**Citizen Participation and Public Petitions Committee**
**Wednesday 10 September 2025**
**13th Meeting, 2025 (Session 6)**

# PE2157: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities

## Introduction

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| **Petitioner** | Ben Morse on behalf of Cockenzie and Port Seton Community Council |
| **Petition summary** | Calling on the Scottish Parliament to urge the Scottish Government to update the advice for planning authorities when considering applications for energy storage, and ensure that it includes clear guidance about the location of battery energy storage systems (BESS) by setting out a minimum baseline level of practice around the location and proximity of BESS in relation to residential properties, public buildings, and community amenities. |
| **Webpage** | https://petitions.parliament.scot/petitions/PE2157 |

1. This is a new petition that was lodged on 6 May 2025.

2. A full summary of this petition and its aims can be found at **Annexe A**.

3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.

4. Every petition collects signatures while it remains under consideration. At the time of writing, 1454 signatures have been received on this petition.

5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.

6. The Committee has received submissions from the Scottish Government, the petitioner and Communities Against Cockenzie BESS, which are set out in **Annexe C** of this paper.

## Action

7. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**
**September 2025**

# Annexe A: Summary of petition

**PE2157: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities**

**Petitioner**

Ben Morse on behalf of Cockenzie and Port Seton Community Council

**Date Lodged**

6 May 2025

**Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to update the advice for planning authorities when considering applications for energy storage, and ensure that it includes clear guidance about the location of battery energy storage systems (BESS) by setting out a minimum baseline level of practice around the location and proximity of BESS in relation to residential properties, public buildings, and community amenities.

**Background information**

BESS, especially at grid-scale, are a relatively new addition to the UK ecosystem. **Douglas Lumsden MSP noted in a parliamentary question one developer's view of a 'gold rush' of applications currently taking place**, which is supported by the number appearing on the Energy Consents Unit (ECU) portal (which only includes those above 49.9MW).

**The UK Government's Clean Power 2030 action plan** describes the total UK need for BESS as 23-27GW capacity, with the current queue estimated to have as much as 80-100GW of capacity either under construction, consented or planned.

Recent BESS fires at Rothienorman in Scotland, East Tilbury in England, and Moss Landing in California pose real questions over the safety of the technology, particularly when in proximity to populated areas.

Some developers have in-house rules about proximity to communities, e.g. batteries must be at least 200m from residential properties. We are calling for guidelines that can add consistency to the consenting process.

# Annexe B: SPICe briefing on PE2157


# Briefing for the Citizen Participation and Public Petitions Committee on PE2157: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities, lodged by Ben Morse on behalf of Cockenzie and Port Seton Community Council

## Brief overview of issues raised by the petition

Battery energy storage systems (BESSs) use batteries, for example lithium-ion batteries, to store electricity at times when supply is higher than demand. BESS are generally considered to be grid-scale systems, often over 100MW in capacity, which can release electricity when it is needed. BESSs are therefore considered important for "the replacement of fossil fuels with renewable energy". To support legally binding greenhouse gas emissions reduction targets, the UK Government has set the aim of achieving clean power by 2030. This means "being on track to achieving at least 95% of low carbon generation by 2030".

Renewables, such as wind and solar power, rely on the weather to generate electricity. This means that they cannot adjust to demand from consumers as easily as fossil fuels, or provide baseload like nuclear power. Therefore a decarbonised power system will need to be supported by technologies that can respond to fluctuations in supply and demand, including BESS. The UK Government's Clean Power Action Plan stated that it expected 23–27 GW of battery storage to be needed by 2030 to support clean power, up from 4.5 GW in 2024.

Although safety incidents for BESSs are rare, a common concern is the potential fire risk of lithium-ion batteries. Lithium-ion batteries can catch fire because of a process called "thermal runaway". It can occur, for example, if part of a battery is damaged. Understanding of thermal runaway has improved in recent years, leading to more flame-resistant batteries. BESS sites can be also designed with safety features, such as fire suppression systems.

There is no reliable, publicly accessible record of the number of BESS fires that have occurred in the UK or elsewhere. Two documented incidents of a BESS fire in the UK include: a fire at a BESS site in Liverpool in September 2020 and a fire at a BESS project under construction in Essex in February 2025. The Scottish Fire and Rescue Service is not a statutory consultee as part of the planning process for BESS, and states:

> A bespoke working group within the Scottish Fire and Rescue Service will continue to monitor the increasing applications and development of Battery

> Energy Storage Systems, as well as the Service's involvement in the planning, consultation and development of these sites.

The Scottish Government consulted on a Draft Energy Strategy and Just Transition Plan in early 2023, however a final strategy has yet to be published. The Draft Strategy sets out broad support for the technology, notes the "need to significantly increase" existing capacity, and calls on the UK Government to make changes to market regulation.

NPF4 Policy 11(Energy) includes BESS and states that potential impacts on communities, nature and other receptors will be important considerations in the decision-making process. Policy 11 requires that project design and mitigation demonstrate how impacts on communities and individual dwellings, including residential amenity, visual impact, and cumulative impacts will be addressed.

At present, there is nearly 0.5GW of operating BESS capacity in Scotland, with a further 1.6GW under construction and 19GW in the development pipeline.

**Alasdair Reid**

**Senior Researcher**

19 June 2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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# Annexe C: Written submissions

## Scottish Government written submission, 22 May 2025

### PE2157/A: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities

In April 2025, the Scottish Government commissioned independent consultants Ironside Farrar to produce planning guidance on Battery Energy Storage Systems. We currently anticipate this work will be completed in the autumn. This will include discussions with stakeholders, including Heads of Planning Scotland and Scottish Fire and Rescue Service. We intend that the guidance will promote good practice in determining BESS applications as well as set out information on other relevant regulatory regimes applicable to BESS in Scotland.

There are existing and well-established consenting procedures for renewable energy and electricity grid infrastructure, including consideration of residential amenity and cumulative impacts.

Where battery energy storage system applications with a capacity greater than 50MW are brought forward, these will require consent from Scottish Ministers under the Electricity Act 1989. Applications below 50MW are determined under the Town and Country Planning (Scotland) Act 1997, as amended, and are primarily a matter for the relevant planning authority.

We published and adopted our fourth National Planning Framework (NPF4) in February 2023 following approval by the Scottish Parliament. NPF4 guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. It is part of the development plan and so influences planning decisions across Scotland.

NPF4 places climate and nature at the centre of our planning system and makes clear our support for all forms of renewable, low-carbon and zero emission technologies.  NPF4 Policy 11(Energy) states that potential impacts on communities, nature and other receptors will be important considerations in the decision-making process. Policy 11 requires that project design and mitigation demonstrate how impacts on communities and individual dwellings, including residential amenity, visual impact, and cumulative impacts will be addressed.

NPF4 policies must be read and applied as a whole and will be for the decision-maker to determine what weight to attach to policies on a case-by-case basis. All applications are subject to site-specific assessments.

## Petitioner written submission, 26 August 2025

### PE2157/B: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities

This petition will be heard in the context of:

- an oversubscribed queue for consent,[1]
- up to 10% of UK national BESS need being consented within Scotland during late July 2025,[2]
- a “gold rush” of applications,[3]
- a lack of:
    - engagement with communities on commissioned Scottish Government guidance,[4]
    - updated guidance from National Fire Chiefs Council,[5]
    - adherence within consenting processes to existing NFCC guidance,[6]
    - requirement for BESS applications to provide an Emergency Response Plan during the consent process,[7]
    - mention of residences or wider community within the existing Health and Safety Executive guidance,[8]
    - requirement for a BESS site, even in proximity to a community, to conduct an Environmental Impact Assessment,[9]

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[1] Since the start of July 2025, 14 applications for or involving BESS have been lodged with ECU, adding to the lengthy queue for consent: https://www.energyconsents.scot/ApplicationSearch.aspx. Oversubscription demonstrated by UK Government’s CP30 noting national need for 23-27GW of BESS: https://www.gov.uk/government/publications/clean-power-2030-action-plan/clean-power-2030-action-plan-a-new-era-of-clean-electricity-main-report#electricity-networks-and-connections: The Path to 2030, second paragraph.
Research from Brodies LLP indicates that twelve Section 36 consents were granted for BESS projects in Scotland in July and August 2025: https://brodies.com/insights/planning-environment-and-climate/battery-energy-storage-in-scotland-consenting-trends/

[2] An Energy Consenting Lawyer made this claim on LinkedIn, summarising information from Energy Consents Unit: https://www.energyconsents.scot/ApplicationSearch.aspx

[3] https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-05-12-2024?meeting=16144&iob=137895#137895

[4] The Scottish Government response to our petition does not mention communities as stakeholders. We have contacted Ironside Farrar and Scottish Government civil servants to request being included as stakeholders and have received no response.

[5] https://nfcc.org.uk/consultation/draft-grid-scale-energy-storage-system-planning-guidance/

[6] https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf - Page 7:” Where possible buildings should be located upwind”, not the case at Cockenzie; Page 3: Battery Chemistry is required information: not provided definitively at Cockenzie.

[7] Absent in the Cockenzie application.

[8] https://assets.publishing.service.gov.uk/media/661feca73771f5b3ee757fac/grid-scale-storage-health-safety-guidance.pdf

[9] https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2022/02/good-practice-guidance-applications-under-sections-36-37-electricity-act-1989/documents/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-

  - consistent industry practice on acceptable proximity to residences,[10]
  - requirement for Scottish Fire and Rescue Service to be statutory consultees,

- communities which have seen consent given to BESS left with no recourse except potentially costly, complex, and incredibly tight-timescale Judicial Reviews, where failings in the process have occurred, potentially due to lack of guidance.

This petition was lodged due to our community's experience of a large Battery Energy Storage Systems (BESS) planning application; it is but one example of the detrimental impact that the lack of current guidance on the siting of BESS is having on local communities across Scotland. We use our local example as a case study as we know it best, but we are aware of similar issues with applications across seven local authorities in Scotland.

**Benefit of guidelines**

The introduction of rigorous guidelines on suitability of BESS sites would immediately provide clarity to the consenting and planning process, reducing the burden on:

- the civil servants of the Energy Consents Unit (ECU),
- local authority planning teams and committees,
- local communities asked to respond to multiple consultations,
- developers who can focus their resources on the truly viable sites with far more certainty on what is and isn't suitable development

Such guidance would ensure that BESS development only takes place where appropriate in keeping with the aims of a just transition, while providing reassurance and certainty to key stakeholders.

**Detrimental impact on communities**

The impact on our community over the last two years of this application has been major, with the whole episode seeing worsening trust in the local authority (as both landowner and planning authority), burnout of long-standing members of the community and, at times, a fight to try and establish even basic information about the application. The central question asked by the community has still not been answered by government or the developers of our proposed local BESS: how close is too close to a community? There are three main issues of concern raised:

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electricity-act-1989-february-2022/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-electricity-act-1989-february-2022/govscot%3Adocument/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-electricity-act-1989-february-2022.pdf

[10]https://www.eastlothian.gov.uk/download/meetings/id/25697/planning_committee_minutes_04_02_2025 (Page 7).

1. *Lack of safety and emergency procedures*

See above, under context, fourth bullet point.

2. *Noise*

On a day-to-day basis, many BESS developments would be expected to discharge and charge for four hours, which will cause a great deal of noise: the charging cycles in particular may be expected to be overnight, while the discharging cycles will be more variable. When in close proximity to communities, it can therefore be expected that this will have an impact upon residents' sleep; reports for some BESS, based on British Standards, note that more than 5dB is likely to be an indication of an adverse impact.[11] In some cases this has led to other nearby developers, including offshore windfarms, objecting to a BESS near their onshore facilities, due to the impact of cumulative development.

3. *Loss of amenity / Loss of agricultural land*

When in close proximity to a community, the loss of amenity for not only residents but also the wider community must be taken into account and the closer a site is to a community the greater the daily impact. If brownfield land is available, especially further from a community, it must be prioritised over prime greenfield agricultural land, surely? Furthermore, within our community we have been made aware of house sales potentially falling through over fears of a BESS within 100m of a house being uninsurable.

**Lack of consistency**

The process for applications is disjointed, due to BESS developments being classed as energy generating stations - anything below 50MW is handled by local planning authorities, those above going to the ECU.[12] Not only is this arbitrary level outdated, as many projects above 50MW are not deemed of national strategic importance, but also raises questions about what place BESS as infrastructure should have.[13] This patchwork approach can lead to wildly different outcomes for similar applications and a single decision can be portrayed as setting a precedent, despite each case being independent.[14] For ECU applications, local authorities are statutory consultees. An objection triggers public enquiry, for which some feel unable to justify 'wasting public money'.[15]

RES Group, a major BESS developer, have stated that they would not site a BESS within 200-250m of residences. This is up to three times further away from

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[11] As an example: https://www.cockenziebatterystorage.co.uk/_files/ugd/7ffde8_a8b094054c7f4d77a53ab4099e3a4f7a.pdf (Page 13)
[12] https://www.energyconsents.scot/Default.aspx
[13] Paper to East Lothian Council meeting 26 August 2025 https://www.eastlothian.gov.uk/download/meetings/id/26034/14_motion_impacts_and_consenting_of_renewable_infrastructure_in_east_lothians_communities
[14] Same post as Ref 1 made multiple observations about precedent being set.
[15] As an example: https://www.eastlothian.gov.uk/download/meetings/id/25697/planning_committee_minutes_04_02_2025 (Page 7)

residences and up to six times further from a children's playpark than the now-consented BESS in our community.

## Communities Against Cockenzie BESS written submission, 27 August 2025

### PE2157/C: Update planning advice for energy storage issues and ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities

Communities Against Cockenzie BESS (CACB) is a campaign group comprising local people who are highly concerned about the risks of locating this BESS so close to people, as described below. Members of CACB are not contesting the Scottish Government's stated move to renewables and the rationale for energy storage. Our issues of concern relate particularly to health and safety issues regarding the specific location of the Cockenzie BESS site. Our campaign group includes scientists and professional health & safety experts, and we are committed to providing accurate, factual information. We have produced well-researched information leaflets which we would be happy to share.

The following sources add to those provided to the committee in the SPICe briefing of 19 June 2025. I have shared this with the researcher concerned, who found it useful and recommended that we offer it to you for your consideration:

- The Electric Power Research Institute's 'Failure Incident Database' which provides a world-wide database of BESS fire incidents
- The UK Government's 'BESS Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems', which was published in June 2024. See particularly pages 15-16 (BESS Risk Assessment) where it states that releases of toxic gases 'pose a serious risk to the immediate vicinity of any BESS'.

Despite these risks, there is no official guidance regarding location of BESS sites, including safe proximity to residences, thus allowing developers to self-regulate. This is a grave cause for concern. Meanwhile, the Scottish Government's submission to this petition states that they have commissioned an independent consultant (Ironside Farrar) to produce BESS planning guidance, which clearly confirms that current guidance is not yet adequate.

Yet, in spite of the lack of rigorous guidance, including lack of guidance on minimum distance from communities, the Scottish Government's Energy Consents Unit recently gave consent to a number of BESS sites, including a large one in Cockenzie in East Lothian. This site is exceptionally close to residences, a children's playpark, a primary school and medical centre. As highlighted in the petition notes, some developers have guidelines which would preclude them from developing on the Cockenzie site. And yet this ECU decision gives consent to a site considerably nearer than other developers would allow.

In itself, it is unacceptable that the recent consent for the BESS sites were published during parliamentary recess time, thus restricting the degree to which they can be challenged by Members of the Scottish Parliament.

Furthermore, there is no guarantee that safe proximity to local residences will be included in the consultant's report.

All of this clearly contradicts the Scottish Government's Just Transition policy.

**Conclusion**

This is a critical time for the exploration of this decision. Local communities are scared and angry about the very real risks of locating large BESS sites close to housing and amenities. There are so many examples in recent years of preventable 'high risk, low probability' disasters having been caused by governments allowing industry to self-regulate safety measures, due to over-riding policy and financial pressures. This is an opportunity to provide adequate guidance now on safe proximity of BESS sites to residences, in order to ensure that a preventable BESS-related disaster does not happen in Scotland.