

Ariane Burgess MSP
Convener
Local Government, Housing and
Planning Committee
Scottish Parliament
Edinburgh
EH99 1SP

Dear Ariane

Equal Rights of Appeal in Planning

At a recent meeting of the Council, there was a discussion on equal rights of appeal in planning.

Planning Democracy, along with RSPB Scotland, Environmental Rights Centre Scotland, and Friends of the Earth Scotland, lodged a case in September 2022 with the Aarhus Convention Compliance Committee (ACCC), a United Nations body tasked with upholding environmental rights, regarding the lack of community appeal rights in planning for members of the public in Scotland.

This followed a ruling by the ACCC that Northern Ireland is in breach of international law for its lack of community appeal rights.

The Council noted that the case centres on the fact that members of the public in Scotland, who are not applicants for planning permission, and who seek to challenge a planning decision, do not have the same statutory appeal rights as applicants; that applicants for planning permission in Scotland enjoy statutory appeal rights which enable them to have the full merits of planning decisions reviewed at no or low financial cost,

I understand that the Scottish Parliament's Local Government, Housing and Planning Committee have launched a review into the workings of NPF4 and the Council agreed that I should write to you, copying in the Cabinet Secretary for Finance and Local Government, to support Planning Democracy's call for the Government to initiate a review of equal rights of appeal.

I look forward to hearing from you.

Yours sincerely / Leis gach deagh dhùrachd,

Councillor Raymond Bremner	An Comhairliche Raymond Bremner
Leader of The Highland Council	Ceannard Chomhairle na Gàidhealtachd

cc Cabinet Secretary for Finance and Local Government