

Example 3.

On public participation and access to justice issues, it is reported to have taken Dumfries & Galloway planners only 2 weeks to give consent for a substation application without any notification or consultation; there was neither elected representational nor public participation. This is despite public interest in any environmental consequences of the exchange of sites which involved undergrounding of cabling at the new site. The correspondence is readily available at:

<https://eaccess.dumgal.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZW7BGBTA539>

see Non-Material Variation Letter 5 December 2014

In December 2014 D&G Planning gave permission 'under operational matters' to relocate the earlier (2011) consented substation on the east side of the Blackcraig ridge at Halfmark to a site in the Corriedoo Forest on the west side, where the original Welfare Control Building was to have been located.

This change of location between the wind farm substation and its associated undergrounded cabling in exchange for the Welfare Control Building was deemed 'a non material variation' by D&G officers. It was therefore not subjected to environmental assessment or referral either to councillors or the public for consultation, comment or information. The whole process from application to consent took two weeks in December 2014.

This 'non material variation' decision was subsequently queried and opposed by and on behalf of residents at Corriedoo and Drummanister (5 households) who, in their view, would be materially affected by the close proximity of the substation with regard to their **private water supplies, potential noise emissions and environmental impacts such as damage to red squirrel, Black Grouse and other protected species habitats.**

This then becomes an example of lack of public participation, no access to justice and proved by the responses of the officer - also on website -

<https://eaccess.dumgal.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZW7BGBTA539>

see Letter to Alison Chapman 26 May 2016

where any need for any other consideration to be taken into account is denied. Note also the 'Temporary Amendment of the Planning Charter.' Whether the Amendment thought to have materialised at about the same time, was drawn to the attention of elected representatives for resulting implications, e.g. the monitoring of conditions attached to wind farm consents, is unproven.

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