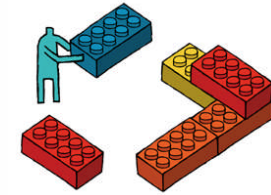


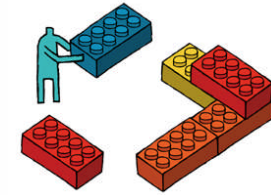
Onshore Wind and the New Scottish Planning Act

Neil Collar
Head of Planning, Brodies LLP



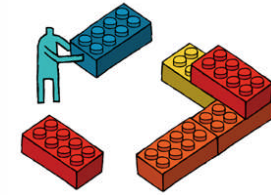
Appeals

- no new matters
- all information must be submitted pre-determination of planning application



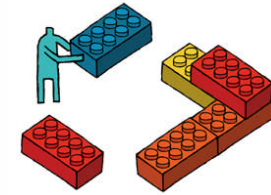
Planning application procedure

- magic number is 20MW (all technologies)
 - >20MW = major development
- or is it?
 - schemes of delegation



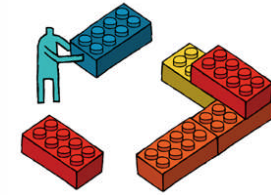
20MW or less

- no pre-application consultation
- 2 month time limit for determination of application (4 if EIA)
- cannot extend time limit if application delegated

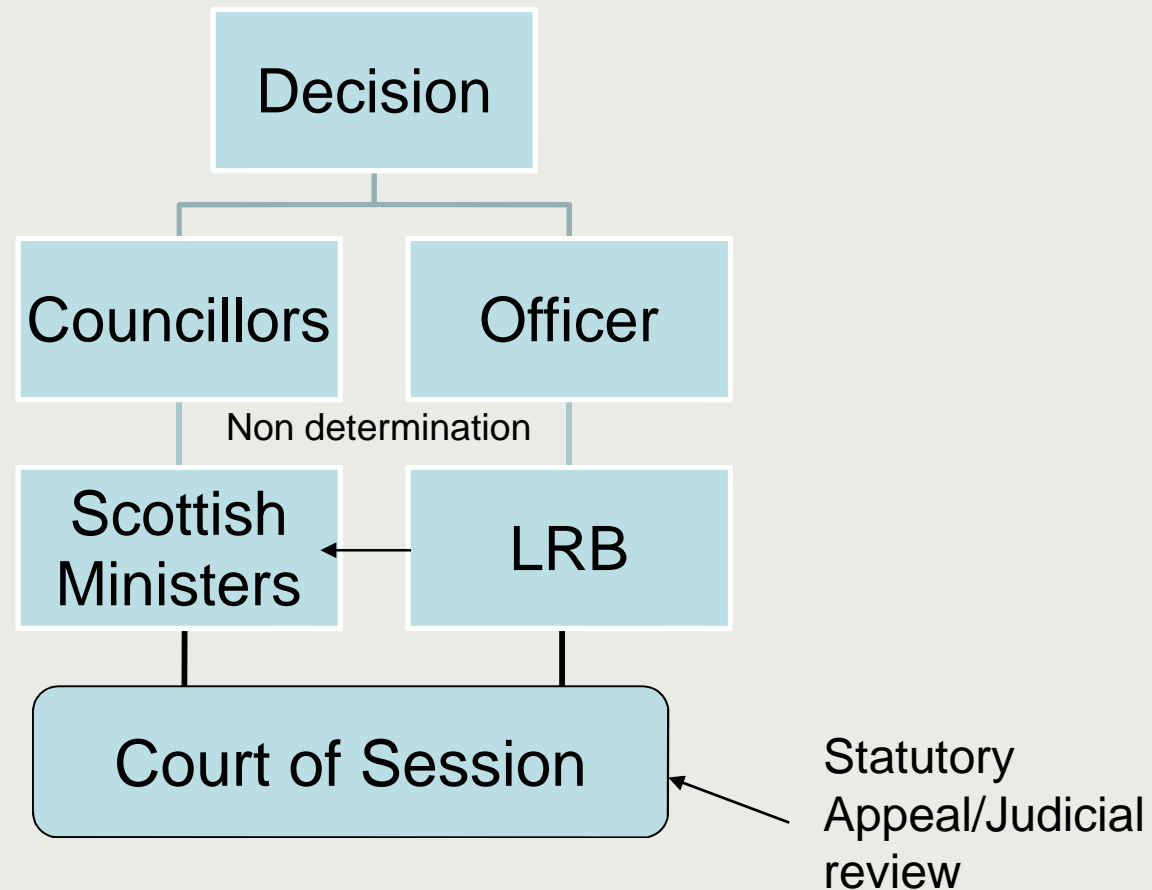


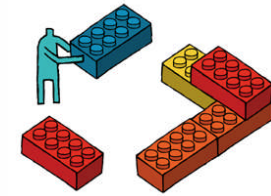
20MW or less (cont)

- scheme of delegation determines who decides application
- if decision by officer – **no** right of appeal to Scottish Ministers/ reporter – review by LRB

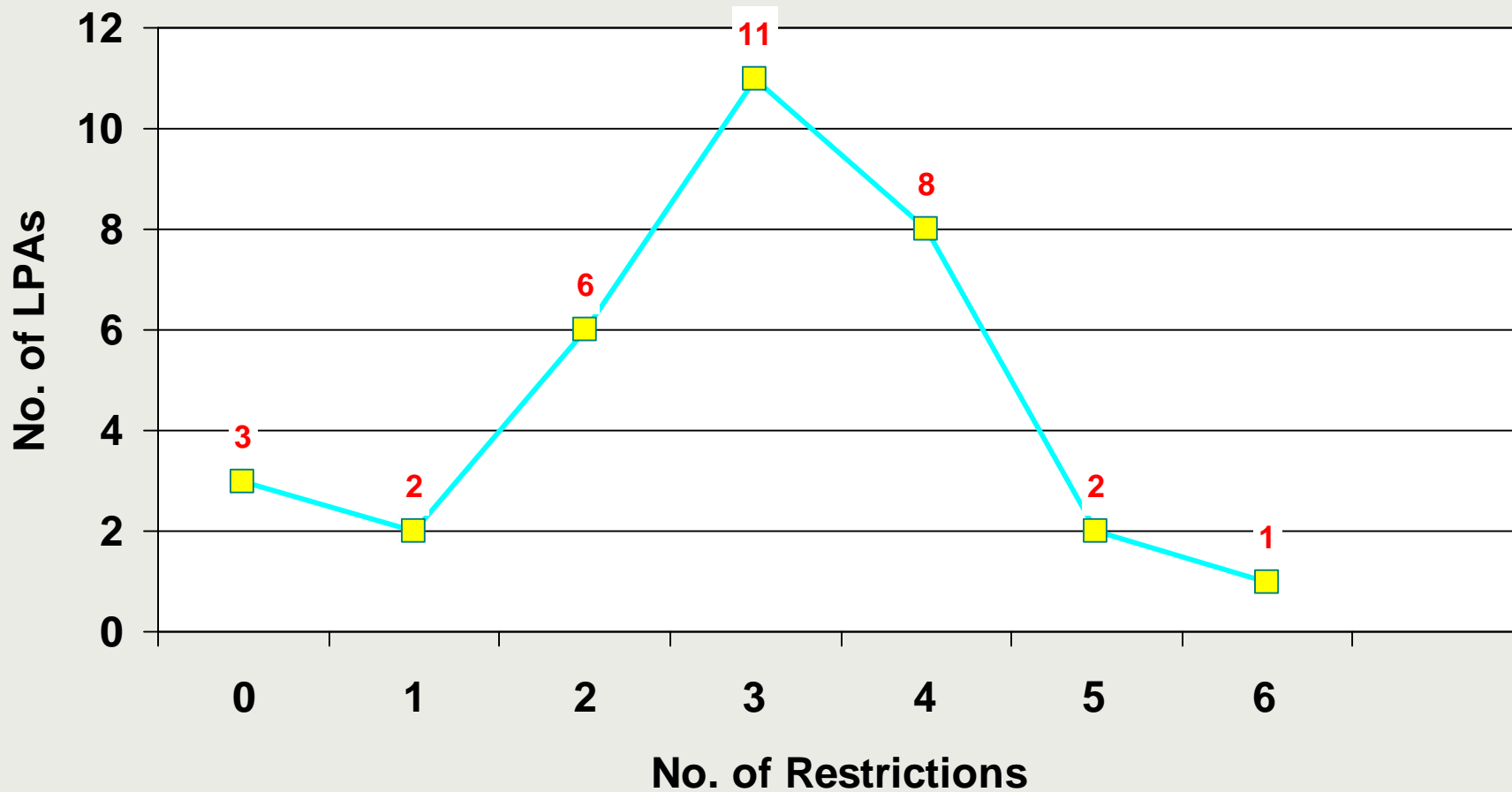


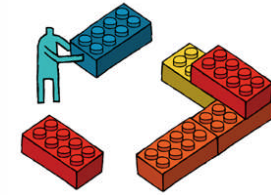
Appeals Flowchart – Local Developments





New schemes of delegation





Survival tips

- “map and compass” – know the law and guidance
- new rules = new tactics
- think ahead
- check, check, check
- planning officer not infallible - get a second opinion