

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

Petitioner written submission, 27 January 2026

To recap, the Committee has supported the Petition by recommending that the Scottish Government explores the scope for planning authorities to determine more applications for onshore windfarm developments by raising the 50MW threshold while ensuring that genuine local support is a key material consideration in the decision-making process. The Committee also requested that further research be undertaken into how support could be provided for communities wishing to participate in public inquiries.

The Summary of responses to the Investing in Planning consultation was published in August 2024 showing that the raising of the 50MW threshold in order to allow for greater local decision making, was supported by all respondent categories except Development, Property & Land Management Sector & Agents. The Scottish Government announced in December 2025 that it would undertake another more extensive consultation on this matter, probably because the average capacity of section 36 wind farms in scoping in Scotland is now 130MW which in effect would mean that nearly all applications would be determined by ECU/Scottish Ministers. It also coincided with the Cabinet Secretary giving evidence to the Petitions Committee in January 2026. This allowed her to show interest in our petition and give the impression that she was doing something positive. She said "I think that the time is right to do it." SAS members believe the "time was right" five years ago when this petition was first submitted.

There was no mention made of "ensuring local support is a key material consideration in the decision making process" by the Cabinet Secretary. There is no point in raising the 50MW threshold if the views and wishes of communities can still be ignored.

The need for support for communities wishing to take part in public inquiries was raised by Oliver Mundell MSP but was not addressed by the Cabinet Secretary. We refer the Committee to his comments which appear in full on the [Official Report](#) of the meeting. He said:

"It is not just developers that are at fault; it is also the Scottish Government. Communities' views are discounted in the planning process or given lower priority. The system is fundamentally stacked in favour of developers. Having sat through inquiries, I know exactly how communities feel.

They swoop in with teams of 10 or 15 people and spend what I think would be hundreds of thousands of pounds to push these applications through—and communities turn up in good faith, without proper representation or a detailed understanding of the law To be fair, I think that the reporters do an excellent job in trying to level the playing field."

We agree that reporters are now trying their best to level the playing field following many years of complaints from our members and discussions between SAS and the

DPEA at stakeholder meetings. However, compliance with the Aarhus Convention is not possible, even with a “Code of Practice” as suggested by the Cabinet Secretary, when one side has a team of lawyers and consultants to state their case while third parties are fortunate if they have been able to raise the fee required to pay for even one professional to support them at one inquiry.

During the Petitions Committee meeting on 14 January, Scottish Government official Robert Martin referred to the Planning and Infrastructure Act 2025, which received Royal Assent on 18 December last year. It introduces a reform that he believed goes some way to addressing our concerns – it doesn’t.

The reform that has been introduced is that, should a planning authority object to an application that has been made to Scottish Ministers, reporters will no longer have to hold a full public inquiry in the same way that they did in the past. The reforms that have been introduced replicate the Town and Country Planning (Scotland) Act 1997, whereby reporters will have the ability to take a more focused view. However, at the last meeting of the Stakeholders’ Forum in December 2025, DPEA clearly stated that they did not anticipate any reduction in PLI’s in response to the amendments to the Electricity Act.

Whether a reporter decides to hold an inquiry, a hearing or even just request further written submissions is irrelevant. Third parties, particularly those with disabilities, will always need professional help to compete on equal terms with the applicant. Please refer to our submission of [22 January 2025](#).

To summarise, after five years the Scottish Government has finally agreed to consider raising the 50MW threshold (only because the time is right for them) but has ignored the other requests made in the petition which have been supported by this Committee.

We are confident that the Committee will make the right decision about whether to close or continue this petition into the next parliament.

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On behalf of Scotland Against Spin