

As the information you have requested in point 3 of your email is 'environmental information' for the purposes of the Environmental Information (Scotland) Regulations 2004 (EIRs), we are required to deal with your request under those Regulations. We are applying the exemption at section 39(2) of the Freedom of Information (Scotland) Act 2002 (FOISA), so that we do not also have to deal with your request under FOISA.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption, because there is no public interest in dealing with the same request under two different regimes. This is essentially a technical point and has no material effect on the outcome of your request.

The remainder of your questions (points 1 and 2) are not being answered under EIRs but have been responded to in the covering section of this request.

You asked:

1. With reference to the Chief Planners letter dated 11 June 2025 – 'Please provide the following information about each of the 28 cases (possibly 30 by now) out of 32 where SEPA's objections have been overruled by the determining authority':
  - The name of the developer
  - The name of the planning authority
  - The site and location of the development
  - The type of development
  - A copy of SEPA's advice
  - A copy of Ministers' reasons for either clearing the case back to the planning authority or granting planning permission, as the case may be.

### Response to your request

I enclose a table in Annex A with links to the information you asked for.

Each listed case includes a link to the planning information available online. From each link you can locate the information you requested, either on the Scottish Government Planning and Environmental Appeals Division (DPEA) website or the local authority's planning portal.

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format, and this letter contains the relevant links to access this information.

This exception is not subject to the 'public interest test', so we are not required to consider if the public interest in providing the information outweighs the public interest in applying the exception.

### Your right to request a review

If you are unhappy with this response to your EIRs request, you may ask us to carry out an internal review of the response, by emailing the Chief Planner via [directorpar@gov.scot](mailto:directorpar@gov.scot) Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: [Appeal to the Commissioner | Scottish Information Commissioner](#)

**Annex A – table with links to where the information requested can found publicly**

	<b>Date Notified</b>	<b>Planning Authority &amp; Reference</b>	<b>Developer, Site Location, Development Type and SEPA's Advice</b>	<b>Ministers' Reasoning to Clear, Approve or Refuse</b>
1	30 Jan 2023	Argyll and Bute Council (22/0004/LRB)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-130-006</a>
2	16 Feb 2023	Renfrewshire Council (21/1520/PP)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-350-002</a>
3	21 Mar 2023	Perth and Kinross Council (22/01486/FLL)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-340-002</a>
4	27 Mar 2023	Cairngorms National Park Authority (2023/0007/DET)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Still under consideration – casefile can be found on DPEA portal – <a href="#">NA-001-001</a>
5	26 April 2023	East Renfrewshire Council (2021/0130/TP)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-190-002</a>
6	19 May 2023	Falkirk Council (P/23/0021/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a> Apart from SEPA's advice which can be found on DPEA portal - <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-240-003</a>
7	20 Jun 2023	West Dunbartonshire Council (DC22/156/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DEPA portal – <a href="#">NA-160-002</a>
8	30 Aug 2023	City of Edinburgh Council (23/00040/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-230-005</a>
9	05 Sep 2023	Scottish Borders Council (23/00787/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-140-003</a>
10	18 Sep 2023	Cairngorms National Park Authority (2022/0305/DET)	Can be found on the authority's planning portal – <a href="#">click here.</a> Apart from SEPA's advice which can be found on DPEA portal – <a href="#">click here.</a>	Can be found on DPEA portal - <a href="#">NA-001-002</a>
11	20 Sep 2023	The Highland Council (22/06107/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a> Apart from SEPA's advice which can be found on DPEA portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-270-009</a>
12	13 Oct 2023	Scottish Borders Council (23/00129/FUL)	Can be found on the authority's planning portal – <a href="#">click here.</a>	Can be found on DPEA portal – <a href="#">NA-140-004</a>

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13	19 Dec 2023	Dumfries and Galloway Council (22/2303/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-170-002</a>
14	01 Feb 2024	Dumfries and Galloway Council (23/0636/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-170-003</a>
15	21 Feb 2024	Aberdeenshire Council (APP/2022/1203)	Can be found on authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-110-005</a>
16	21 Feb 2024	Moray Council (23/00976/APP)	Can be found on the authority's planning portal – <a href="#">click here</a> . Apart from SEPA's advice which can be found on DPEA portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-300-001</a>
17	23 Feb 2024	Perth and Kinross Council (23/00531/FLL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-340-003</a>
18	29 Feb 2024	Dumfries and Galloway Council (22/2342/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-170-004</a>
19	08 Jul 2024	East Dunbartonshire Council (TP/ED/24/0275)	Can be found on the authority's planning portal – <a href="#">click here</a> . Apart from SEPA's advice which can be found on DPEA portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-200-003</a>
20	15 Jul 2024	Perth and Kinross Council (23/02134/IPM)	Can be found on the authority's planning portal - <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-340-005</a>
21	22 Aug 2024	West Dunbartonshire Council (DC23/217/FUL)	Can be found on the authority's planning portal - <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-160-003</a>
22	05 Sep 2024	West Dunbartonshire Council (DC22/245/FUL)	Can be found on the authority's planning portal - <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-160-004</a>
23	12 Nov 2024	Renfrewshire Council (23/0193/PP)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-350-003</a>
24	26 Nov 2024	Aberdeen City Council (231371/PPP)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-100-005</a>
25	28 Nov 2024	Dumfries and Galloway Council (23/2570/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-170-005</a>
26	03 Dec 2024	City of Edinburgh Council (23/03962/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal - <a href="#">NA-230-008</a>
27	16 Dec 2024	East Ayrshire Council (24/0223/PP)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal - <a href="#">NA-190-003</a>

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28	24 Dec 2024	West Dunbartonshire Council (DC23/227/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-160-005</a>
29	30 Jan 2025	Dumfries and Galloway Council (24/1793/FUL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-170-006</a>
30	27 Feb 2025	Fife Council (24/00406/FULL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-250-002</a>
31	17 Mar 2025	Perth and Kinross Council (24/00654/FLL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-340-007</a>
32	13 Mar 2025	Perth and Kinross Council (23/01101/FLL)	Can be found on the authority's planning portal – <a href="#">click here</a> .	Can be found on DPEA portal – <a href="#">NA-340-007</a>