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Nicholas Leaney
Aardvark EM Limited.
By email only

By email only to: environment@aardvarkem.co.uk

Our ref: ECU00006107

31st March 2025

Dear Nicholas Leaney,

ELECTRICITY ACT 1989

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

SCREENING OPINION OF THE SCOTTISH MINISTERS

**IN RESPECT OF THE PROPOSED APPLICATION FOR CONSENT UNDER SECTION 36
OF THE ELECTRICITY ACT 1989 TO CONSTRUCT AND OPERATE THE PROPOSED
HAGSHAW LONG DURATION ELECTRICITY STORAGE ON LAND AT THE M74 HEAT
AND POWER PARK (NOW KNOWN AS CONEXUS WEST), WEST OF JUNCTION 11 OF
THE M74, COALBURN, LANARK, ML11 0RL.**

Thank you for your request dated 24th February 2025 requesting a screening opinion in respect of a proposed application under section 36 of the Electricity Act 1989 (“the Electricity Act”) to construct and operate a battery energy storage system with a storage capacity of up to 6 Gigawatt hours (GWh), comprising of multiple modular battery units, and supporting infrastructure including security gates, CCTV, access tracks, drainage infrastructure and substations.

Background

The proposed development as described briefly above is entirely within the planning authority area of South Lanarkshire Council (“the Planning Authority”).

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

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

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

Statutory Consultation

Under regulation 8(5) of the Regulations, Scottish Ministers are required to consult the Planning Authority within whose land the proposed development is situated. The Planning Authority was consulted on 7th March 2025 and responded on 20th March 2025 advising that, in their view, the proposed development does not constitute EIA development and therefore any application for construction and operation of the development described in the screening request does not need to be accompanied by an EIA report. A copy of the Planning Authority's response is annexed to this screening opinion (**Annex A**).

Scottish Ministers' Considerations

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

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

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

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

Written Statement

Characteristics of Development

The site covers an area of approximately 18 hectares. The proposed Development consists of a Long Duration Electricity Storage and associated ancillary equipment. There are a number of consented Developments within a 5km radius of the proposed Development. However, the cumulative impact with existing and consented development is not expected to be significant. Given the nature of the proposed Development, the use of natural resources would not be considered significant. Waste would be produced at the construction and decommission phase of the Development, this would be consistent with a Development of

this type and unlikely to be significant. No waste is anticipated during the operational phase. There is no significant pollution or nuisance anticipated either at construction or operation stages, no risk of major accidents or disasters, and negligible risks to human health.

Location of Development

The Site is brownfield and was previously used for coal stocking and associated coal dispatch operations. The Site is not rich in natural resources. There is a designated woodland to the east of this site, the Developer has proposed this will be protected and enhanced so no significant impacts are anticipated. The proposed Development is not situated on environmentally sensitive land and is unlikely to give rise to significant effects given the nature of the proposal and proximity to any sensitive environmental receptors.

Characteristics of the Potential Impact

Visibility to the site will be limited and any mitigation required will be addressed through woodland planting. There is potential for Protected Species to be present at the Site, any ecological features of importance can be mitigated to ensure that there is no significant adverse impact on flora and fauna. Giving consideration to the limited number of residential receptors and the proposed Site not being situated within a sensitive landscape, it is unlikely that the proposed Development will give rise to significant impacts regarding biodiversity, landscape, cultural heritage, or material assets. There are no significant effects considered to be likely to human health, land, soil, water, air, and climate. The Development is to be decommissioned at the end of its operational lifetime.

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

Appropriate siting, design and screening will avoid non-significant landscape and visual effects. A Site Waste Management Plan (SWMP) and Construction Environment Management Plan will be put in place during construction to mitigate any impacts that may arise during the construction phase.

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

Yours sincerely

Graeme Cox

A member of the staff of the Scottish Government

(Cc: South Lanarkshire Council)

(Annex A)

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

Regulation 8(1) – Request for screening opinion of the planning authority

South Lanarkshire Council – Screening Opinion

Development description – Construction and Operation of 500MW Long Duration Electrical Storage scheme and associated infrastructure

Site Location:

Land at the M74 Heat and Power Park (Conexus West)

West of Junction 11 of the M74

Coalburn

ML11 ORL

Date request received: 7/3/25

Background

Under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, certain development projects require the planning authority to consider whether a proposed development project is likely to have a significant effect on the receiving environment.

If the planning authority determines that a proposed development project will have a significant effect, then it must ensure that the applicant carries out an Environmental Impact Assessment (EIA) that identifies and assesses those affects.

Under the terms of regulation 8(1) of the above Regulations, any person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion as to whether the proposed development is or is not an EIA development.

The Development Proposals

The proposed development comprises the development and subsequent operation of a Long Duration Battery Electrical Storage System (LDES), with a capacity of 500MW.

Whilst the layout of the proposed development has not yet been fixed, the development will comprise of the following key components: -

- Storage containers housing the proposed storage batteries, which will be stacked three units high;
- Invertors or power conversion system;
- Transformers;
- Metering equipment;
- Cabling and connections;
- Substation transformers/Transmission operator compound;
- Fencing;
- Vehicular access tracks/roads;
- Drainage infrastructure; and
- Landscaping provision incorporating biodiversity enhancements.

Site Description

The proposed development site is located too the southwest of Junction 11 of the M74, approximately 1.65km to the south of Coalburn and approximately 1.5km to the north of Douglas.

The site extends to approximately 18ha in area and consists of brownfield land which was part of the former Dalquhandy Opencast Coal Site. The site was not subject to coal extraction works but was used principally for coal stacking and associated coal dispatch operations.

The site now forms part of the Hagshaw Energy Cluster, an established strategic location for large scale renewable energy projects.

Schedule 2 Development

Development of a type listed in Schedule 2 of the Regulations requires EIA if it is likely to have a significant effect on the environment by virtue of factors such as its size, nature or location.

The proposed development falls within the description of 3(a): Industrial installations for the production of electricity, steam and hot water (unless included in schedule 1), as defined in the Regulations.

Development that falls within a relevant description and exceeds any of the specified thresholds requires to be screened to establish if it is likely to have a significant effect on the environment, taking into account of the selection criteria set out within Schedule 3 of the Regulations.

In this instance, the specific threshold relates to development sites which exceed 0.5 ha in area.

The area covered by the application extends to 18ha and as such exceeds the applicable threshold.

Screening Opinion

The report which accompanies this Screening Opinion sets out an initial assessment of the potential environmental impacts of the proposed development, as follows.

Noise

The site is not located within a Noise Action Plan and Important Areas designation.

There are two residential properties within 500m of the site that have the potential to be sensitive to nuisance related noise effects

The proposed development will be designed to ensure that any noise generated by the LDES will be mitigated to an acceptable level.

Any construction works/activities likely to result in considerable noise emissions will be limited to daytime hours only.

Control measures relating to noise and vibration will be developed in accordance with best practice guidance and legislation and these measures will be detailed within a CEMP that will be produced by the contractor.

Landscape and Visual Impact

The site is located within an area where the landscape character is influenced by former mining works, existing wind farms and the Dewar's Whisky Bond Warehouses. Additionally, further consented wind farms will further modify the landscape.

The site is in a secluded landscape, enclosed by hills and plantation woodland. The extent of the landscape effects of the proposed development would be limited to a 1km wide strip of landscape between Craigend to the north and Blackwood Hill to the south.

Cumulative Effects

Although some cumulative landscape and visual effects are possible, they are likely to be restricted in extent and would be unlikely to be significant.

Ecology and Biodiversity

Due to separation distance and lack of functional ecological connectivity, it is unlikely that the proposed development will impact on those designated sites within the vicinity of the site or upon their interest features.

Cultural Heritage

There are no listed buildings, designated landscapes or scheduled monuments on or close to the site and as such this is not a matter that would require to be addressed within any planning application submission.

Water and Flooding

The application will be supported by a detailed FRA and Surface Water Drainage Strategy with it being noted that the site is not shown as being at risk from flooding on the SEPA Flood Map.

Traffic and Transport

Given the temporary nature of the construction and in due course, the decommissioning traffic and the very low level of traffic during the operational phase, the long-term effects on local transportation are not considered to be significant.

Air Quality

Given the nature of the proposed development, its location and the distance from any existing sensitive receptors the proposed development is not expected to lead to any significant air quality effects with it being further noted that the proposed development will not produce any air related emissions during its operational phase.

Given the various considerations set out above and subject to the consideration of the various detailed reports which has been stated will be submitted in support of the proposed development it is considered that the proposed development will not give rise to any significant adverse environmental effects.

Having regard to the characteristics of the proposed development, its location and potential impacts and having assessed it against the screening opinion, South Lanarkshire Council considers that the proposed development does not constitute EIA development.

The reasons for adopting this opinion are as follows:

1. The development is not of a scale that has the potential to have a significant impact on the local area.
2. The proposed development is not within an area which is designated for its environmental sensitivity
3. The proposals are not of a scale which would have a wider significant environmental impact within the surrounding landscape.

Conclusion

It is considered that the impact of the proposed development does not have the potential for significant environmental impacts. It is therefore considered that the development does not constitute EIA development.

It should however be noted that whilst not being considered to constitute EIA development, any formal planning application submission should still be accompanied and supported by a full suite of environmental assessments and reports relating to, but not limited to the following:

1. Landscape and Visual Impact Assessment.
2. Ecology.
3. Transport, including abnormal load routing.
4. Noise Impact Assessment.
5. Flood Risk Assessment.
6. Ground stability, and geology.

SCREENING CHECKLIST – P/25/0267 – Hagshaw LDES, Land at the M74 Heat and Power Park (Conexus West)

	Yes/ No	Briefly describe	Is affect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
1. Characteristics of the Development			
(a) Scale of the development			
Will the development be out of scale with the existing environment?	No	Introduces large scale development into a landscape which is already subject to large scale renewable energy developments.	The potential visual impacts are not considered to be significant given the extent of the existing developments within the surrounding area.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	No		
(b) Cumulation with other development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No		
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	No		
(c) Use of natural resources			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <ul style="list-style-type: none"> • water or fisheries? • minerals or aggregates? • agriculture, forests and timber? • energy including electricity and fuels? • any other resources? 	Yes	General construction material.	Not significant.

(d) Production of waste			
<p>Will the development produce wastes during construction or operation or decommissioning?</p> <ul style="list-style-type: none"> • Spoil, overburden or mine wastes? • Household or commercial waste? • Hazardous or toxic substances? • Other industrial processes wastes? • Surplus product? • Sewage or sludge or other sludges from effluent treatment? • Construction or demolition wastes? • Redundant machinery or equipment? • Contaminated soils or other material? • Agricultural wastes? • Any other solid wastes? • Liquid or solid wastes in suspension? 	Yes	Standard construction waste.	Not significant.
(e) Pollution and nuisances			
<p>Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction or operation or decommissioning?</p> <ul style="list-style-type: none"> • Combustion of fossil fuels from stationary or mobile sources? • Production processes? • Materials handling including storage or transport? • Construction activities including plant & equipment? • Dust or odours from handling of materials including construction materials, sewage and waste? • Any other sources? 	Yes	Potential for noise.	Not environmentally significant but the potential for noise impacts on sensitive receptors will need to be assessed.
(f) Risk of accidents, having regard in particular to substances technologies used			

Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	Normal operation activities.	Not significant and can be controlled through standard Health and Safety requirements.
(g) Other characteristics: potential physical changes (topography, land use, changes in waterbodies etc) from construction, operation or decommissioning of the development			
• permanent or temporary change in land use, landcover or topography including increases in intensity of land use?	Yes		Not significant.
• peat land disturbance and/ or degradation leading to: carbon release, damage to habitats, affecting land stability or hydrology?	No	.	Not applicable.
• pre-construction investigations e.g. boreholes, soil testing?	Yes	Ecological and hydrology surveys.	Not significant.
• construction, demolition, reclamation or excavation works?	Yes	General construction work.	Not significant.
• underground works?	Yes		Not significant.
• facilities for storage of goods or materials?	No		Not relevant.
• new road, rail, air or sea traffic or infrastructure during construction or operation or decommissioning?	Yes	Internal access tracks.	Not significant.
• new or diverted transmission lines or pipelines?	No		Not significant.
• any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2011	U	Unknown but not fundamental to proposals	Not significant.
• long-term/ongoing activity during restoration or decommissioning which could have an impact on the environment?	No		
• influx of people to an area either temporarily or permanently?	No		
• any other changes?	No		
2. Location of the Development			
(a) Existing land use			

Are there existing land uses on or around the location which could be affected by the development, e.g. undeveloped land, Greenfield land, homes, other private property, industry, commerce, tourism and recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	No		
(b) Relative abundance, quality and regenerative capacity of natural resources in the area			
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?	No		
(c) Absorption capacity of the natural environment			
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape and visual, cultural or other value, which could be affected by the development? Particular attention should be paid to wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, nature reserves and parks.	No		
Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	No		
Are their protected species in or around the location, for example European Protected Species, which could be affected?	No		Not environmentally significant but require standard ecological surveys as part of any planning application.
Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	No		
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	No	There are no designated assets within or near to the site.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No		

Is the development in a location where it is likely to be highly visible to many people?	No		.
Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions which could cause the development to present environmental problems?	No		