

## **OVERVIEW FROM THE TRUST**

The John Muir Trust is a UK conservation charity dedicated to protecting wild land and campaigning for its long-term protection. It is vital that through Scottish Planning Policy (SPP) the Scottish Government establishes the principle of a high level of protection for Scotland's core wild land areas, such is the value of this resource. The Trust therefore welcomes and strongly supports the principle of linking the Scottish Natural Heritage map of core wild land areas to the policy of protecting these areas from wind development. Such a principle could make a significant contribution to protecting Scotland's wild land. However, the Trust considers that the value of Scotland's core wild land areas makes it worthy of protection at the same level as National Parks and National Scenic Areas and, furthermore, from *any* form of inappropriate, industrial scale development rather than just wind development.

## **PRINCIPAL POLICIES**

### ***Sustainable Economic Growth***

***Q1 Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?***

The Trust does not consider that these measures are appropriate. It is vital that SPP properly upholds the principles of "sustainable development." The focus in the proposed new SPP on "sustainable economic growth" is a contradiction in terms as it prioritises economic growth over the other two pillars of sustainability - social and environmental considerations. For example, there is no qualifying statement "whilst valuing/protecting our natural resources" in para 17 where the "Policy Principles" are set out. The Trust is concerned that the prominence given to sustainable economic growth places economic growth above environmental concerns and social justice. Potential economic benefits must not be at the cost of the environment nor local communities. There needs to be a strong recognition in SPP of the need for a healthy environment as the basis for ensuring quality of life in the long term. The Trust does not believe that the pursuit of "sustainable economic growth" will lead to a truly sustainable society underpinned by a healthy environment.

### ***Sustainable Development***

#### ***Policy Principles - Delivery***

##### ***Para 27***

This paragraph sets out the role planning plays in realising sustainable development and sets out how it contributes to this. Bullet point 7 refers to the role of planning in protecting/enhancing and promoting access to natural heritage, including water, air, soil, green infrastructure, landscape and biodiversity..." The Trust considers that explicit reference could be made here additionally to "wild land" and "peat", as these are resources referred to in other parts of the SPP as material considerations in the planning process. This would ensure consistency with a key paragraph of the Natural Resources Section of SPP, para 129, which highlights the need to identify and safeguard wild land areas in Development Plans and the various references throughout the document to the protection

of peat as a valuable carbon store. The Trust would also expect to see “energy conservation” referenced in bullet point 8 alongside energy efficiency etc.

### ***Climate Change***

#### ***Policy Principles – Delivery***

##### ***Para 34***

Para 34 refers to the role of mitigation in helping to address climate change. The Trust considers that this part of SPP (and also the Buildings section) should include far more explicit reference to the role of energy conservation, through measures such as home insulation, building standards etc, as the most cost effective use of public money to reducing greenhouse gas emissions.

### ***Location of New Development***

#### ***Spatial Strategies – Delivery***

Para 43: The Trust considers that it would be helpful if para 43 bullet point 8 referred to “wild land” and “peat” for the same reasons as those outlined in our comments on para 27 above.

### ***Rural Development – Development Plans***

Para 76 recognises that coastal areas can be a major focus of economic activity. This para makes reference to “areas unsuitable for development” but there is no guidance as to how such an assessment might be reached. The Trust considers that some of Scotland’s coastal areas qualify as “wild land” – see our comments on para 129 with reference to the Scottish Natural Heritage wild land mapping – and are therefore unsuitable for certain types of development in this respect.

## ***SUBJECT POLICIES***

### ***Natural Resources – Valuing the Natural Environment***

#### ***Policy Principles***

##### ***Para 126***

This paragraph makes no reference to the role of the planning system with respect to conserving and enhancing non-designated sites, including, in particular, core wild land, yet it does make explicit reference to the principle of protecting and enhancing ancient and semi-natural woodland. The Trust considers this to be a significant omission in view of the subsequent para 129 which refers to the need to identify and safeguard areas of wild land character.

#### ***Delivery - Development Plans***

Para 129 establishes that “Plans should identify and safeguard areas of wild land character” and that this “should be based on Scottish Natural Heritage mapping of core wild land, published in 2013....” The Trust welcomes the recognition given to wild land and strongly supports the principle of using the SNH map to identify our core wild land areas as an important step towards securing better protection for wild land. The Trust understands that Scottish Natural Heritage has completed the detailed work underpinning its core wild land map and

that the version published in April 2013 is the final version and that it is not intended for this to be redrafted as a result of this consultation. The Trust is broadly in agreement with the identification of the core wild land areas identified by SNH in April 2013. However, were the boundaries established by the map to be re-visited, the Trust would argue strongly that significant areas of the islands (Shetland, Orkney and the Western Isles), some coastal areas, and flat expanses of peatland have been downgraded and should be reassessed with a view to significantly broader coverage in these areas.

Paras 131, 132 and 133: The Trust considers that, having established the important principle of protecting wild land, these paragraphs should also include reference to wild land as material considerations, alongside landscape and natural heritage.

Para 134: There should be an explicit reference to the absolute need to protect “deep peat” in view of its role in storing carbon.

### ***Local Designations***

Paras 142-146

The Trust notes that the draft SPP recommends that only two types of local designation should be used – areas designated for their landscape value and nature conservation sites – and that the level of protection given to these should not be as high as the level of protection given to international or national designations. However, it is essential that local designations have some weight to address development pressure and acknowledge the legitimate right of local people to have a say in what areas of their place they wish protected. The SPP should seek to encourage and establish a more robust network of local designations that can reflect local priorities and values but based on core policy principles to ensure consistency of approach.

### ***Promoting Responsible Extraction of Resources - Delivery***

Para 171

The Trust welcomes the recognition given in the draft SPP to the requirement for local development plans to protect areas of peatland and only permit extraction in degraded areas of peatland which have been significantly damaged by human activity and where the conservation value is low and restoration is not possible. See also comments in our response to NPF3 3.9, 3.10.

Para 172 The Trust considers that local development plans should also assess the impact of specific proposals on wild land (for example, by expanding bullet point 5).

### ***Utilities - Delivering Heat and Electricity*** ***Policy Principles***

Para 208

Para 208 should explicitly refer to Scottish Government greenhouse gas emissions reductions targets. These are the most important and legally-binding targets to consider as

part of our energy strategy, whilst also securing an efficient, reliable, cost-effective heat and electricity network.

Para 209

Para 209 refers to the requirement for planning to support “a broad mix of energy generation installations and supply infrastructure at appropriate locations ...” There is no reference to energy *conservation* measures in the hierarchy. These should be first in the list, above energy efficiency.

Para 212

To ensure consistency with subsequent references in this section, this para should include reference to wild land, for example by expanding bullet point 5 “effects on natural heritage, *including wild land.*”

### ***Heat & Electricity***

***Q17 With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities?***

Para 218 refers to core areas of wild land as shown in the SNH map included in the Strategic Environmental Assessment Environmental Report. The Scottish Government is to be commended for bringing forward the SNH core wild land maps to include in the planning process and the Trust strongly supports the link of SNH’s core wild land maps to the policy of protecting wild land areas. However, the Trust does not believe the proposed approach to spatial frameworks achieves the right balance.

With respect to the area groupings suggested in para 218 to be used in developing spatial frameworks the Trust does not believe that assigning wild land areas to Group 2 will provide adequate protection. Para 218 identifies that National Scenic Areas and National Parks have been categorised as Group 1: Areas where wind farms will not be acceptable whilst “core areas of wild land” are “Group 2: Areas of significant protection.” The Trust considers that core wild land areas should be assigned to Group 1, to give them the same status as National Parks and National Scenic Areas. The Trust is encouraged to see recognition of the need for a precautionary approach to wind development in Group 2 but considers that core areas of wild land should be given the strongest protection in line with proposals for National Park and National Scenic Areas, ie Group 1. This would address more properly the basic principle established by SPP in para 129 that wild land character is “*displayed in some of Scotland’s remoter, upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development.*”

In addition, whilst the Trust welcomes the proposal to address the impacts of wind development on the natural environment (including wild land) it is unfortunate that SPP has established categories of land to be protected only from onshore wind developments. In particular, the Trust considers that core areas of wild land should be protected from any

inappropriate development (for example, mining or other industrial processes, including future, not-yet-apparent threats) and not solely wind developments. Logically, if these areas are worthy of protection from onshore wind developments, they should by definition also be protected from other inappropriate, industrial scale developments that detract from the core values of wild land. So, the approach proposed in SPP will not, as currently drafted, ensure protection of the natural environment in the long term. The Trust would therefore suggest that the categories of land to be protected from onshore wind developments be identified for all inappropriate, industrial-scale development and the groups identified in para 218 be moved to the Section on Development Plans.

The Trust disagrees with the proposed SPP's assertion that "spatial frameworks" should not impose additional layers of protection around areas designated for their landscape or natural heritage. It is important that SPP establishes principles to address the potential impact on such areas from developments proposed *outside* the boundaries of these areas, in view of the size and scale of wind developments now coming into the planning system. Wind turbine height continues to increase so that the average is higher than the tallest building in Scotland. That being so, there needs to be an additional zone around special landscapes and areas of importance for natural heritage, including around core wild land areas. In the absence of this, there will be a significant adverse impact on these special areas and the qualities for which they have been designated, and also on wild land characteristics. (See also Trust comments on para 2.15 and NPF2 monitoring report). Following on from the Trust's comments above on the need to protect core areas of wild land from any inappropriate development and not just wind, the principle of protecting special landscapes/wild land from developments proposed outside the boundaries of these areas again would logically be extended to ensure protection from the impacts of other industrial-scale developments.

The Trust considers that there is a need for a national spatial framework for onshore wind. This would form over-arching guidance for local authorities tasked with drawing up local spatial frameworks. Local authorities are not able to assess their part in a national plan without a national map and spatial strategy. Such a framework is also required to ensure the best use of land and other resources such as infrastructure. See Trust comments on para 2.17 of NPF3.

Notwithstanding our comments above about the need to protect the natural environment from inappropriate, industrial scale developments other than solely wind developments, the Trust commends the inclusion of areas of high quality unaltered peat as "Group 2: Areas requiring significant protection", in view of their role in storing carbon as well as other benefits such as biodiversity.

### ***Development Management***

Para 220 includes reference to effects on wild land character in the list of considerations when assessing proposals for energy infrastructure developments. The Trust welcomes

this. With reference to the bullet point covering impacts on carbon rich soils and the carbon calculator please see comments on 3.9, 3.10 of the Trust's response to NPF3.

***Do you think the proposed new structure and tone of the draft SPP is appropriate?***

The Trust does not consider that the proposed new structure and tone of the draft SPP is entirely appropriate. The Trust considers that the SPP should give stronger recognition to the need for a healthy environment, and measures to secure that, as the basis for ensuring quality of life and sustainable communities and economies.

In this respect, SPP could do more to recognise the *positive contribution made by Scotland's wild land*, not only in terms of environmental value but also for economic (for example, tourism) and social reasons (for example, health and well-being). It is for this reason that the Trust has been campaigning to secure more explicit protection for Scotland's best wild land, such as could be achieved through the introduction of a new national, environmental designation. Such a bold, radical move would raise Scotland's profile worldwide, boost tourism, help support sustainable economic activity in our most remote communities and allow us to create a comprehensive ecological network. Until such time as this is achieved, it is vital that through SPP the Scottish Government establishes the principle of a high level of protection for Scotland's core wild land areas, such is the value of this resource.