

Citizen Participation and Public Petitions Committee
Wednesday 11 February 2026
4th Meeting, 2026 (Session 6)

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

Introduction

Petitioner Aileen Jackson on behalf of Scotland Against Spin

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore windfarms by—

- adopting English planning legislation for the determination of onshore wind farm developments;
- empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process; and
- appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

Webpage <https://petitions.parliament.scot/petitions/PE1864>

1. [The Committee last considered this petition at its meeting on 10 September 2025](#). At that meeting, the Committee agreed to invite the Cabinet Secretary for Climate Action and Energy to provide evidence at a future meeting.
2. [On 14 January 2026](#), the Committee took evidence on thematic energy issues raised across a number of petitions, including this petition.
3. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
4. The Committee has received new written submissions from Alexander Burnett MSP, the Petitioner and Finlay Carson MSP, which are set out in **Annexe C**.
5. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
6. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
7. [The Scottish Government gave its initial response to the petition on 1 June 2021](#).
8. Every petition collects signatures while it remains under consideration. At the time of writing, 2,589 signatures have been received on this petition.

Action

9. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
February 2026

Annexe A: Summary of petition

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

Petitioner

Aileen Jackson on behalf of Scotland Against Spin

Date Lodged

24 March 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore windfarms by—

- adopting English planning legislation for the determination of onshore wind farm developments;
- empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process; and
- appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

Previous action

We have written to Jamie Greene MSP, Brian Whittle MSP and Willie Rennie MSP. We have also written to Kevin Stewart MSP in his role as Minister for Local Government, Housing and Planning.

Scotland Against Spin has been a member of the Directorate for Planning and Environmental Appeals (DPEA) Stakeholders' Forum since 2013. It has been raising issues to which this Petition relates since 2019.

Background information

In 2020 the UK Government announced its intention to allow onshore wind farms to compete for subsidies in the next round of Contract for Difference (CfD) auctions which would allocate market support for projects coming forward towards the middle of the decade. This news was followed by a rapid rise in the submission of onshore wind farm planning applications, particularly in Scotland where National Planning Policy is very supportive of development compared to the rest of the UK.

Onshore wind development is considered, by some, to be particularly lucrative for developers, owing to lower development costs. Some areas of rural Scotland are, we believe, at saturation point with large scale industrial wind power station proposals and developments which have been built or are currently going through the planning process.

In Scotland, wind energy schemes with generating capacity of 50MW or less are determined by Local Planning Authorities (LPA). Local Community Councils are statutory consultees for such planning applications. A refusal of planning permission regularly leads to an appeal by the developer. That appeal, delegated to the Directorate for Planning and Environmental Appeals (DPEA) by Scottish Ministers is often very costly to the LPA, particularly if a Reporter decides that an appeal should be determined by means of a Hearing or Public Inquiry.

Larger wind farms exceeding 50MW are determined at the outset by Scottish Ministers under the Electricity Act 1989, section 36 (s.36) rather than by the LPA. However, the LPA remains a statutory consultee for each s.36 planning application submitted to the Scottish Government's Energy Consents & Deployment Unit. Should an LPA formally object to a s.36 application, a Public Inquiry is automatically triggered. This results in significant expense to the LPA, in order for them to defend their objections. In the majority of cases, the objections of these LPAs and the Community Councils are overruled by the Scottish Ministers, acting on Reporters' recommendations.

In contrast, wind energy schemes in England are determined by the LPA, irrespective of size. LPAs are directed to only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been satisfactorily addressed and therefore the proposal has community backing.

Whether a proposal has the backing of the affected local community is “a planning judgement for the local planning authority.”

If an LPA rejects a planning application, then a developer has a right to appeal to the Secretary of State via the Planning Inspectorate.

This difference in legislation makes it significantly more difficult to obtain planning permission in England, and has led to an influx of developers seeking sites in Scotland, because they believe that the Scottish Government will overrule local decision making and grant consent for planning applications for onshore windfarms.

This has resulted in Scottish rural communities 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 where they face teams of professionals and the applicant's consultants, who are well able to present windfarm applications in their most favourable light, and at the same time seek to marginalise the evidence from public witnesses.

Live streaming and archived video footage of Inquiries visible on the DPEA website, has resulted in prospective public and lay participants witnessing what they perceive to be personal and vicious attacks on local objectors by experienced lawyers

employing aggressive cross examination techniques. Whilst such techniques might be suitable in a criminal court setting, in those circumstances, the witness would have the protection of counsel or intervention by a judge if there was irrelevant and intimidating questioning. No such protection is provided for a public witness at a planning Public Inquiry; it is seen as a 'no holds barred' arena for the appellant's legal team. Many bona-fide people, giving of their best in the local interest feel they cannot cope with the psychological or financial strain of becoming involved in such a combative and unequal process. It seems to us that the appellant's legal team frequently seeks to discredit a public witness on a personal basis and, as a consequence, their opinions and evidence before the Inquiry are diminished and ignored. Some Community Councils and members of the public will simply withdraw their representation.

We believe that this is 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 believe that the adoption of planning legislation such as that in England where there is strict adherence to local development plans which have previously been the subject of public consultation, would direct developers to suitable sites where there is less likelihood of objection from local planning authorities and communities. Any community which had not had its concerns fully addressed could be confident that proposals would be justifiably refused and an appeal would be unlikely. This would encourage developers to have longer, more meaningful consultation with local communities before finalised plans are submitted. At present, the required community engagement exercise in Scotland seems to be largely a one-way consultation which we believe is regarded by many developers as simply a 'tick box' exercise. All parties would benefit as only plans likely to succeed and gain consent would progress to being formally submitted to LPAs.

We call on the Scottish Government to bring planning legislation for the determination of wind farm developments in line with that of England. We also call on the Scottish Government to find a way to restore "equality of arms" in the planning process by equipping LPA's to give positive assistance in the form of professional help to local communities, and to appoint someone to act as an independent advocate or adviser in public inquiries to ensure that local participants are not bullied and intimidated, and that their voices are heard.

Annexe B: Extract from Official Report of last consideration of PE1864 on 10 September 2025

The Convener: I will now leap forward on the agenda to PE1864, which was lodged by Aileen Jackson on behalf of Scotland Against Spin. The petition calls on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore wind farms by adopting English planning legislation for the determination of onshore wind farm developments, by empowering local authorities to ensure that local communities are given sufficient professional help to engage in the planning process and by appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

We last considered this petition on 13 November 2024, when we agreed to write to the Minister for Public Finance. The committee first requested an update on the publication of the guidance, “Effective community engagement in local development planning”, which was published on 20 December last year. The committee then asked for an update on the work to progress proposals for raising the current 50MW threshold, to allow planning authorities to determine more applications for onshore wind farms. The response from the then Acting Minister for Climate Action referenced the consultation, “Investing in planning—resourcing Scotland’s planning system”, but was otherwise vague about further action, stating that the Government continues

“to consider the process and timeline for making any changes to the Electricity Act 1989 threshold”.

Finally, the committee also asked what consideration the Scottish Government gave to ensuring that support was available to members of the public who wished to participate in public inquiries. The minister’s response indicates continued engagement between the planning and environmental appeals division—the DPEA—the petitioner and other stakeholders in relation to their experiences at inquiries. The minister also mentions the planned publication of DPEA guidance in relation to the use of community sessions, which would allow members of the community who might not wish to participate in an inquiry to state their case to a reporter in a less formal environment.?

The committee has also received additional written submissions from the petitioner. Ms Jackson mentions that the “Effective community engagement in local development planning” guidance fails to address the issue of local support becoming a key material consideration in the decision-making process, which has been repeatedly asked for.

The petitioner also states that DPEA has not, in fact, engaged with Scotland Against Spin regarding the concerns raised in relation to support for participation in inquiries. Additionally, she notes that, a year after the publication of the “Investing in planning” consultation, no decision has been made by the Scottish Government on the matter of the 50MW threshold, despite the proposals being supported by the majority of respondents.

As colleagues will know, a joint UK Government and Scottish Government review of electricity infrastructure consenting has concluded. In a submission on a related petition, the Cabinet Secretary for Climate Action and Energy has indicated that reform arising from the consultation is being implemented through the Planning and Infrastructure Bill, which is progressing through the UK Parliament. The cabinet secretary has also committed to publishing guidance for measures to take effect two months after the bill receives royal assent and to consult on any additional measures enabled by Scottish ministers' new regulation-making powers.

I am aware of the petitioner's call for a whole-Parliament debate on the matter, which is supported by some of our MSP colleagues. I highlight to members the limited time that we have left until the end of the parliamentary session and the number of other petitions that the committee has already agreed or indicated that it would seek time for a chamber debate on.

We have received submissions in support of the petition from several MSP colleagues, and there was a veritable posse of parliamentarians of my colour, who were very excited at the prospect of coming along to address the committee this morning. I have generously invited two of them to represent that extensive desire to perform today. They are Alexander Burnett and Brian Whittle. I wonder who will shout first—it is at their behest who will sing for their supper first and address the committee before we determine how we might proceed.

Alexander Burnett (Aberdeenshire West) (Con): In that spirit of excitement, I thank the convener and the committee for the opportunity to speak today.

I speak in support of PE1864, which calls for communities to have a stronger role in planning decisions on onshore wind farms. As the MSP for Aberdeenshire West, I have received more contact on energy infrastructure than on any other issue. Rural communities are powerless when large-scale energy projects are proposed, and areas such as the Cabrach have been devastated by developments that have been imposed on them, despite strong and reasoned objections.

The petition seeks to democratise the planning system by preventing the energy consents unit from overruling local decisions, providing professional support to help communities to make submissions and appointing an independent advocate to ensure that inquiries are fair.

Currently, projects over 50MW bypass local authorities and go to the energy consents unit, which removes much-needed local influence from the decision-making process. That leaves underresourced rural communities with limited support struggling to navigate complex processes against well-resourced renewables companies.

By contrast, in England, developers must align with local plans and secure genuine community backing. In Scotland, engagement is often superficial and even successful local opposition is frequently overturned. Since 2023, despite strong local objections, a number of wind turbines have been approved by the energy consents unit against local community wishes—10 in Caithness, 26 in Aberdeenshire and 97 in Dumfries and Galloway.

The Hill of Fare proposal, which is currently the subject of a public inquiry, at which I spoke on Monday, illustrates the problem. A community survey that was carried out back in 2023 shows that only 11 per cent of residents supported the proposal, and a local group has spent three years preparing a gold-standard case with more than 1,500 objections. All six community councils have resoundingly rejected the proposal, as has Aberdeenshire Council on four separate occasions. At every level of elected representation, the project has been opposed and the community's anger could not be clearer. Although we remain hopeful, the outcome of the inquiry is still uncertain at this point.

Communities should not feel powerless. They deserve to have a planning system in which they have a statutory voice. I urge the Scottish Government to adopt the proposed reforms and restore balance to the planning process. I ask for the support of the Citizen Participation and Public Petitions Committee in advancing the petition.

The Convener: Thank you, Mr Burnett. That was commendably concise.

Brian Whittle (South Scotland) (Con): Thank you, convener. I will also try to be commendably concise.

The Convener: That would be appreciated.

Brian Whittle: I begin by commending the petitioners and everyone else who has contributed as the petition has progressed. I am a South Scotland MSP, and, like Mr Burnett, my mailbag and surgeries are full of people who are concerned about the level of development that is happening in their communities. Ultimately, the petition is about how we balance the national imperative to reduce our vulnerability to volatile and finite fossil fuel resources against ensuring that communities who will have to live in the shadow of that infrastructure are not overwhelmed by it.

It is clear to me that we do not have that balance right. As the petitioners have highlighted in their submissions, all too often communities feel that they are fighting an uphill battle to be heard during the planning process. The complex and bureaucratic planning process for such infrastructure is not something that any group of individuals can take on easily. The costs are high, both in time and money, and the return on all that investment can end up being little more than an automated acknowledgement of receipt email from a Government department.

Some developers go above and beyond to engage with communities and alter their plans to try to accommodate local concerns, but that is often the exception rather than the rule. In many cases, people challenge development not because of a blanket opposition to it, but because they want to understand how it will affect them and to be confident that their concerns are understood. The current approach to planning is simply not equipped to offer any of that certainty, and there is no question in my mind about the fact that the planning process could and should be improved. The best day to improve it, of course, was yesterday.

I gently urge the committee to consider holding a debate in the chamber on the petition, which would allow members of all parties who are dealing with these issues to stand up for their constituents.

10:00

The Convener: Thank you, Mr Whittle. I commend Tim Eagle, Rachael Hamilton, Douglas Lumsden and Tess White, who all hoped to be able to address the committee. Tim Eagle has tabled a written submission, as have Russell Findlay, Finlay Carson and Emma Harper. There is a considerable degree of interest from colleagues in the matter. It has been suggested that a debate be held in the chamber on the subject, but I wonder whether members have other suggestions for action.

Fergus Ewing: The evidence that we have heard from other MSPs but, above all, from people throughout Scotland is that communities feel swamped and overwhelmed. Community councils—although they are statutory consultees—feel that they are ignored, that their voice is not heard and that decisions will be taken by the Scottish Government regardless. That was the predominant view at a meeting in the Highlands in the summer, which was attended by 10 elected parliamentarians and 300 people representing 60 of the more than 100 community councils; many that were not represented are moribund—not functioning. I have no hesitation in saying that the minister must come to the committee to give evidence and explain herself.

I add that, until such time as there is in Scotland an energy policy—at the moment, we lack such a policy—to set out what we need when it comes to a properly balanced grid, including an analysis of the baseload and back-up that are required, it is like trying to wrap a Christmas present without having enough paper. You simply cannot function when the wind does not blow or the sun does not shine. Storage is hopelessly inadequate. The interconnector failed and there was nearly a blackout in Britain on 8 January.

The situation is parlous. There is no energy policy in Scotland. The questions of how much wind energy is enough and how much is too much scarcely ever seem to be asked in this place. We therefore need the energy minister to come here and answer a variety of questions, in what I think would be a very long session.

The Convener: Fergus Ewing has proposed that we invite the Cabinet Secretary for Climate Action and Energy to attend a meeting of the committee. Are colleagues content to support that suggestion?

Members indicated agreement.

The Convener: We will keep the petition open, seek a meeting with the cabinet secretary and make sure that all members who have expressed an interest in the petition are aware of when that session will take place. At my discretion, one or two may be able to put some questions to the cabinet secretary at that time.

Annexe C: Written submissions

Alexander Burnett MSP written submission, 25 September 2025

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

I write further to correspondence regarding the Citizen Participation and Public Petitions Committee meeting on 10th September 2025 in consideration of the petition PE1864.

In reference to my register of interests, which has previously been misrepresented by the Cabinet Secretary on this topic, I want to record that I was a trustee of the Fordie Trust which erected two 12 kilowatt farm turbines in 2013.

Petition PE1864 makes reference to wind turbine applications over 50 megawatts processed by the Energy Consents Unit, in which I have no registered interest, and is significantly larger than the farm turbines approved by Aberdeenshire Council and erected over a decade ago and from which I derive no financial benefit.

However, I would like this to be entered into committee record as appropriate and to avoid the scurrilous accusations that follow when I do not record this item.

Kind regards,

Alexander Burnett

MSP for Aberdeenshire West

Petitioner written submission, 12 January 2026

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

The Scottish Government has just published the Consultation on raising the 50MW threshold as a direct result of our Petition so there is one point I'd like to make the Committee aware of in advance of Wednesday's meeting:

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.** That "genuine local support" is important as there is no point in giving local authorities the power to make decisions on ever larger wind farms or other forms of generating stations, (which can still be appealed), if the views and wishes of the local community can still be ignored. Both must come together as a package - raise the threshold and increase the ability of communities to influence planning decisions.

Petitioner written submission, 27 January 2026

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

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.

Aileen Jackson

On behalf of Scotland Against Spin

Finlay Carson MSP written submission, 27 January 2026

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

Without sounding like a broken record, for far too long, communities in my constituency have been largely ignored when it comes to key planning decisions regarding onshore windfarms and associated infrastructure projects.

It is something that I have argued long and hard about since first entering the Scottish Parliament as the Member for Galloway and West Dumfries more than a decade ago.

While some things have changed – and, hopefully, for the better – others have not despite powerful arguments being put forward.

A prime example of this, is, of course, the current system surrounding community energy which is, regrettably failing to deliver meaningful engagement and transparency while, tragically, falling short when it comes to delivering fairness.

It is abundantly clear that local voices are being systematically ignored by the Scottish Government in its relentless drive towards onshore windfarm developments. In Dumfries and Galloway alone, 30 large-scale energy projects including wind farms, pylons and battery storage have been approved by the Energy Consents Unit in the last four years alone – many turbines over 150 metres, some exceeding 200 metres.

These could never be described as being small-scale community-led projects but industrial-scale developments, often driven by external developers with local accountability.

Often many of them have simply bypassed local decision making through Section 36 consents, leaving councils and the communities they serve effectively powerless.

Critics could argue until they are blue in the face without gaining even a flicker of any recognition or consideration. Even well-organised campaigns like Save Our Hills and Galloway Without Pylons struggle to be heard.

As I have maintained previously in support of Petition PE1864 urgent reform is needed if the views of local communities are to be taken seriously – and NOT just as a token gesture!

One of the main drawbacks is, of course, the sad fact that local authorities seriously lack the resources, both in terms of manpower and finance, to properly scrutinise any planning applications within a restricted timescale.

Even when the planners do meet the targets, they are then often thwarted as local objections are routinely ignored – including the views put forward by independent reporters. Makes you question the decision to go down this route in the first place, given that it will often be kicked into the long grass at the end of it all?

Data from NatureScot reveals southern Scotland has more proposed onshore wind developments than any other part of the country, hosting 21 per cent of all such projects.

The Kendon to Tongland Project demonstrates such disregard for local democracy when the Scottish Government recently approved 27 miles of new pylons across Galloway – following a public inquiry and a reporter's recommendation to refuse the application.

Normally you would expect such local opposition to be at the forefront of any decision – sadly no, with the community forced to go to a judicial review.

It is almost as if the Scottish Government knows best regardless of the outrage sparked locally. It will not give up until the critics finally surrender!

As I have maintained from the outset, it demonstrates complete disrespect to the views of the people in Galloway. Correct me if I am wrong but do they NOT have to live with the consequences?

This is, of course, not an isolated case, both in Galloway and West Dumfries but across the whole of the country – sparking serious concerns about transparency and accountability.

Being blunt, it makes a total mockery of the entire planning system, taxpayers' money and planning officials' time and efforts.

Why not save time by passing every renewable energy project to the Scottish Government for an automatic rubber stamp exercise?

My solution to this prickly problem is simple – instigate a moratorium on new energy consents until cumulative impacts are properly assessed. Reform Section 36 consents to restore local accountability, while ensuring adequate funding for local authorities in order they can properly manage future applications.

Is this too much to ask? A common-sense approach to restore a belief in local democracy?