



The Scottish
Government
Riaghaltas na h-Alba

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Ms Aileen Jackson

By email: [REDACTED]

LEGACY 2014

XX COMMONWEALTH GAMES
SCOTLAND

Our ref: 2014/0004171 27
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Dear Ms Jackson

Thank you for your email of 29 January 2014, to Mr Mackay, Minister for Local Government and Planning. I work in the electricity division of the Scottish Government and have been asked to reply.

On your request for a system of compensation to be built into planning for those living near windfarms, "the planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development."

The difference (in terms of compensation rights) between people living near a proposed high speed rail link or motorway and those near windfarms comes down to whether the developments are classified as "public works" and whether compulsory purchase order powers apply.

The Scottish Government has no powers under energy regulation to direct developers to pay compensation.

I hope you find this helpful.

Yours sincerely,

[REDACTED]

Natalie Stevenson
Policy Officer, Renewable Routemap Team

ABOU

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