

Karin Coltart submission of 26 February 2022

PE1864/GGGGG: Increase the ability of communities to influence planning decisions for onshore windfarms

I support the petition for the following reasons.

Adopting English planning legislation for the determination of onshore windfarm developments

In my experience, wind farm developers are making planning applications that do not comply with local development plans and Scottish Ministers are approving them. If Scotland adopted a system similar to that used in England, this would not be allowed.

As Scottish Ministers decide on wind farm applications which are greater than 50MW, it appears to me that developers are side-stepping local councils all together by applying for large scale wind farms, in the knowledge that Scottish Ministers are more likely to say 'yes' than local planning authorities.

Wind farm developers appear to have bottomless pockets and the ability to hire legions of experts who will support the developer's point of view. Local councils, on the other hand, are severely constrained by budgets.

Currently wind farm developers only appear to pay lip service to consultation with local communities. If local people do not know about a development, they will not engage in a consultation about it.

Suggestions: (a) from scoping onwards developers must send information about a proposed wind farm to every resident's home address who will have sight or sound of their wind farm. (b) The information should include a summary of the scheme and a long notice period for any public meetings. (c) All public meetings should run on multiple days and times, including weekends. (d) Developers should have an accessible place on their website to show all comments made at meetings or thereafter. This way any individual can see that their remarks are recorded. (e) Developers must inform residents in good time of every subsequent phase of the process.

Empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process

Developers produce a vast amount of information in a planning application, some of which is written in language that is

incomprehensible to the layperson. Many members of the local community have neither the time to read, nor the expertise to understand, these documents. For example, a recent application had 2,320 pages of original, additional, and supplementary information.

Suggestion: make it standard practice for any altered text/new information in additional documents to be in a different colour and/or size and/or font from the original version. In this way, a reader could easily identify a few added words or paragraphs without the need to re-read the whole document.

Rural broadband can be slow or non-existent and given the volume of documents that developers produce for an application these can be impossible for broadband to cope with, particularly when there are numerous maps and photographs involved.

Suggestions: (a) insist that wind farm developers provide every local resident who requests it, at no cost, all the planning application documentation on a USB stick. (b) insist that developers provide free, printed copies of all the maps, photographs, figures, and visualisations (in colour and at the recommended size).

Currently any community or individual who wishes to oppose a wind farm development faces an impenetrable planning system. It is unlikely that local residents have engaged with the planning process in the past and therefore have no idea how it works. This creates an extremely un-level playing field.

In a public inquiry, developers can afford to hire teams of expensive lawyers and innumerable experts who know the system and who can baffle local residents with technical questions.

Communities are faced with the task of finding legal representation and appropriate experts and then fund-raising £10,000s to pay them for their professional services. The alternative is to self-represent which will leave local people floundering in the complexities of the system and being sidelined as third-party objectors.

Conclusion: provide local communities with enough bespoke professional help throughout the process, from scoping to public inquiries and appeals, to put them in the same ballpark as developers.

Appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries

One thing that Covid has brought is the wholesale movement of public inquiries to the digital sphere. It has been instructive to watch videos of

lawyers representing developers, who in my opinion, belittle, bully and intimidate local residents who have appeared as witnesses. It is also interesting to see the difference in inquiries where community objectors have had the services of a lawyer to protect them. Surely, the purpose of an inquiry is to gather information and views from both sides of the argument. Engaging in the planning process should be open to everyone, not just the brave-hearted individuals who hope that they can stand up to developers and their legal teams.

Conclusion: provide an independent advocate to local participants on every occasion. The proceedings would be more civil, more useful and would encourage more people to engage with it.