

Scottish Government submission of 6 November 2023

PE2054/A: Establish an independent review into the proposed Spaceport 1 development at Scolpaig Farm in North Uist

The Scottish Government is pleased to offer the Committee our views on the action called for in the above petition, specifically:

- *whether there is any conflict of interest for Western Isles Council (Comhairle nan Eilean Siar) as the authority who approved the plans and are taking the project forward;*
- *the process for purchasing the land on Scolpaig;*
- *potential errors and omissions in the Environmental Impact Assessment (EIA) of the proposal; and*
- *the economic case for pursuing this project*

Background

On 11 June 2020 we issued a notification direction requiring planning authorities to alert us to new planning cases for spaceport related development - [The 'Town and Country Planning \(Notification of Applications\) \(Spaceport Related Developments\) \(Scotland\) Direction 2020](#). This allows us to have a national overview of development in the planning system that is spaceport related and offers us the opportunity to put in place additional safeguards, and intervene, if necessary.

Case specific notification directions for various spaceport related planning applications have also been put in place. A [case specific notification direction](#) was issued on 04 March 2022, requiring Comhairle nan Eilean Siar to notify this application to Scottish Ministers if they were minded to grant planning consent. The notification requirement gives Ministers the opportunity to decide whether there are national interests at stake which would merit Ministers calling in the application for their own determination or to allow the Council to issue the decision at local level.

On 20 June 2023, the Comhairle nan Eilean Siar Planning Applications Board agreed with planning officials' recommendation to grant planning

permission for this application subject to conditions. The application was duly notified to the Scottish Ministers on 27 June 2023. Ministers gave full and proper consideration to the case. It was considered that all relevant matters had been taken into account by Comhairle nan Eilean Siar and that it did not merit call-in by the Scottish Ministers. On 24 July 2023 the application was cleared back to Comhairle nan Eilean Siar for its determination. The Comhairle granted planning permission for the project on 26 July 2023.

The primary responsibility for the operation of the planning system and service lies with the local planning authority. They are best placed to make decisions about matters which affect their areas. But there can be some occasions when the Scottish Government will become involved in the planning application process. Planning legislation requires that planning applications are determined in accordance with the development plan for the area, unless material considerations indicate otherwise. In reaching a decision the planning authority is expected to have regard to all material factors, including views from consultees and representations submitted to them. All information pertaining to the handling of the application by the Comhairle can be accessed here: [Planning Authority ref: 21/00646/PPD](#).

The Scottish Ministers have a general power to intervene in the determination of a planning application and call in an application to take on the decision-making role themselves. In practice, they exercise this power sparingly, recognising and respecting the important role of local authorities in making decisions on the future development of their areas. All information pertaining to the handling of the application by the Scottish Government including our planning assessment report can be accessed here: [Scottish Government Ref: NOD-410-001](#).

We understand that the Comhairle have proactively contacted the committee directly about the petition and have provided responses to the claims set out in Mr Anderson's petition. We understand that the Comhairle have also offered to facilitate a meeting to provide an overview on the Spaceport 1 Project.

Our response to each of the points in the petition is set out below.

- *whether there is any conflict of interest for Western Isles Council (Comhairle nan Eilean Siar) as the authority who approved the plans and are taking the project forward;*

The Planning Minister was provided with advice to support a decision in the form of a submission from officials containing relevant information about the application including the planning assessment report. The submission noted that the planning authority was also the applicant. It is not uncommon that a council may require to determine a planning application in which it has an ownership or other interest in the land. The Scottish Government addresses this issue within Planning Advice Note 82: Local authority interest developments and Circular 3/2009: Notification of planning applications, which states that this in itself is not unreasonable, in fact it is quite normal and occurs regularly. In these circumstances though, it is essential that the planning authority does not allow any possible conflict of interests to have an undue influence on its planning assessment.

- *the process for purchasing the land on Scolpaig;*

The process that led to the land purchase is a matter for the Comhairle nan Eilean Siar. Planning is concerned with the appropriateness of land use.

- *potential errors and omissions in the Environmental Impact Assessment (EIA) of the proposal; and*

In determining a planning application, the planning authority can only take into account the information available to it, at the time. We note that it is the Comhairle's view that while the figures in the Airport Change Process (ACP) Options Appraisal document vary from those in the EIA, the resulting effect on climate change would not alter significantly and these figures would not have changed the planning assessment of the issue, or the weight given, or alter the overall assessment in the planning balance.

- *the economic case for pursuing this project*

The Scottish Government has identified space as a key economic opportunity within the National Strategy for Economic Transformation (NSET), Inward Investment Plan and the recently published National Innovation Strategy. The Scottish Space Strategy developed in partnership between industry, academia and government outlines our ambition to become a leading European Space nation and capture a £4 billion share of the global space market and 20,000 jobs in the sector over the next decade. The provision of launch capability is a key component that will provide Scotland with the full end-to-end solution for

small satellites. The Scottish Government is supportive *in principle* of space projects that will contribute towards this ambition and deliver economic benefits to the local region.

I hope this reply is helpful to the Committee's consideration of the petition.

Planning Decisions

Planning, Architecture and Regeneration Division