

Citizen Participation and Public Petitions Committee  
Wednesday 11 February 2026  
4th Meeting, 2026 (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

**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. [The Committee last considered this petition at its meeting on 10 September 2025](#). At that meeting, the Committee agreed to write to the Cabinet Secretary for Climate Action and Energy.
2. [On 14 January 2026](#), the Committee took evidence on thematic energy issues raised across a number of petitions, including this petition.
3. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
4. The Committee has received new written submissions from the Minister for Public Finance, a member of the public, and the Petitioner, which are set out in **Annexe C**.
5. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
6. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
7. [The Scottish Government gave its initial response to the petition on 22 May 2025](#).
8. Every petition collects signatures while it remains under consideration. At the time of writing, 1,535 signatures have been received on this petition.

## **Action**

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

**Clerks to the Committee**  
**February 2026**

## **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: Extract from Official Report of last consideration of PE2157 on 10 September 2025**

**The Convener:** We move to PE2157, which has been lodged by Ben Morse on behalf of Cockenzie and Port Seton community council. The petition calls 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—or BESS—by setting out a minimum baseline level of practice around the location and proximity of such systems in relation to residential properties, public buildings and community amenities.

The SPICe briefing states that BESS use 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 needed. The briefing also makes reference to the common concern about the potential fire risk of lithium-ion batteries, with a number of examples of BESS fires but with no reliable, publicly accessible record of the number of such fires.

The Scottish Government's response mentions commissioning consultants in April 2025 to produce planning guidance on battery energy storage systems, and it anticipates that that work will be completed this autumn. The guidance is intended to promote good practice in determining BESS applications and to set out information on other relevant regulatory regimes that are applicable to BESS in Scotland.

The Government also makes reference to existing and well-established consenting procedures for renewable energy and electricity grid infrastructure, which include consideration of residential amenity and cumulative impacts. The Government's position is that, although national planning framework 4 stipulates that the potential impacts on communities and nature are important considerations in the decision-making process for energy projects, it is for the decision maker to determine on a case-by-case basis what weight to attach to NPF4 policies, with all applications being subject to site-specific assessments.?

In an additional submission, the petitioner further argues that rigorous guidelines on the suitability of BESS sites would provide immediate clarity to the consenting and planning process and ease the burden on local authorities and communities. The petitioner insists that the Government has not addressed the central question that has been posed by his community, which is to do with the appropriate level of proximity of BESS sites to communities such as his, in light of concerns regarding the lack of safety and emergency procedures, noise and loss of amenity or agricultural land.

Before I invite members to comment, I declare an interest in that I have an active case in my constituency, where I am challenging the criteria by which approvals have been granted. That is very similar to the aims and objectives that have been raised by the petitioner, so I place that interest on record. Do members have any comments or suggestions for actions?

**David Torrance:** I wonder whether the committee would consider writing to the Cabinet Secretary for Climate Action and Energy to ask for an update on the work to produce planning guidance on battery energy storage systems, including the Scottish Government's view on any additional recommendations. I also wonder whether it would ask for clarification by the Scottish Government on its position regarding concerns that were further highlighted by the petitioner's additional submission, particularly the point on the proximity of BESS to communities.

**Fergus Ewing:** I support Mr Torrance's recommendation, and I add that guidelines to assist local authorities would be of clear benefit, because they presently do not have them. There is a degree of concern about the fire risks, but in the absence of the Government providing any guidelines or analysis of the work that is being done, which is to be completed in the autumn, local authorities have one hand tied behind their back and are in a very unenviable position.

I hope that the Scottish Government acts more swiftly than it normally does. You said that the work that Ironside Farrar is doing is to be completed this autumn, which is around about now, given that the leaves are falling from the trees. Let us see the guidelines and get on with it, because they are required for many reasons that the petitioners have identified.

**The Convener:** I wholly agree with that. There are a lot of live applications around the country, because many developers are seeking to establish sites. There is concern that the volume of sites that are being identified and progressed through the planning process is wildly in excess of the potential immediate requirement. Since most of the sites that are being established will create a new base of energy storage, many of the risks that are associated with them are as theoretical as the practice of the storage itself, which has not been around long enough. However, we know that there have been fires in other parts of the country and the world where such sites have been established.

A framework is needed fairly urgently. As Mr Ewing said, local authorities that are predisposed to look favourably on environmentally friendly forms of future energy generation are erring on that side over the concerns of people in the community and the potential unknown risks that are yet to be properly quantified.

**Davy Russell:** Another thing is that, because most of the sites have over 50MW of storage, local authorities are bypassed. They consult with local authorities, but such sites are primarily placed into the same category as wind farms, so local considerations are not fully taken on board.

**Fergus Ewing:** Also, I do not think that they provide many jobs. I could be wrong, but that is what I have heard anecdotally. Therefore, the benefits are unclear—apart, possibly, from those with regard to storage capacity.

**The Convener:** They are also not lovely to look at. We will keep the petition open and we will seek to expedite Government guidance on all this on the basis that there are many live applications and that we are concerned that, in the absence of guidance, consideration of local concerns and unknown consequences arising from battery storage plants are not being properly accommodated or reflected.

## Annexe C: Written submissions

### Minister for Public Finance written submission, 2 October 2025

#### **PE2157/D: 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**

Thank you for your letter to Gillian Martin MSP, Cabinet Secretary for Climate Action and Energy, on the above matter. Your letter was received on 11 September 2025 and has been passed to me in view of my portfolio responsibility for planning matters. I have responded to each of your questions below in turn.

- ***To ask for an update on the work to produce planning guidance on Battery Energy Storage Systems, including the Scottish Government's view on any initial recommendations.***

The Scottish Government has commissioned independent consultants Ironside Farrar to produce guidance to support planning authorities considering BESS applications. This is progressing and once completed we expect to publish the guidance this winter.

Although the guidance is not expected to make recommendations as such, it will provide best practice advice for developers from the earliest stages of siting and design, through to submitting a planning application. It will provide advice to all parties engaged in the application process, including planning authorities, statutory consultees, as well as communities who wish to further understand application procedures. In addition to setting out planning advice, the guidance will also contain information on regulatory controls in place through other statutory regimes including in relation to health & safety, fire risk, and pollution control. This will help to increase clarity for all concerned, and support more consistent decision-making.

The Scottish Government has also commissioned a study on the environmental impacts of BESS, the findings of which will be taken into account in the planning guidance.

- ***To ask for clarity on the Scottish Government's position regarding the concerns further highlighted by the petitioner's additional submission, particularly in terms of BESS proximity to the community.***

We recognise that there is concern in some communities over the scale and location of some BESS development.

Where new development proposals come forward, our [Fourth National Planning Framework](#) (NPF4) ensures the impacts of proposals on communities and nature, including cumulative impacts, are important considerations in the decision-making process. NPF4 Policy 11 (energy) requires that project design and mitigation demonstrate how the impacts of a development proposal on communities and individual dwellings, including through loss of residential amenity, visual impact and noise, will be addressed. All applications are subject to site specific assessments.

BESS projects in Scotland are required to adhere to a range of both devolved and reserved regulations including the following:

- Fire (Scotland) Act 2005
- Health and Safety at Work Act 1974
- Dangerous Substances and Explosive Atmospheres Regulations
- Electricity at Work Regulations 1989

Where the Scottish Fire and Rescue Service receive information about a proposed BESS site, they refer site operators to the National Fire Chief Council's Grid Scale Planning Guidance. These guidelines detail minimum standards for fire safety systems and design, and water and access requirements for firefighting.

I hope that the Committee finds this response helpful.

Yours sincerely,

**Ivan McKee MSP**

**Minister for Public Finance**

## **Andy Hayton written submission, 27 November 2025**

**PE2157/E: 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**

### **1. Introduction**

This submission draws on extensive evidence regarding:

- Procedural failures by the Energy Consents Unit (ECU) in assessing BESS projects;
- Risks posed to public safety and the surrounding environment;
- Lack of adequate guidance on cumulative impacts of clustered energy developments;
- Conflicts of interest in decision-making processes.

### **2. Procedural Failures by the Energy Consents Unit (ECU)**

FOI evidence shows the ECU did not consider scoping-stage representations from local communities<sup>1</sup>. This contravenes Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

Multiple FOIs reveal that the Scottish Government and ECU have no record of internal briefings, risk assessments, or ministerial submissions regarding cumulative

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<sup>1</sup> ECU FOI — 6 Nov 2025 | Highland Council / ECU Portal

impact, shared land access, or developer representations for Mey BESS, Rigifa BESS, and related projects<sup>2</sup>.

The ECU has been making legally challengeable decisions on BESS applications without robust safety evidence or transparent consideration of local community interests.

### **3. Public Safety Concerns**

BESS sites store energy equivalent to tons of TNT: the proposed Mey BESS could store energy equivalent to 1,200 tons of TNT, comparable to the Beirut ammonium nitrate explosion<sup>3</sup>.

Published fire safety plans and Health & Safety Executive (HSE) consultation responses exist<sup>4</sup>, but no public robust risk assessment demonstrates that a site-wide fire cannot escalate, especially given proximity to residential areas and heritage sites such as the Castle of Mey.

Letters in the John O’Groat Journal raise concerns that fire suppression plans may be insufficient given the scale of stored energy<sup>5</sup>.

### **4. Inadequate Consideration of Cumulative Impact**

The Highland Council Planning Statement for Gills Bay 132kV Switching Station confirms “major adverse” visual impact at nearby locations and notes the cumulative effect of multiple energy infrastructure projects<sup>6</sup>.

FOI evidence shows the ECU did not hold or consider information on developer claims of grid connection dates, pre-2030 readiness, or cumulative infrastructure risks<sup>7</sup>.

National Grid ESO / NESO responses confirm that no Gate 2 offers had been issued to these projects at the time, highlighting uncoordinated planning and risk of speculative approvals<sup>8</sup>.

### **5. Conflicts of Interest and Lack of Independent Oversight**

Publicly available evidence shows Highland Council leadership promoting renewable energy investment while serving on planning committees (e.g. Councillor Raymond Bremner)<sup>9</sup>.

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<sup>2</sup> ECU FOI — Internal correspondence / briefings request | 2025 and ECU FOI — Safety, Fire, Hazardous Materials | ECU Portal

<sup>3</sup> John O’Groat Journal — “Explosive potential stored in Caithness” | Sep–Oct 2025

<sup>4</sup> HSE Consultation Responses & BESS Safety Plans | ECU Portal

<sup>5</sup> John O’Groat Journal — “Explosive potential stored in Caithness” | Sep–Oct 2025

<sup>6</sup> Gills Bay 132kV Switching Station Planning Statement | Highland Council Portal

<sup>7</sup> ECU FOI — Safety, Fire, Hazardous Materials | ECU Portal

<sup>8</sup> NESO FOI — Gate 2 / TEC Register | Aug 2025

<sup>9</sup> Highland Council / Public Records — Renewable Investment Engagement | Scottish Government, media reports



Engagement between Ampeak Energy and MSPs (e.g. Gillian Martin visit to Nigg Energy Park) demonstrates close ties between developers and government, which raises questions about impartiality in decision-making.

## **6. Recommendations for Action**

1. Update national BESS planning guidance to include:
  - Minimum baseline separation distances from homes, schools, public buildings, and community amenities;
  - Explicit consideration of cumulative impacts from multiple developments;
  - Clear, publicly available safety assessment standards for fire and hazardous materials;
  - Mandatory consultation with local communities at the scoping stage.
2. Encourage the Scottish Government to review and audit ECU decisions on BESS to ensure compliance with EIA regulations, particularly Regulation 25 and requirements for cumulative impact assessments.

Consider establishing independent oversight for BESS applications to prevent conflicts of interest and ensure impartial, evidence-based decision-making.

## **Petitioner written submission, 28 January 2026**

### **PE2157/F: 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**

Building on our previous submission, events such as the South of Scotland Energy Convention on 17 January in Jedburgh underline how disjointed the ECU processes have become and how much damage has been done to community confidence due to this lack of guidance.

That Scotland is so over-capacity for BESS based on the NESO levels for both 2030 and 2050 demonstrates a fundamental breakdown in the process and the commercial and grid realities are becoming the only checks and balances – in stark contrast to the place-based planning approach which should be adopted as part of a just transition. That planning and consenting processes are willing to overlook brownfield sites in favour of greenfield, do always not take emergency procedures into account (particularly for developments in proximity to communities), and seemingly ignore communities at every turn has eroded and continues to erode community trust in these processes and in some cases public confidence in a just transition to (and indeed unfortunately at times the entire concept of) a green net zero future.

Since we lodged our petition, the ECU has unfortunately consented the BESS proposed in our community to the anger of the local community. This petition does not seek to overturn that decision (much as we would like it to), but it does seek to close the gaps in policy and process which we witnessed during the consenting process. We therefore reiterate our core request for updated and improved guidance on suitable sites for BESS and in particular guidance on the proximity to residences and community assets.