

## Petitioner submission of 4 June 2022

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

#### **Adopting English planning legislation for the determination of onshore wind farm developments**

We would like to draw the Committee's attention to the UK Government Energy Strategy which was published last month in response to rising energy costs in the UK.

No change was made to planning laws for onshore wind farm development in England other than "consulting on developing partnerships with a limited number of supportive communities towards onshore wind farms in return for lower energy bills".

This means that Communities south of the border will continue to be reassured that any proposed development will only be successful if it is in an area identified as suitable in a local development plan **AND** the planning impact identified by the local community has been satisfactorily addressed and there is community support.

This system offers protection for both people and the environment. The Planning Authority may object to a proposed development due to non-compliance with the local development plan while at the same time the community could be supportive due to the financial rewards on offer (incidentally community benefit is not a material planning consideration but it does influence public opinion and generates support). In such a case, quite rightly, permission is refused as it does not satisfy both requirements.

Equally if the Planning Authority has no objection but members of the community raise concerns for which no adequate mitigation is possible, then permission will also be denied.

This "double protection" directs development to "the right places" and also inspires greater confidence in the planning process; something which is sadly lacking in Scotland in relation to wind farm development at the present time.

Whilst this is all good news for local communities in England who will continue to have a greater influence on the future of development in their local area, (something which the Scottish Government states they also wish to deliver), it means that Scottish communities will continue to be overwhelmed with planning applications for onshore wind farms unless we are granted the same ability to influence planning decisions as our neighbours in England.

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

As previously mentioned in the Petition Summary and in many of the accompanying written submissions, local residents and community councils are facing multiple applications simultaneously or consecutively. They are left simply overwhelmed and unable to manage, either in terms of the manpower required to scrutinise large technical documents and/or to fundraise in order to employ professional help. In turn, this leaves them particularly disadvantaged in a Public Inquiry situation.

To emphasise our point we have attached maps, relating to [Sue Hall's petition submission](#) of 8 June 2021, showing the extent of wind farm development both operational and in the planning process in the Southern Uplands of Dumfries and Galloway - <https://scotlandagainstspin.org/wp-content/uploads/2022/06/map.png>; and also a map of development in the new Cumnock area of East Ayrshire relating to [Jerry Mulder's petition submission](#) of 4 June 2021 - <https://scotlandagainstspin.org/wp-content/uploads/2021/09/Updated-NC-map-768x512.jpg>

In our view, it is unacceptable and unrealistic to expect members of the public, many of whom are still working full time, have young families or are attempting to enjoy retirement, to give up all of their valuable spare time for many years, sometimes decades, to respond to wind farm applications, to the point of exhaustion, in order to defend their environment, health and wellbeing.

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

We were pleasantly surprised when the Reporter at the Mochrum Fell Wind Farm Hearing last month, asked participants to “Be kind, courteous and polite to each other”. A well-received comment in recognition of

what we felt was aggressive questioning of community representatives which has previously taken place at some oral proceedings. Participants at this particular hearing were able to afford the services of an advocate but most are not so fortunate.

We believe it is imperative that an independent advocate is appointed for all participants taking part in oral proceedings to ensure that they are not bullied and intimidated and that their voices are heard, otherwise it becomes a one-sided process which acts as a barrier to effective public engagement in the planning process; the opposite result to that which the Scottish Government is seeking to achieve. We have made simple suggestions as to how this request could be taken forward and financed at no extra cost to the public purse in [Petitioner's Submission of 11 June 2021](#)

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On behalf of Scotland Against Spin