nature Conservation Interest • Policy NE6: Vulnerable, Threatened and Protected Species • NPF4 Policy 3: Biodiversity • NPF4 Policy 4: Natural Places	

Quality of Land	• Policy NE10: Protection of Agricultural Land • Policy NE11: Soils • Policy NE13: Contaminated Land • NPF4 Policy 5: Soils	
Trees, Woodland and Hedgerow	• Policy NE8: Trees, Woodland, Forestry and Hedgerows • NPF4 Policy 6: Forestry, Woodland and Trees	
Historic Environment	• Policy HE1: Listed Buildings • Policy HE2: Conservation Areas • Policy HE3: Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environment Assets • NPF4 Policy 7: Historic Assets and places	
Transport	• Policy T1: Transport Requirements in New Development • Policy T4: Development and Protection of Core Paths and Other Routes	
Noise	• Policy NE12: Water, Air, Light and Noise Pollution	
Skills and Employment	• Policy SS10: Skills and Employment	
Financial Guarantees	• Policy FIN1: Financial Guarantees	

6.2 Energy

Policy RE1: Renewable Energy state that proposals for the generation, storage and utilisation of renewable energy are encouraged and will be supported in standalone locations and as integral parts of new and existing developments, where they are acceptable when assessed against all relevant criteria set out in the Renewable Energy Assessment Criteria noted in the EACLDP2. The assessment criterion is detailed in Table 6.2 below.

The assessment criteria for NPF4 Policy 11: Energy largely consists of the same criteria listed below. Therefore, Policy RE1 and NPF4 Policy 11 can be assessed collectively in Table 6.2 below.

Table 6.2: Policy RE1: Renewable Energy Assessment Criteria

Criteria	Assessment of the Proposed Development
Climate Change Impacts:	
• Scale of contribution to renewable energy targets	The Proposed Development will ultimately be reducing the need to rely on fossil fuels for energy generation by balancing the peaks and troughs created by the intermittent nature of renewable energy sources.

• Effect on greenhouse gas and carbon emissions	Battery storage technologies are increasingly recognised as essential to speeding up the replacement of fossil fuels with renewable energy and play a pivotal role between green energy supplies and responding to electricity demands. BESS allows for the opportunity to store and distribute renewable energy at appropriate times. At times of excess production (sunny or windy days) the energy can be stored. But, when the sun doesn't shine and the wind doesn't blow, the grid can still be stocked with renewably sourced energy via our BESS system, therefore, reducing reliance on fossil fuels which produce greenhouse gas emissions.
Environmental Impacts:	
• Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable.	As concluded from the Landscape and Visual Impact Assessment (LVIA) submitted alongside the planning application, the landscape and visual changes attributable to the Proposed Development are thought to be relatively limited and localised and it is considered that the Application Site has the capacity to accommodate the Proposed Development in landscape and visual terms without any unacceptable effects.
• Effects on biodiversity, including impacts on birds, with particular reference to European sites and other national and local designations.	The Ecological Impact Assessment (EcIA) undertaken and submitted as part of the planning application highlights that given the number of trees in a relatively small area, this may increase the likelihood of a bat roost being present. Nonetheless, no works impacting trees are required to facilitate the construction of the BESS. General recommendations with regards to artificial lighting on site are listed in the EcIA. Furthermore, a small section of hedgerow is required to be removed in order to meet NFCC safety standards for the installation of the emergency access road to the west. The newly planted hedgerow will exceed the amount to be lost and result in a 10.11% Biodiversity Net Gain (BNG) for hedgerow units as per the BNG Report and Illustrative Landscape Masterplan submitted alongside the planning application. Two wintering bird surveys were carried out at the Application Site in January and February 2025 starting at one hour before dawn. Birds recorded within the site boundary were found primarily on the vegetated borders, flying overhead, or resting on built features such as the stone wall to the northern boundary of the overhead lines which cut through the site. The section of agricultural land that will be lost as a result of the development is not considered significantly important to the local bird species found within the area. Should vegetation require clearance between the months of March – August inclusive, a nesting bird check should be undertaken

	by a suitably trained ecologist a maximum of 48hours prior to the cut.
• Impacts on the historic environment	The Historic Environment Assessment submitted alongside the planning application concluded that there are no designated heritage assets within the Proposed Development site or within a 1km study area. There are two non-designated heritage assets within the Application Site boundary, comprising the locations of two former farmsteads shown on historic mapping but no longer extant (Westport and West Tarbeg). The Application Site is assessed to have a low potential for as yet unrecorded archaeology, although the potential for archaeology associated with the recorded assets of two former farmsteads is high. Furthermore, the Application Site is not within the settings of any designated heritage assets, and it does not contribute to the heritage value of any of the assets within the study area, given the distance of separation and intervening topography. The construction phase of the Proposed Development would not impact any recorded heritage assets, as the development footprint avoids the locations of two former farmsteads. The operational phase of the Proposed Development would have a neutral effect on the historic environment, being out with the settings of any heritage assets and as a result of the proposed landscape planting which would limit the visibility to the Proposed Development in views of and from two historic farmsteads to the west.
• Effects on hydrology, the water environment, flood risk and groundwater dependent terrestrial ecosystems.	A Flood Risk Assessment (FRA) and Drainage Strategy (DS) have been submitted alongside the planning application. The FRA found that the Application Site is considered to be at low risk of flooding from all sources and will therefore have a negligible impact on flood risk elsewhere as a result. Furthermore, the Proposed Development is for a BESS which will introduce impermeable drainage areas in the form of equipment and access. This will result in an increase in surface water runoff. In order to ensure the increase in surface water runoff will not increase flood risk elsewhere, flow control will be used, and attenuation provided on site to accommodate storm events up to and including the 1 in 200 year plus 41% climate change event. Various options of surface water discharge have been assessed. Surface water should discharge to Trabboch Burn at a limited discharge rate of 24.96l/s subject to approval from SEPA/LLFA. Attenuation storage will be required on site in order to restrict surface water discharge to 24.96l/s. The

	required attenuation storage will be provided in the form of a SuDS pond to the north-east of the site. The proposed surface water drainage scheme will also ensure no increase in runoff over the lifetime of the Proposed Development.
• Impacts on trees, forests and woodland	The Arboricultural Impact Assessment undertaken and submitted as part of the planning application determined that no trees are required to be removed as part of the Proposed Development, only a small section of hedge to the west will be lost to allow for access. The arboricultural and visual impacts of the Proposed Development is considered to be minimal and will be limited to the immediate location with minimal visual impact on the wider landscape.
Community and Economic Impacts:	
• Impacts on public access, including long distance walking and cycling routes and scenic routes.	The Proposed Development will not have an impact on any core paths, wider access network routes or recreational uses. The LVIA concluded that views to the nearest Core Path are filtered by existing vegetation and likely during summer months to be screened. At Year 15 once planting mitigation is established, the adverse levels of effort are considered to be minor at worst.
• Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.	The Proposed Development is a sufficient distance from any potentially sensitive residential receptors. The Acoustic Impact Assessment undertaken at the Application Site determined that the predicted noise levels resulting from the introduction of the Proposed Development, at the nearest neighbouring properties, remain below the daytime and night-time noise level limits for all receptors and can be considered acceptable in terms of the limits provided by East Ayrshire Council (EAC).
• Net economic impact, including employment, training and business and supply chain opportunities	The peak phase of development construction will require approximately 30 workers. The Applicant wishes to utilise local labour and skills wherever possible. This is discussed further in Section 6.14 below.
Infrastructure Impacts:	
• Impacts on aviation and defence interests and seismological recording.	This criterion is not applicable to the Proposed Development.
• Impacts on trunk roads and road traffic, during construction, operation and decommissioning	As concluded from the Transport Statement submitted alongside the planning application, the majority of vehicle trips will be generated during the construction stage. Once operational, only maintenance visits will be required. As assessment of traffic generation reveals that activity

	associated with either the construction or operational; phasis can be accommodated without impact to the local road network.
• Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.	This criterion is not applicable to the Proposed Development.
Other impacts: • Cumulative impacts. • Grid capacity should not constrain renewable energy development	The ECU EIA Screening Opinion received in February 2025 considered the potential for cumulative impacts and noted: *"It is considered given the low level of impacts expected, that cumulative effects with other existing or approved development are unlikely."* A grid offer has been received and agreed to by the DNO and the Applicant.

Furthermore, the Renewable Energy Assessment Criteria also states that *"proposals for renewable energy must consider decommissioning and restoration proposals as part of their applications. The need for planning conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration will be considered, as will the need for planning obligations to achieve site restoration"*

The Application Site is to be decommissioned after 40-years when it is no longer operational and will be restored back to its former status.

East Ayrshire Council have also produced Supplementary Guidance (SG) on Energy and EV Charging which highlights that the demand for renewable energy production in East Ayrshire is most evident in relation to onshore wind energy development. Nonetheless, the SG discusses BESS technology and its current use in the region with Whitelee BESS co-located with Whitelee Windfarm in Eaglesham, East Renfrewshire, and Dersalloch BESS co-located with Dersalloch windfarm near Straiton, South Ayrshire.

The SG states that *"subject to meeting environmental criteria and all relevant LDP2 policies, the Council will be in favour of renewable energy proposals which contribute to the reduction of greenhouse gas emissions and meet the Scottish Government's targets in this regard."* The way in which the Proposed Development accords with environmental criteria and relevant LDP2 policies is discussed in the remainder of this Planning Statement.

The SG also notes that there are a number of actions that could be taken in order to reduce the risks of fire, and subsequent environmental damage, on BESS sites:

- *"**Climactic control:** BESS facilities should be designed and maintained so that the climactic conditions on site are dry and remain within a safe temperature range (factoring in anticipated global warming).*
- ***Inventory limitation:** There are likely to be restrictions on the number of lithium-ion batteries that can be held at a BESS, with a minimum distance between units.*
- ***Fire Plan:** The operator of the site may be asked to produce and implement a fire prevention, detection, management, environmental impact and mitigation plan for the facility, including management of firewater run-off. This would be expected to include information on bunds, impermeable surfaces, any contained SUDS on site, etc.)*
- ***Security:** The facility should have security provisions to avoid malicious or accidental damage by third parties that could lead to a fire.*
- ***Appropriate decommissioning and disposal:** Maintenance of disposal records from the BESS to a suitable licensed recycling or disposal facility.*
- ***Buffer Zones:** It may be the case that a suitable buffer zone will be required between BESS sites and any major infrastructure – in particular, sites should not be located immediately next to the rail network."*

An Outline Fire Risk Management Plan (OFRMP) has been undertaken and submitted alongside the planning application. During the preliminary design, efforts have been made to mitigate fire hazards on site by incorporating specific design factors as described in the OFRMP.

During detailed design and following battery product selection, a detailed Fire Risk Management Plan will be developed. This will include a project specific fire risk appraisal, which will be used to verify and finalise the strategy presented in this document, and an emergency response plan, which will be developed through liaison with the local fire service

Therefore, it is concluded that the Proposed Development successfully accords with Policy RE1: Renewable Energy, East Ayrshire Council Supplementary Guidance: Energy and EV Charging and NPF4 Policy 11: Energy.

6.3 Location of Proposed Development

NPF4 Policy 29: Rural Development notes that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:

i. *"farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;*
ii. *diversification of existing businesses;*
iii. *production and processing facilities for local produce and materials, for example sawmills, or local food production;*
iv. *essential community services;*
v. *essential infrastructure;*
vi. *reuse of a redundant or unused building;*
vii. *appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;*

viii. *reuse of brownfield land where a return to a natural state has not or will not happen without intervention;*
ix. *small scale developments that support new ways of working such as remote working, homeworking and community hubs; or*
x. *improvement or restoration of the natural environment."*

The Proposed Development can be considered 'essential infrastructure' as per Criterion V above. As previously discussed, battery storage technologies are increasingly recognised as essential to speeding up the replacement of fossil fuels with renewable energy and play a pivotal role between green energy supplies and responding to electricity demands.

BESS allows for the opportunity to store and distribute renewable energy at appropriate times. At times of excess production (sunny or windy days) the energy can be stored. But, when the sun doesn't shine and the wind doesn't blow, the grid can still be stocked with renewably sourced energy via our BESS system, therefore, reducing reliance on fossil fuels which produce greenhouse gas emissions.

Furthermore, NPF4 Policy 29 states that *"development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location."*

As discussed in the LVIA, the highest level of adverse effect is primarily limited the agricultural grassland field of the site itself, noting more highly valued characteristics (hedgerows) have been retained with the exception of the new access location on the western boundary where a small section of hedgerow is required to be removed. The effects on landscape character over time, as the development becomes integrated into the landscape and landscaping matures, would result in site level effects reduced from medium at Year 1 to a minor level of adverse effect in Year 15.

As discussed in the Transport Statement, an assessment of traffic generation reveals that activity associated with either the construction or operational phases can be accommodated without impact to the local road network.

The Construction Traffic Management Plan (CTMP) submitted alongside the planning application sets out arrangements to minimise and manage the environmental/traffic impacts from the construction phase of the Proposed Development.

As can be concluded from the above assessment, the Proposed Development successfully accords with NPF4 Policy 29: Rural Development.

6.4 Climate Change and Sustainability

Policy SS1: Climate Change states that *"when considering all development proposals, the Council will give significant weight to the Global Climate Emergency. All development should support these aspirations, where possible, by:*

i) *Minimising carbon emissions;*
ii) *Maximising carbon storage and sequestration;*
iii) *Mitigating the impacts of climate change, including through the delivery of net zero and low carbon infrastructure;*
iv) *Being designed to be adaptable to the future impacts of climate change."*

NPF4 Policy 2: Climate Mitigation and Adaptation also emphasises the importance of minimising emissions and adapting to the current and future impacts of climate change, detailing the following criteria:

a) *"Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*
b) *Development proposals will be sited and designed to adapt to current and future risks from climate change.*
c) *Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported."*

The very nature of the Proposed Development as a BESS development is to reduce our reliance on fossil fuels by utilising renewable energy when it is required at a later time, in turn reducing our greenhouse gas emissions. Furthermore, the Proposed Development has been sited out with areas of flood risk that could have a detrimental impact on the environment and result in future risk from climate change.

Sustainable development is at the core of the Proposed Development, as it can be considered a renewable energy proposal that enables the effective distribution of renewable energy and therefore contributes towards the transition to a low carbon economy. Therefore, the Proposed Development also accords with NPF4 Policy 1: Tackling the Climate and Nature Crises which states that *"when considering all development proposals, significant weight will be given to the global climate and nature crises."*

Furthermore, Policy SS2: Overarching Policy highlights that proposals are required by EAC to meet the criteria detailed in Table 6.3 below in so far as they are relevant or otherwise demonstrate how their contribution to sustainable development would outweigh any departure from the criteria. Please see the assessment of this criteria in Table 6.3 below.

Table 6.3: Policy SS2: Overarching Policy Assessment Criteria

Criteria	Assessment of the Proposed Development
i. Contribute to the delivery of the Vision and Aims of the Plan, by being in accord with its Spatial Strategy, relevant LDP2 policies, and associated supplementary guidance, and taking account of any relevant non-statutory guidance;	As discussed throughout this Planning Statement, the Proposed Development accords with EAC's Spatial Strategy, relevant LDP2 policies and associated supplementary guidance
ii. Be fully compatible with surrounding established uses and have no unacceptable impacts on the environmental quality of the area;	As concluded from the LVIA, the landscape, and visual changes attributable to the Proposed Development will be relatively limited and localised. As a result, it is our professional opinion that the Site has the capacity to accommodate the Proposed Development in landscape and visual terms, without unacceptable effects.
iii. Be located in accessible locations and minimise the need to travel by unsustainable modes;	This criterion is not applicable to the Proposed Development.

iv. Be efficient in the use of land by reusing vacant buildings and previously used land where possible;	Due to the nature of the Proposed Development and the land available in proximity to Coylton Substation, it was not deemed suitable or plausible for the development to be located on vacant buildings or previously used land.
v. Meet with the requirements of all statutory consultees and the Ayrshire Roads Alliance;	Following receipt of pre-application advice received from EAC on the 13th February 2025 and the EIA Screening opinion issued by the ECU on the 18th February 2025, any issues that the ECU, EAC and any relevant statutory consultees requested the Applicant addresses in the planning application have been discussed where appropriate.
vi. Prepare Masterplans/Design Statements in line with Planning Advice Notes 83 and 68 respectively where requested by the Council or where required in Volume 2 of LDP2; and	A Design and Access Statement has been undertaken and submitted alongside the planning application.
vii. Implement the relevant enhancement and mitigation measures contained within the Environmental Report where required in Volume 2 of LDP2.	**T**he Environmental Report has been reviewed, and the Proposed Development is deemed to be located in a rural area. Relevant enhancement and mitigation measures in respect of this document have been included within the Proposed Development.

Therefore, the Proposed Development successfully accords with Policy SS1: Climate Change, Policy SS2: Overarching Policy, NPF4 Policy 1: Tackling the Climate and Nature Crises and NPF4 Policy 2: Climate Mitigation and Adaptation.

6.5 Design and Infrastructure

Policy DES1: Development Design highlights that development proposals should demonstrate the Six Qualities of Successful places as defined in NPF4. Details of this criteria can be found in Table 6.4 below.

Table 6.4: Policy DES1 Assessment Criteria

Criteria	Assessment of the Proposed Development
Distinctive	
1.1. Ensure that the siting, layout, scale, massing, materials and design enhance the quality of the place and contribute to the creation of a structure of buildings, spaces and streets that is coherent, attractive, and with a sense of identity	The Design and Access Statement submitted alongside the planning application details the siting, layout, scale, massing, materials and design of the Proposed Development and the way in which this assimilates to the surrounding area.

1.2.	Reflect the characteristics of the site and its context, safeguarding and enhancing features that contribute to the heritage, character, local distinctiveness and amenity, including the natural and built environment, vistas, landscape and streetscape	The Proposed Development has no detrimental impacts on any heritage, character, local distinctiveness and amenity to the immediate or surrounding area.
1.3.	When new landscaping and green infrastructure are delivered as part of a proposal, ensure that they integrate with and expand any existing green infrastructure in a cohesive manner, maximising the extent to which green infrastructure elements are connected to one another and to the wider green and blue network. Further guidance on 'Green and Blue Infrastructure' requirements is set out within Design Supplementary Guidance	As per the illustrative landscape masterplan submitted alongside the planning application, the mitigation planting for the Proposed Development consists of the following measures: • Proposed tree planting and native shrub planting around the northern edge and areas to the west and east; and • Pockets of woodland planting to be included between the existing woodland belt and the Proposed Development to filter potential views of the development from the adjacent road to the south.
	Safe and Pleasant	
2.1.	Consider place before vehicle movement, by designing streets to create a positive sense of place which is then supported by an appropriate movement pattern, as opposed to assuming place to be subservient to vehicle movement.	This criterion is not applicable to the Proposed Development.
2.2.	Create a safe and secure environment by providing good lighting and adequate natural surveillance with overlooking and active frontages in all streets and public spaces.	This criterion is not applicable to the Proposed Development however non-permanent lightning and inward facing CCTV camera will be present at the Application Site for safety and security measures.
2.3.	Promote active, healthy and inclusive lifestyles and choices by meeting, and where possible surpassing, the requirements for accessible, high-quality public realm and multi-functional open space in accordance with Policy OS1 and Schedule 1.	This criterion is not applicable to the Proposed Development.
	Connected	
3.1.	Have permeable layouts, maximising the integration of any proposed street patterns with existing surrounding networks and providing access points for future expansion where this could be expected.	This criterion is not applicable to the Proposed Development.
3.2.	Respect, integrate and expand the existing network of paths and rights of	This criterion is not applicable to the Proposed Development.

	way, providing appropriate linkages to transport, neighbouring developments and green networks in accordance with the requirements of relevant consultees.	
	Healthy	
4.1.	Be easy to navigate, by providing a hierarchy of streets and/or responding adequately to the existing one, with distinctive characters according to their importance (i.e. high street, mixed-use street, residential street, mews, lane, etc.). Where appropriate, developments should also incorporate paths, edges, nodes, districts and landmarks in order to create legible places and spaces.	This criterion is not applicable to the Proposed Development.
4.2.	Streets and public spaces should be adequately enclosed by buildings fronting them, and active frontages should provide a higher degree of activity the higher the importance of the street. Public space design should encourage activity and social interaction.	This criterion is not applicable to the Proposed Development.
4.3.	Be designed to encourage the use of active travel networks and sustainable, integrated transport. Development should be designed in accordance with a street user hierarchy that prioritises pedestrians first, then cyclists, then public transport users, and motor vehicles last. The layout of streets, the design of the public realm, and the overall quality of the user experience should not only allow walking and cycling and provide access to public transport, but actively encourage the shift towards modes of transport that are higher in the street user hierarchy	This criterion is not applicable to the Proposed Development.
	Adaptable	
5.1.	Be designed to be inclusive and adaptable, maximising accessibility regardless of age and/or ability.	This criterion is not applicable to the Proposed Development.
5.2.	Facilitate future incremental changes of use, lifestyle and demography, by providing, where appropriate, a mix of building densities, tenures and typologies, where diverse compatible uses can be integrated.	This criterion is not applicable to the Proposed Development.

5.3.	Integrate parking by a variety of means to provide flexibility and lessen visual impact.	This criterion is not applicable to the Proposed Development.
Sustainable		
6.1.	Seek a balance between the natural environment and manmade environment, and utilise on-site resources to maximise conservation and amenity.	The design process of the Proposed Development is discussed in detail in the Design and Access Statement submitted alongside the planning application.
6.2.	Maximise efficiency of the use of land by adopting a compact form of development, designing spaces to be legible and maximising their functionality in a manner which is appropriate to context of the development/proposal.	The Proposed Development has been carefully designed at the Application Site, taking into account any environmental and other constraints in order to maximise the full potential of the site with BESS and associated infrastructure.
6.3.	Support climate change mitigation by promoting the efficient use of energy and natural resources and the minimisation of greenhouse gas emissions, by: choice and sourcing of materials, reduction of waste, recycling of materials and incorporating space to separate materials at source. Developments should incorporate low or zero carbon technologies, encourage integration into neighbourhood and district heating networks and utilise sustainable construction methods. Developments should maximise environmental benefits, by taking advantage of solar gains, sheltering from prevailing winds or utilising building typologies with less surface-to-volume ratios or similar mechanisms. Developments shall minimise greenhouse gas emissions, as far as is reasonably achievable, in order to meet national emissions reduction targets.	As previously discussed, the very nature of the Proposed Development as a BESS development is to reduce our reliance on fossil fuels by utilising renewable energy when it is required at a later time, in turn reducing our greenhouse gas emissions.
6.4.	Be designed to incorporate resilience and climate change adaptation.	The Proposed Development has been sited out with areas of flood risk that could have a detrimental impact on the environment and result in future risk from climate change. Additionally, the attenuation basin has been designed to accommodate the increased flows due to climate change as discussed in the Flood Risk Assessment and Drainage Strategy submitted alongside the planning application.

In addition to the above, East Ayrshire Council Supplementary Guidance: Design details that *"the design stage should examine how a development will successfully integrate into its surrounding environment and enhance that environment. It should be demonstrated that an assessment has been undertaken to set out how a development will impact upon its surrounding environment and how it will enhance it. This assessment should be demonstrated through a masterplan and supplemented by a design and access statement, transport statement and/or sustainability assessment where necessary."*

An Illustrative Landscape Masterplan, Design and Access Statement and Transport Statement have been submitted alongside the planning application, detailing the assessment process undertaken for the Proposed Development during the design phase.

As concluded from Table 6.4 above, the Proposed Development accords with the requirements set out in Policy DES1: Development Design and will promote quality and sustainability in its very nature and infrastructure design.

6.5.1 Health and Safety

In accordance with NPF4 Policy 23: Health and Safety, given the nature of the Proposed Development, no adverse impacts on air quality are anticipated. In addition to this, the Noise Impact Assessment concluded that the predicted noise levels resulting from the introduction of the Proposed Development, at the nearest neighbouring properties, remain below the daytime and night-time noise level limits for all receptors and can be considered acceptable in terms of the limits provided by East Ayrshire Council (EAC).

Furthermore, as determined from the Preliminary Contamination Risk Assessment (Phase I) Report, the condition of the Application Site is unlikely to pose a potential risk to identified sensitive receptors and further action through intrusive investigations is unlikely to be warranted should the Application Site be developed as proposed.

Additionally, a Coal Mining Risk Assessment (CMRA) was undertaken at the Application Site and has been submitted alongside the planning application. The CMRA identified no risk to the Proposed Development from coal mining legacy and therefore no further mitigation is required.

Furthermore, during the preliminary design, efforts have been made to mitigate fire hazards on site by incorporating specific design factors as described in the OFRMP.

During detailed design and following battery product selection, a detailed Fire Risk Management Plan will be developed. This will include a project specific fire risk appraisal, which will be used to verify and finalise the strategy presented in this document, and an emergency response plan, which will be developed through liaison with the local fire service

Therefore, as can be concluded from the above assessment, the Proposed Development complies with the provisions of Policy DES1: Development Design, East Ayrshire Council Supplementary Guidance: Design and NPF4 Policy 23: Health and Safety.

6.6 Landscape

Policy NE1: Protecting and Enhancing Landscape and Features states that *"the protection and enhancement of East Ayrshire's landscape character as identified in the Ayrshire Landscape Character Assessment will be a key consideration in assessing the appropriateness of all development proposals in the rural area."*

Guidance from the Ayrshire Landscape Character Assessment has been adhered to within the Landscape and Visual Impact Assessment (LVIA) submitted alongside the planning application.

Furthermore, Policy NE1 highlights that EAC require development proposals to adhere to the criteria listed in Table 6.5 below.

Table 6.5: Policy NHE16 Assessment Criteria

Criteria		Assessment of the Proposed Development
i)	Development proposals are sited and designed to respect the nature and landscape character of the area and to minimise visual impact. Particular attention will be paid to size, scale, layout, materials, design, finish, lighting and colour.	As discussed in the LVIA, the effects on landscape character over time as the Proposed Development becomes integrated into the landscape and landscaping matures would result in site level effects reduced from medium at Year 1 to a minor level of adverse effect by Year 15. The Proposed Development has been carefully sited and utilises existing boundary vegetation to incorporate the development into the landscape. The Proposed Development layout has further worked with existing topography at the Application Site where possible and incorporates proposed planting mitigation as per the Illustrative Landscape Masterplan (ILMP) to further screen the Proposed Development and minimise visual impact. Furthermore, a Design and Access Statement has been undertaken and submitted alongside the planning application detailing these attributes of the Proposed Development and the way in which this respects the nature and landscape character of the Application Site and surrounding area.
ii)	Where visual impacts are unavoidable, development proposals should include adequate mitigation measures to minimise adverse impacts on the landscape.	The LVIA concluded that unacceptable adverse landscape and visual effects have been avoided and the landscape and visual changes attributable to the Proposed Development will be relatively limited and localised. Nonetheless, mitigation in the form of landscape planting and enhancement measures are included as part of the Proposed Development and can be found in the Illustrative Landscape Masterplan (ILMP) submitted alongside the planning application.

iii)	Particular features that contribute to the value, quality and character of the landscape are conserved and enhanced, where applicable or feasible to the development. Development that would result in the loss of valuable landscape features, to such an extent that character and value of the landscape are unacceptably diminished, will not be supported. Such landscape features include: a. Settings of settlements and buildings within the landscape; b. Skylines, distinctive landform features, landmark hills and prominent views; c. Woodlands, shelter belts, hedgerows and trees (especially ancient and veteran trees of high nature conservation and landscape value); d. Field patterns and means of enclosure, such as dry stone dykes; e. Burns, rivers, lochs and other water features; and f. Public rights of way and footpaths	In order to comply with road safety standards, a small section of hedgerow (approximately 13m) is required to be removed along the western boundary of the Application Site to accommodate an emergency access route. Nonetheless, approximately 462m of hedgerow will be retained and 60m will be enhanced to native hedgerow at moderate condition through additional planting and managed to a height of 3m for the duration of the Proposed Development. As per the conclusions of the Biodiversity Net Gain (BNG) Report, this would result in a 10.11% BNG for hedgerows. Other than this, the Proposed Development would not result in the loss of any valuable landscape features.

Following this assessment criteria, it can be concluded that the Proposed Development accords with Policy NE1: Protecting and Enhancing Landscape and Features.

6.7 Flood Risk and Water Management

Policy CR1: Flood Risk Management states that *"the council will take a precautionary approach to flood risk from all sources and will promote flood avoidance in the first instance."*

Similarly, NPF4 Policy 22: Flood Risk and Water Management also states that *"development proposals at risk of flooding or in a flood risk area will only be supported if they are for:*

I. Essential infrastructure where the location is required for operational reasons;
II. Water compatible uses;
III. Redevelopment of an existing building or site for an equal or less vulnerable use; or
IV. Redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice."

A Flood Risk Assessment (FRA) was undertaken and is submitted alongside the planning application, which provides more detailed commentary on this matter. The FRA concluded that the Application Site is considered

to be at low risk of flooding from all sources and will therefore have a negligible impact on flood risk elsewhere as a result.

Regarding drainage, Policy CR1 states that proposals will only be supported where they *"incorporate permeable surfaces (minimising the area of impermeable surfaces) and the use of sustainable drainage systems (SuDS), with adequate maintenance arrangements, to avoid increased surface water flooding."*

In addition to this, NPF4 Policy 22: Flood Risk and Water Management states that *"development proposals will:*

I. Not increase the risk of surface water flooding to others, or itself be at risk;
II. Manage all rain and surface water through sustainable urban drainage systems (SuDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and
III. Seek to minimise the area of impermeable surface."

Alongside the FRA, a Drainage Strategy has been submitted with the planning application. The proposed development is for a BESS which will introduce impermeable drainage area in the form of equipment and access. This will result in an increase in surface water runoff. In order to ensure the increase in surface water runoff will not increase flood risk elsewhere, flow control will be used, and attenuation provided on site to accommodate storm events up to and including the 1 in 200 year plus 41% climate change event.

Various options of surface water discharge have been assessed. Surface water should discharge to Trabboch Burn at a limited discharge rate of 24.96l/s subject to approval from SEPA/LLFA. Attenuation storage will be required on site in order to restrict surface water discharge to 24.96l/s. The required attenuation storage will be provided in the form of a SuDS pond to the north-east of the site.

The proposed surface water drainage scheme will ensure no increase in runoff over the lifetime of the development.

Therefore, the Proposed Development successfully accords with Policy CR1: Flood Risk Management and NPF4 Policy 22: Flood Risk and Water Management.

6.8 Biodiversity

Policy NE4: Nature Crises states that *"in order to protect biodiversity and facilitate its enhancement, recovery and restoration across East Ayrshire, the Council will support development proposals that contribute to the enhancement of biodiversity, including the restoration of degraded habitats, build and strengthen nature networks and improve the connection between these networks and minimise adverse impacts through careful planning and design."*

Similarly, NPF4 Policy 3: Biodiversity states that *"development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them"*.

Furthermore, in relation to major development, Policy NE4 states that *"development proposals for national or major development or development that requires an environmental impact assessment (EIA) will only be supported by the Council where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so that they are in a demonstrably better state than without intervention, including through future management. To inform this, best practice assessment methods should be used. Development proposals should:*

i) Be based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

ii) Wherever feasible, integrate and make best use of nature-based solutions, demonstrating how this has been achieved;

iii) Be supported by an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy (see glossary) prior to identifying enhancements; and

iv) Provide significant biodiversity enhancements, in addition to any proposed mitigation. Biodiversity enhancements should include supporting nature networks, linking to and strengthening habitat connectivity within and beyond the development. Biodiversity enhancements should be secured within a reasonable timescale and with reasonable certainty. They should include management arrangements for their long-term retention and monitoring, wherever appropriate.

v) Consider local community benefits of the biodiversity and/or nature networks."

There is no current mandatory or otherwise quantitative target for biodiversity net gain in Scotland. Nonetheless, the England statutory biodiversity metric has been used to measure biodiversity on the development site. As per the conclusions of the Biodiversity Net Gain (BNG) Report in line with the enhancements proposed in the Illustrative Landscape Masterplan (ILMP), the Proposed Development would result in 15.59% BNG for habitat units, 10.11% BNG for hedgerow units and 16% BNG for watercourse units, determining that trading rules have been satisfied for habitat, hedgerows and watercourses. Therefore, the Proposed Development would result in significant biodiversity enhancements at the site.

Policy NE5: Protection of Areas of Nature Conservation Interest aims to protect and enhance nature and biodiversity with positive contributions made through appropriate siting and design, in order to minimise any adverse impacts on habitats, network connectivity and species. The criteria any new development would have to address to comply with this policy is detailed in Table 6.6 below. NPF4 Policy 4: Natural Places is similar in criteria to Policy NE5 and therefore it can be assumed that both are addressed in Table 6.6 below.

Table 6.6: Policy NHE16 Assessment Criteria

Criteria		Assessment of the Proposed Development
i)	There would be a presumption against development which could adversely impact areas of international importance designated or proposed by Scottish Ministers for designation as Special Protection Areas or Special Areas of Conservation (European sites). Any development likely to have a significant	There are no areas of international importance within 5km of the Proposed Development therefore no impact is predicted on these ecological designations.

	effect on a European site which is not directly connected with, or necessary for, its conservation management must be subject to a 'Habitats Regulations Appraisal' or an 'appropriate assessment' of the implications for the conservation objectives. Such development will only be approved if the appraisal shows there will be no adverse effect on the integrity of the site. A derogation from Scottish Ministers is available for authorities to approve plans or projects which could adversely affect the integrity of a European site if: • It has been demonstrated that there are no alternative solutions; • There are reasons of over-riding public interest, including social and economic; and • Compensatory measures are taken to ensure that the overall coherence of the European sites network is protected.	
ii)	Any development affecting sites of national importance for biodiversity and geodiversity, such as a Site of Special Scientific Interest (SSSI) will only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated or where any significant adverse effects on the qualities for which it is designated are clearly outweighed by social, environmental or economic benefits of national importance.	There are 4no statutory designated sites of national importance within 5km of the Application Site boundary; Barlosh Moss Site of Special Scientific Interest (SSSI), Stairhill SSSI, River Ayr Gorge SSSI and Howford Bridge SSSI. Given the distancing of the above-mentioned designated site – with the closest being 1.9km to the south of the Application Site and none of which share any hydrological connection – no impact is predicted as a result of the Proposed Development.
iii)	There will be a presumption against any development which could have a significant adverse impact on the integrity of a site of local importance (i.e. Local Nature Conservation Sites and Local Nature Reserves) or the qualities for which it has been identified. This presumption against development will also apply to other sites which are undergoing or have undertaken in-situ conservation and/ or long-term enhancement work (i.e. bog and peatland restoration sites) and sites of former mineral extraction that have been restored or naturally regenerated, subject to an assessment of the environmental value of any flora and	There are no sites of local importance within 5km of the Proposed Development therefore no impact is predicted on these ecological designations.

	fauna on the site. All sites of recognised nature conservation value will be safeguarded wherever possible. Development will only be permitted on such sites where appropriate measures will be put in place to conserve and manage, as far as possible, the site's biological and geological interest and to provide for replacement habitats, species and features where damage is unavoidable, in proportion to the nature and scale of the development and its impact. Any significant adverse impact on the integrity of the area must be clearly outweighed by social, environmental or economic benefits of at least local importance.	
iv)	The effective management and conservation of existing landscape features which are of major importance for wild fauna and flora, including linear features such as rivers and existing field boundaries, and other features such as ponds and small woods and hedgerows which are essential for migration, dispersal and exchange of wild species, will be achieved. Cognisance should be given to the Central Scotland Green Network habitats and hotspots mapping.	As discussed above, the Proposed Development would result in 15.59% BNG for habitat units, 10.11% BNG for hedgerow units and 16% BNG for watercourse units. The proposed enhancements detailed in the ILMP are as follows: • To mitigate potential views from the north, a proposed belt of native shrub and tree planting is to be implemented along the northern boundary of the site and is to wrap around the eastern and western corners; • Areas to be affected by earthworks to facilitate the development are to be reinstated with a wildflower grass seed mix to aid biodiversity; • Pockets of woodland planting to be included between the existing woodland belt and the Proposed Development to filter potential views of the development from the adjacent road to the south. • New native hedgerow to be planted along the western boundary with the local road where currently missing. All new and existing hedgerow along western boundary to be managed to a height of 3m for the duration of the development.

Furthermore, Policy NE6: Vulnerable, Threatened and Protected Species highlights that *"the council will not support development which would have an unacceptable adverse impact on protected species, as follows:*

i) *European Protected Species (see Schedules 2 & 4 of the Habitats Regulations 1994 (as amended) for definition);*
ii) *Birds, Animals and Plants listed on Schedules 1, 5 and 8 (respectively) of the Wildlife and Countryside Act 1981 (as amended);*
iii) *Badgers as per section 10 of the Protection of Badgers Act 1992; and*
iv) *Species detailed within the Scottish Biodiversity List (SBL) which includes, protected and threatened species, as well as species where conservation action is needed, where negative impacts should be avoided and watching brief only."*

As concluded from the EcIA, the Proposed Development would not have an unacceptable impact on any protected species. Two wintering bird surveys were carried out at the Application Site in January and February 2025 starting at one hour before dawn. Birds recorded within the site boundary were found primarily on the vegetated borders, flying overhead, or resting on built features such as the stone wall to the northern boundary of the overhead lines which cut through the site. The section of agricultural land that will be lost as a result of the development is not considered significantly important to the local bird species found within the area. Should vegetation require clearance between the months of March – August inclusive, a nesting bird check should be undertaken by a suitably trained ecologist a maximum of 48hours prior to the cut.

The Proposed Development therefore accords with the provisions of Policy NE4: Nature Crises, Policy NE5: Protection of Areas of Nature Conservation Interest, Policy NE6: Vulnerable, Threatened and Protected Species, NPF4 Policy 3: Biodiversity and NPF4 Policy 4: Natural Places.

6.9 Quality of Land

6.9.1 Agricultural Land

According to Scotland's Soils Land Capability for Agriculture Map[35], the land within the Application Site mostly comprises Class 4.1 which is considered land to be land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal. Critically, Class 4.1 is not considered to be prime agricultural land.

Policy NE10: Protection of Agricultural Land states that *"the Council will seek to ensure that there is no unacceptable and irreversible loss of prime quality and good quality, locally important agricultural land. Prime quality land is defined as land identified in classes 2 and 3.1 on the Macauley Land Capability for Agriculture maps of Scotland. Good quality, locally important agricultural land is defined as land identified in class 3.2 on these maps."*

[35] Scotland's Soils: National Scale Land Capability for Agriculture Map. Available online: Scotland's Soils - soil maps

A Land Capability Classification for Agriculture (LCCA) Report was submitted in support of this planning application. The detailed survey determined that 67% of the Application Site is Class 4.1 and 33% is Class 4.2. soil makeup and wetness are the divining factors for the grade distinction. From a local and regional basis, the loss of this Class 4.1 and 4.2 land would not be a significant issue.

6.9.2 Soils

According to Scotland's Soils Soil Map[36], the soil group within the Application Site largely consists of gleys, with a small area of the Application Site to the northeast tail consisting of alluvial soils and a small corner to the southeast of the Application Site consisting of brown soils.

Policy NE11: Soils highlights that *"development proposals on undeveloped land must be designed to:*

- *Avoid, if possible, and, if avoidance is not possible, minimise disturbance to soils;*
- *Protect soils from damage, including from compaction and erosion; and*
- *Minimise soil sealing."*

In addition to this, NPF4 Policy 5: Soils states that *"development proposals will only be supported if they are designed and constructed:*

I. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
II. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing."

As concluded from the Preliminary Contamination Risk Assessment (Phase I) Report, the Application Site is unlikely to be a significant source of contaminants. It is therefore considered that direct exposure to contaminants within the near-surface soils (if present) is negligible following development.

6.9.3 Contaminated Land

Policy NE13: Contaminated Land states that *"in cases where a development is proposed on land which is known or suspected to be contaminated, the Council will require the developer to investigate and identify the nature of the contamination and to detail the remedial measures to be undertaken to treat or remove that contamination, as an integral part of any planning application."*

As discussed above, the Preliminary Contamination Risk Assessment (Phase I) Report undertaken for the Proposed development determined that the condition of the Application Site is unlikely to pose a potential risk to identified sensitive receptors and further action through intrusive investigations is unlikely to be warranted should the Application Site be developed as proposed.

[36] Scotland's Soils: National Soil Map of Scotland. Available online: Scotland's Soils - soil maps

Additionally, a Coal Mining Risk Assessment (CMRA) was undertaken at the Application Site and has been submitted alongside the planning application. The CMRA identified no risk to the Proposed Development from coal mining legacy and therefore no further mitigation is required.

The Proposed Development therefore accords with the provisions of Policy NE10: Protection of Agricultural Land, Policy NE11: Soils, Policy NE13: Contaminated Land and NPF4 Policy 5: Soils.

6.10 Trees, Woodland and Hedgerow

Policy NE8: Trees, Woodland, Forestry and Hedgerow states that *"within a settlement and rural areas, there will be a presumption against the loss of:*

- *Ancient semi-natural woodland and ancient and veteran trees;*
- *Native woodland, hedgerows and individual trees of high biodiversity value or identified for protection in the Ayrshire and Arran forestry and Woodland Strategy; and*
- *Trees protected by Tree Preservation Orders."*

Furthermore, NPF4 Policy 6: Forestry, Woodland and Trees highlights that *"development proposals that enhance, expand and improve woodland and tree cover will be supported."*

The Arboricultural Impact Assessment undertaken and submitted as part of the planning application determined that no trees are required as part of the Proposed Development, only a small section of hedge to the west to allow for access.

Off-site areas to the south of the site are shown on the Nature Scot Ancient Woodland Inventory as Type 2b woodland - long established (of plantation origin). Following inspection of the trees and also consideration of plans and aerial photographs of the site between the 1940-50's, it is clear that these sections of land have been subject to clearance with only the easterly section of ground having been restocked as conifer plantation. Therefore, this is not considered to be ancient woodland.

The arboricultural and visual impacts of the Proposed Development is considered to be minimal and will be limited to the immediate location with minimal visual impact on the wider landscape.

Therefore, the Proposed Development accords with the provisions of Policy NE8: Trees, Woodland, Forestry and Hedgerow and NPF4 Policy 6: Forestry, Woodland and Trees.

6.11 Historic Environment

Policy HE1: Listed Buildings highlights that *"development proposals that affect a listed building, its curtilage or its setting, including through restoration, alteration and adaptation, will only be supported by the Council where it can be demonstrated that this is sensitive to the character, appearance and architectural or historic interest of the building and its setting."*

Furthermore, Policy HE2: Conservation Areas states that *"development within a Conservation Area or affecting its setting should:*

i) Preserve and enhance its character and appearance, by being sympathetic to the area in terms of use, layout, size, scale, design, siting, material and colour; and

ii) Be consistent with any relevant Conservation Area appraisal or management plan, as well as the Listed Buildings and Buildings within Conservation Areas Supplementary Guidance."

A Historic Environment Assessment (HEA) was undertaken and submitted alongside the planning application. Regarding Listed Buildings, the HEA determined that beyond the 1km study area is the Conservation Area at Ochiltree which also includes a number of Listed Buildings. The conservation area and listed buildings are separated from the Application Site by modern development. The distance of separation and intervening topography and mature vegetation do not allow for intervisibility between the Application Site and these assets and the Application Site is not within the settings of these assets.

Additionally, Policy HE3: Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environmental Assets states that *"the Council will seek to preserve and protect as far as possible other non-designated historic environment assets and areas of historic interest that do not have statutory protection but that are nonetheless of important heritage value. Any impacts on these historic assets should be avoided, and where this is not possible, minimised."*

As discussed in the HEA, there are two non-designated heritage assets within the proposed development site, comprising the locations of two former farmsteads shown on historic mapping but no longer extant (Westport and West Tarbeg). Within the 1km study area there are a further four recorded assets relating to the Ochiltree Mote, a possible prehistoric barrow site from which the later Toll took its name, and the Killoch Colliery Site which operated between the 1950s and 1980s. The site is assessed to have a low potential for as yet unrecorded archaeology, although the potential for archaeology associated with the recorded assets of two former farmsteads is high.

The potential for any as yet unrecorded assets to be present within the site is low but cannot be ruled out. A programme of archaeological work in advance of or during the construction phase could, if required by the planning authority, provide appropriate and proportionate mitigation that could be secured as a condition of planning consent.

In addition to this, NPF4 Policy 7: Historic Assets and Places highlights that *"development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place."*

As concluded from the HEA, no significant impacts on historic assets are anticipated from the Proposed Development. The operational phase of the Proposed Development would have a neutral effect on the historic environment, being out with the settings of any heritage assets and as a result of the proposed landscape planting which would limit the visibility to the Proposed Development in views of and from two historic farmsteads to the west.

Therefore, this proposal accords with Policy HE1: Listed Buildings, Policy HE2: Conservation Areas and Policy HE3: Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environmental Assets and NPF4 Policy 7: Historic Assets and Places.

6.12 Transport

Policy T1: Transport Requirements in New Development highlights that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies. The criterion for Policy T1 section b) is listed in Table 6.7 below.

Table 6.7: Policy T1 Section b) Assessment Criteria

Criteria	Assessment of the Proposed Development
Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;	This criterion is not applicable to the Proposed Development.
Will be accessible by public transport, ideally supporting the use of existing services;	This criterion is not applicable to the Proposed Development.
Integrate transport modes;	This criterion is not applicable to the Proposed Development.
Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;	This criterion is not applicable to the Proposed Development.
Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;	This criterion is not applicable to the Proposed Development.
Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;	As detailed in the CTMP, all construction vehicles will be expected to follow the relevant national speed limits for type and size of vehicle being used. The applicant would be happy to put a construction speed limit in place on the final approach to the Site if the highways authority considers there to be a need to do so. This could take the form of a 10mph speed limit on Creoch Road from the A70 junction to the site access. A speed limit will also be established and signposted within the site.
Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and	This criterion is not applicable to the Proposed Development.
Adequately mitigate any impact on local public access routes	As per the Transport Statement, given the expected level of traffic generation, it is not anticipated that the construction phase of the Proposed Development would lead to perceptible traffic impacts on the adjoining road network. Furthermore, any traffic generation during the operational phase will comprise routine maintenance activities and infrequent deliveries of components to the Application Site. The operational stage will therefore not give rise to a significant number of vehicle trips and the effect of any generated traffic on the adjoining transport network will be negligible.

Table 6.8: Policy T1 Section c)-g) Assessment Criteria

Criteria	Assessment of the Proposed Development
Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.	A Transport Statement and CTMP have been submitted alongside this planning application.
Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.	Given the expected level of traffic generation, it is not anticipated that the construction phase of the Proposed Development would lead to perceptible traffic impacts on the adjoining road network and the operational stage is anticipated to have a negligible impact. Therefore, the Proposed Development would not result in significant travel generating uses.
Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.	This criterion is not applicable to the Proposed Development
Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.	This criterion is not applicable to the Proposed Development.
Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.	The Proposed Development will not have a detrimental impact on the safety and operation of the Strategic Transport Network.

6.12.1 Core Paths and Other Routes

Policy T4: Development and Protection of Core Paths and Other Routes states that *"the Council will not be supportive of development which permanently disrupts or adversely impacts on any existing or proposed core path, other paths which form part of the local and strategic path network, including local paths, rights of way, bridle paths, or cycle paths used by the general public for recreational or other purposes. In particular, where*

the route concerned forms, or has the potential to form, part of the network of circular routes or path links between settlements, actively promoted by the Council."

The Application Site is not situated within or adjacent to any core paths, local paths, rights of way, bridle paths or cycle path. Therefore, no adverse impact is anticipated to these routes from the Proposed Development.

The LVIA concluded that views to the Core Path located approximately 0.5km to the east of the Application Site are filtered by existing vegetation and likely during summer months to be screened. At Year 15 once planting mitigation is established, the adverse levels of effort are considered to be minor at worst.

Therefore, the Proposed Development complies with the provisions of Policy T1: Transport Requirements in New Development and Policy T4: Development and Protection of Core Paths and Other Routes.

6.13 Noise

With regard to noise, Policy NE12: Water, Air, Light and Noise Pollution states that *"all new development must take full account of any Noise Action Plan and Noise Management Areas that are in operation in the area and ensure that significant adverse noise impacts on surrounding properties and uses are avoided. A noise impact assessment may be required in this regard and noise mitigation measures may be required through planning conditions and/or Section 75 Obligations."*

An Acoustic Impact Assessment (AIA) of the Proposed Development was undertaken in accordance with the guidance provided by East Ayrshire Council (EAC) which states that operational noise from the Proposed Development should at no time cause the ambient noise level to exceed 50Db(A)1hr at the façade of any noise-sensitive location having the potential to be affected by the Proposed Development. In addition to this, once operational night-time noises during the hours of 11pm-7am should not cause the internal noise level in any affected property to exceed NR25.

As concluded in the AIA, the results of the assessment show that the predicted noise levels resulting from the introduction of the Proposed Development, at the nearest neighbouring properties, remain below the daytime and night-time noise level limits for all receptors and can be considered acceptable in terms of the limits provided by EAC.

Therefore, the Proposed Development complies with the provisions of Policy NE12: Water, Air, Light and Noise Pollution.

6.14 Skills and Employment

Policy SS10: Skills and Employment states that *"developers applying for planning permission for a major development as defined by the hierarchy of development are required to submit a skills and employment plan demonstrating how they will look to provide training / skills and employment opportunities for residents in East Ayrshire. Developers should also demonstrate what consideration has been given to their supply chain*

and maintenance arrangements, to explore ways in which their developments can maximise the benefit to the local economy".

Due to the specialist nature of the equipment, socio-economic opportunities from BESS are limited in comparison to some larger developments such as onshore wind and utility-scale solar. Nevertheless, the Applicant is committed to ensuring the Proposed Development contributes to local, regional and Scotland-wide community wealth.

Whilst it is acknowledged that the direct economic benefits to the area are generally limited to the construction and decommissioning phases and through any ongoing community benefit, the wider, indirect investment into the region as a whole is significant and long-lasting.

The following sections set out the Applicant's proportionate approach on how local, regional and Scotland-wide community wealth could be delivered.

6.14.1 Community Resilience, Reducing Inequality and Maximising Education and Career Opportunities

The Applicant has been operating from offices in Glasgow since the early-1990s and employs over 200 people across Scotland. The Applicant takes a collaborative, people-first approach to their work and provides a diverse range of jobs across the industry including corporate and business support, project management, engineering and technical and operations and maintenance (O&M) and asset management, O&M staff and asset managers are employed across the whole of Scotland, supporting operational assets. The Proposed Development would further bolster the Applicant's position as a major employer in Scotland.

The Applicant has responded to the supply chain challenges in Scotland through establishing a centrally located O&M base in Bellshill, North Lanarkshire, helping to support the broadening portfolio of operational projects it services. Housing a warehouse, workshop and training facilities for the Applicant's expanding O&M team, the base will help to strengthen and expedite the availability of components and parts as well as increasing logistical and operational efficiencies across the Scottish supply chain. This dedicated based will play a big part in the growth of the Applicant's O&M activities throughout Scotland, where there is a significant and growing O&M requirement.

The Applicant also offers apprenticeship and internship programmes. Following the successful partnership with the University of the Highlands and Islands (UHI), the Applicant is actively seeking further opportunities to invest in the education and career prospects of the next generation of energy leaders, locally and regionally.

6.14.2 Inward Investment and the Local Supply Chain

The Applicant is committed to ensuring that, wherever reasonably practical, local contractors are used in as many aspects of the Proposed Development as possible. Whilst BESS developments involve significant

specialist equipment, there is a large range of ancillary services and suppliers required in the construction and decommissioning of the Proposed Development

Such services and suppliers include:

- Civil engineering;
- Groundworks;
- Electrical works;
- Plant operators;
- Labourers;
- Cleaners;
- Plant/crane hire;
- Fencers;
- Concrete and aggregate;
- Landscapers; and
- Accommodation and other hospitality services.

When involved in the construction of a project, RES typically hold Meet the Buyer (MTB) events prior to construction. MTB events are typically held in the local area where local businesses can learn more about the opportunities associated with the construction and operation of the Proposed Development and register their interest. The Applicant would look to engage and invite suppliers and contractors within East Ayrshire to a Meet the Buyer drop in event where local suppliers and contractors can speak directly to the Applicant's procurement and construction teams. These events could be advertised by direct invitation, community notice board as well as within local papers.

6.14.3 Community Benefits

The Applicant seeks to be a power for good in communities that neighbour their energy projects by working openly and constructively to ensure tangible local benefits.

The Applicant takes a tailored approach and works directly with the community to understand how the energy project could support the local area and help to secure long-term economic, social and environmental benefits, aligned with the priorities of the local community.

As part of the pre-application consultation period for the Proposed Development, the Applicant sought feedback from the local community on local benefits and priority projects that they would like to see supported or delivered in their community from the Proposed Development.

Therefore, the Proposed Development complies with the provisions of Policy SS10: Skills and Employment.

6.15 Financial Guarantees

Policy FIN1: Financial Guarantees highlights that *"Where necessary in terms of the scale and potential environmental impact of a proposal, and/or where restoration and aftercare are essential, the Council will*

require a financial guarantee for renewable energy, minerals, waste management and electrical infrastructure projects, to ensure that all decommissioning, restoration, aftercare and mitigation requirements attached to planning consents can be met in full."

"Any planning permission granted for such developments will be appropriately conditioned and/or subject to a Section 75 obligation to ensure that a financial guarantee is put in place, to the satisfaction of the Council. No development will be permitted on site until any legal obligation and planning conditions have been discharged by the Council."

The Applicant would be happy to discuss the requirement for a financial guarantee with East Ayrshire Council (EAC) in response to the Proposed Development.

Therefore, the Proposed Development complies with the provisions of Policy FIN1: Financial Guarantees.

7. Need for the Proposed Development

7.1 Climate Change

It is evident that Climate Change is the greatest challenge facing our society. Planning plays a key role in contributing to both mitigation and adaptation to climate change, through decision making on the location, scale and character of development[37]. This is further emphasised within the NPF4, which makes it clear that it is crucial we *"build resilience to the future impacts of climate change including water resources and assets and development on our coasts. Our places will also need to evolve to help us cope with changing temperatures."*

In May 2019, the UK Parliament passed a non-binding motion declaring a climate emergency. The definition of which is *"a situation in which urgent action is required to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it."*[38]

East Ayrshire Council (EAC) have published a Climate Change Strategy[39] that sets out ambitious targets that East Ayrshire will strive towards in their journey towards net zero stating that *"East Ayrshire has a great potential for increasing its already substantial contribution to renewable energy supplies"*. The Proposed Development would contribute to this as it will allow for the storage and distribution of energy supply to the National Grid and a flexible supply of electricity to the existing Coylton Substation, located approximately 1.9km southwest of the Application Site. There is a pressing and continuous need for a flexible supply in order to aid in the move to a low-carbon economy and net zero. Therefore, the Proposed Development would be a key part of the energy strategy to help accommodate the increasing level of renewable energy generation.

In addition to this, the need for Battery Energy Storage Systems (BESS) is born of the clear requirement to balance the peaks and troughs associated with electricity supply and demand to manage the strain on distribution networks and ensure there are no power blackouts. There has been strong support for renewable energy generation, such as onshore wind and solar which are inherently intermittent. The proposed scheme is designed to smooth over the troughs in electricity supply, being able to respond at short notice to requests from Grid to discharge

energy, such as periods when renewable sources are not generating, or fossil fuel plants are unexpectedly unavailable.

Recent conflicts, combined with the need to address the effects of climate change, has resulted in an increased focus at International, European and national level on how the UK can deliver secure, clean and

[37] Town and Country Planning Association & RTPI (2023): The Climate Crisis – A Guide for Local Authorities on Planning for Climate Change. Available Online: The Climate Crisis (rtpi.org.uk)
[38] Oxford Learner's Dictionaries: Climate Emergency Definition. Available Online: climate-emergency noun - Definition, pictures, pronunciation and usage notes | Oxford Advanced Learner's Dictionary at OxfordLearnersDictionaries.com
[39] East Ayrshire Council: Clean Green East Ayrshire: Climate Change Strategy. Available online: Climate-Change-Strategy.pdf

affordable electricity to consumers. The UK is legally bound through the Climate Change Act (2008) to reduce carbon emissions and to increase electricity consumption from renewable resources. Battery Energy storage systems, such as the Proposed Development, will play an important role in achieving this.

7.2 Low Carbon Energy Generation

Increasing the amount of energy produced from renewable and low carbon technologies will reduce the dependence on the conventional use of fossil fuels. It will also help to make sure the UK has a secure energy supply and reduce greenhouse gas emissions which will slow down climate change, a key Government priority.

The Energy White Paper: Powering our Net Zero Future[40] was published in December 2020. The White Paper states that the UK energy system is still largely dominated by the use of fossil fuels, which will need to change dramatically by 2050 if the net zero target is to be achieved. Decarbonising the energy system over the next thirty years means replacing - as far as it is possible to do so - fossil fuels with clean energy technologies such as renewables. The UK Government are not planning for any specific technology solution; however, the future generation mix will comprise a low-cost, net zero consistent system, likely to be composed predominantly of wind and solar, alongside complementary technologies such as battery storage. The White Paper states *"we will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios."*

7.3 Legacy

The Proposed Development will provide a stable and diversified source of revenue over a sustained period while improving the ecological value of the site with the landscape and biodiversity enhancements illustrated on the Illustrative Landscape Masterplan (ILMP).

The Proposed Development retains and enhances existing landscape features, particularly the surrounding woodland areas. Additionally, the Proposed Development will leave a positive legacy in the form of improved biodiversity and landscape value thanks to additional planting and infilling of hedgerows following the construction phase. Proposed tree planting and native shrub planting is proposed around the northern edge and areas to the west and east alongside smaller woodland blocks proposed to form an extension to the woodland at the south whilst providing screening for this key viewpoint to the Proposed Development. These ecological and landscape enhancement measures are a benefit to be afforded further weight in favour of granting planning permission.

Following decommissioning, the site can be returned to agricultural use with the benefit of retaining the enhanced landscape and biodiversity value from the matured mitigation planting.

7.4 Socio-economic

Part 3 – Annexes of the NPF4 states that the NPF4 strategy, policies and national development are aligned with the strategic themes of the Infrastructure Investment Plan (IIP) which includes driving exclusive economic growth. The National Performance Framework of the NPF4 states that its purpose is *"to focus on*

[40] HM Government (2020) The Energy White Paper: Powering out Net Zero Future. Available online: Energy White Paper (publishing.service.gov.uk)

creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth."

The Scottish Government is committed to ensuring that the planning system does everything it can do to support sustainable economic growth. NPF4 Policy 29: Rural Development encourages development that will contribute to rural economies and communities, noting that development proposals that contribute to the viability, sustainability and diversity of rural businesses are supported.

The Proposed Development would contribute to the diversification of the current function of the farms at the Application Site, increasing their profitability as farming businesses and ultimately providing more economic security to the landowners than the existing agricultural activities.

There is also potential to support economic growth from the Proposed Development through the creation of jobs associated with the ongoing maintenance onsite at the BESS, as well as a number of other indirect jobs associated with the construction and decommissioning of the Proposed Development.

8. Summary and Conclusion

The Application Site lies within the boundary of East Ayrshire Council on land at Killoch, East Ayrshire, KA18 2QH.

As can be concluded from the assessment of the Development Plan, there is no conflict between the relevant key policies outlined in this plan and the Proposed Development.

There are a number of key points and advantages in favour of the Proposed Development concluded from the Planning Statement which are required to be considered when reaching a decision on this planning application, including:

- BESS allows for the storage and distribution of renewable energy at appropriate times. The need for BESS is born of the clear requirement to balance the peaks and troughs associated with electricity supply and demand to manage the strain on distribution networks to ensure the grid is safe and efficient.. There has been strong support for renewable energy generation, such as onshore wind and solar which are inherently intermittent. The proposed scheme is designed to smooth over the troughs in electricity supply, being able to respond at short notice to requests from Grid to generate, such as periods when renewable sources are not generating, or fossil fuel plants are unexpectedly unavailable.
- The Proposed Development will aid East Ayrshire Council in achieving their ambitious net zero targets set out within the 'Clean Green East Ayrshire Climate Change Strategy'.
- Increased energy security, through the storage and distribution of a clean, homegrown, renewable source of electricity.
- No significant effects upon the local environment and nearby residential receptors.
- Temporary and reversible form of development, allowing the land to be restored to original condition following the operational phase.
- The landscape and visual changes attributable to the Proposed Development are thought to be relatively limited and localised. Therefore, it is considered that the Application Site has the capacity to accommodate the Proposed Development in landscape and visual terms without unacceptable effects.
- According to Scotland's Soils Land Capability for Agriculture Map, the land within the Application Site comprises Class 4.1 and 4.2 which is not considered to be prime agricultural land. Therefore, prime agricultural land will not be lost as a result of construction or operation of the Proposed Development.
- The Application Site is well located to take advantage of established adjacent transport links. There are no particular road safety concerns in this area and the road network in the area is suitable to cater for two-way HGV movements.
- The National Planning Framework 4 (NPF4) sets out policies to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks (Policy 3). The East Ayrshire Local Development Plan 2 (LDP2) sets out policies for development to enhance biodiversity, proportionate to the nature and scale of the development proposal (Policies OS1 and NE4). However, there is no current mandatory or otherwise quantitative target for biodiversity net gain in Scotland. Nonetheless, the Proposed Development would result in 15.59% BNG for habitat units, 10.11% BNG for hedgerow units and 16% BNG for watercourse units.

- Landscape enhancement measures proposed include the following:
    - To mitigate potential views from the north, a proposed belt of native shrub and tree planting is to be implemented along the northern boundary of the site and is to wrap around the eastern and western corners;
    - Areas to be affected by earthworks to facilitate the development are to be reinstated with a wildflower grass seed mix to aid biodiversity;
    - Pockets of woodland planting to be included between the existing woodland belt and the Proposed Development to filter potential views of the development from the adjacent road to the south.
    - New native hedgerow to be planted along the western boundary with the local road where currently missing. All new and existing hedgerow along western boundary to be managed to a height of 3m for the duration of the development.

A number of environmental and technical assessments have been undertaken to support the planning application, none of which have identified any significant adverse effects as a result of the Proposed Development.

As identified throughout this Planning Statement, decisions on planning applications are required to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The Proposed Development has been assessed against the relevant policies and guidance contained within both the Local Development Plan and NPF4. The Proposed Development has been assessed as being in compliance with the provisions of each of these, and no material considerations have been identified which indicate that the Proposed Development should not proceed.

In consideration of the above, the Proposed Development is considered to be in accordance with the both the Local Development Plan and NPF4. Therefore, we respectfully request that this Planning Application be approved without delay.

Table 8.1 below summarises the findings of the assessment of compliance with the relevant Development Plan policies and guidance.

Table 8.1: Summary of Policy and Guidance Compliance

Policy	Title	Compliance with Policy
NPF4 Policy 1	Tackling the Climate and Nature Crises	✓
NPF4 Policy 2	Climate Mitigation and Adaptation	✓
NPF4 Policy 3	Biodiversity	✓
NPF4 Policy 4	Natural Places	✓
NPF4 Policy 5	Soils	✓
NPF4 Policy 6	Forestry, Woodland and Trees	✓

NPF4 Policy 7	Historic Assets and Places	✓
NPF4 Policy 11	Energy	✓
NPF4 Policy 22	Flood Risk and Water Management	✓
NPF4 Policy 23	Health and Safety	✓
NPF4 Policy 29	Rural Development	✓
Policy SS1	Climate Change	✓
Policy SS2	Overarching Policy	✓
Policy SS10	Skills and Employment	✓
Policy DES1	Development Design	✓
Policy HE1	Listed Buildings	✓
Policy HE2	Conservation Areas	✓
Policy HE3	Scheduled Monuments, Historic Battlefields and other Archaeological and Historic Environment Assets	✓
Policy NE1	Protecting and Enhancing Landscape and Features	✓
Policy NE4	Nature Crisis	✓
Policy NE5	Protection of Areas of Nature Conservation Interest	✓
Policy NE6	Vulnerable, Threatened and Protected Species	✓
Policy NE8	Trees, Woodland, Forestry and Hedgerows	✓
Policy NE10	Protection of Agricultural Land	✓
Policy NE11	Soils	✓
Policy NE12	Water, Air, Light and Noise Pollution	✓
Policy NE13	Contaminated Land	✓
Policy T1	Transport Requirements in New Development	✓
Policy T4	Development and Protection of Core Paths and Other Routes	✓
Policy RE1	Renewable Energy	✓
Policy FIN1	Financial Guarantees	✓
Policy CR1	Flood Risk Management	✓