Scotland Against Spin is a community of interest formed in 2013 with a wide membership throughout Scotland and further afield. The common purpose is to protect the interests of communities and individuals against wind farm and individual turbine developments that may adversely affect their residential amenity and the wider impact on rural landscape character. We do this by advising these communities and individuals on how to engage in the planning process. We are advised by professionals in relevant fields.

We respectfully request as a matter of public interest that Equal Right of Appeal, which communities and members of the public are clamouring for, is debated during the Planning Bill Evidence Sessions in Stage 1.

Community Engagement and Community Consultation are phrases that have lost their meaning as the contributions made by communities engaging are frequently ignored either by the Scottish Government, Local Planning Authorities, developers or their advisers. Applications which community organisations like Community Councils, well informed established focus groups and individuals have objected to on planning grounds and have been refused by Planning Committees are routinely appealed to the DPEA.

Reporters appointed by Scottish Ministers seem creded with the same knowledge and experience in, for instance landscape matters, as long qualified Landscape Architects. Historic Environment Scotland and Scottish Natural Heritage and routinely accept the “independent” expert advice of a consultant engaged by the developer. This is, not surprisingly, viewed with scepticism by community organisations and members of the public.

Statistics are available from the Directorate of Environmental and Planning Appeals (DPEA). In 2018 60% of appeals against refusal of planning permission by Local Authorities were allowed. In 2017 69% were allowed. We take the view that in many cases these high percentages may be more a reflection of support for Scottish Government Policy than pragmatic consideration by the DPEA.

These of course are appeals against refusal of planning permission. The provision of Equal Rights of appeal would allow Community Groups to appeal against decisions where planning permission has been granted. Appeals in this category could be managed in a way to safeguard against excessive or vexatious appeals. This would introduce fairness and a democratic balance to the planning process.

Members of the Scottish Parliament have the opportunity to debate and ask themselves the question. Without an Equal Right of Appeal do we have a fair and
balanced planning system and does it support the Scottish Government’s aspiration to achieve a Fairer Scotland?

Graham Lang (Chair)
Scotland Against Spin