



## ***Built Development Policy***

***Adopted by Trustees on 8<sup>th</sup> September 2013***

This Policy will be applied with reference to the John Muir Trust's Wild Land Policy (2010) and the Trust's Energy and Wild Land Policy (2013).

### **INTRODUCTION**

The Trust's object is to conserve and protect wild places with their indigenous animals, plants and soils for the benefit of present and future generations.

Inappropriate developments, including energy developments and associated infrastructure, are a major threat to the UK's remaining wild land. To protect our wild land the Trust devotes considerable resources to working to achieve better outcomes from the planning process.

There is no figure for how the landscape has changed at a UK level in recent years but data from a government agency, Scottish Natural Heritage (SNH), indicate an alarming trend, showing a rapid decline in the amount of land unaffected visually by built development.<sup>1</sup> SNH identify that the most significant cause of the decline over recent years is wind farms - a consequence of their proliferation, prominence, extensive visibility and siting in rural locations where there is little or no previous development. Wind turbines could be seen from about 20% of Scotland in 2008 but, in 2010, 35.6% of Scotland was visually affected.

The Trust works towards improved protection of wild places and natural landscapes throughout the UK by contributing to strategic policy debate at UK parliamentary and devolved levels and by influencing decision-makers. The Trust also acts at a more local level and this policy details the Trust's approach to individual planning and infrastructure applications.

### **SCOPE OF POLICY**

This Built Development Policy will be used to assess whether the Trust should respond to planning applications for built development, or to applications brought forward under the Electricity Act 1989 or other relevant infrastructure legislation. If a proposed development would significantly alter the character of a wild land area, the Trust is likely to oppose it. Due to resource constraints, the Trust cannot become significantly involved in every application identified by these criteria. However, the fact that the Trust does not make a formal objection to an application does not imply that it supports it. It might still have significant concerns.

**Decisions on whether the Trust will respond to a particular individual planning application, or other infrastructure applications (e.g. under the Electricity Act), will be taken with reference to this Built Development Policy.**

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<sup>1</sup> Scottish Natural Heritage Natural Heritage Indicator N3, May 2013 <http://www.snh.gov.uk/publications-data-and-research/our-changing-environment/scotlands-indicators/natural-heritage-indicators/>

Decisions will also take into account the Wild Land Policy (2010) and the Energy and Wild Land Policy (2013), both of which sit above this Built Development Policy.

## ***THROUGHOUT THE UK***

The Trust does not currently have the capacity to make formal representations on site-specific planning application, or applications under the Electricity Act 1989 or other relevant infra-structure legislation, in England, Wales or Northern Ireland, other than in exceptional circumstances. Such an exception would be where an application would have nationally significant adverse impacts on wild places or where the proposal would significantly impact on national aims, such as those set out in the Trust's Energy and Wild Land Policy.

Where an application is particularly relevant to the Trust's aims and objectives, the Trust may collaborate with other organisations, or support their campaign financially or with expertise, to ensure the best case is made.

Should this position of the Trust change, this policy will be amended.

## ***WITHIN SCOTLAND***

The Trust takes a more pro-active approach to individual planning or other infrastructure applications (e.g. under the Electricity Act) within Scotland because the main wild land resource is there and the Trust has a greater capability and expertise to become involved. The following criteria, therefore, apply to Scottish planning applications for built development of any kind. These criteria will also be applied to developments brought forward under the Electricity Act 1989 or other relevant infra-structure legislation.

The Scottish Government has said that wild land is a resource of national importance and indicated that it wishes to adopt SNH's proposed core wild land areas map (April 2013), as part of proper consideration and protection of wild land in planning policy. Consultation is ongoing and there is uncertainty about whether this map will be adopted without change. In this interim period, the Trust will adopt the following approach.

### **IDENTIFYING DEVELOPMENTS OF CONCERN**

Significant proposed developments will be checked against:

- existing statutory landscape designations, e.g. National Park or National Scenic Area status;
- the Trust's Wild Land Policy (2010), with reference to the Trust's map of the UK's top 10% wildest land;
- Scottish Natural Heritage's Search Areas for Wild Land map (2002);
- Scottish Natural Heritage's map of proposed core wild land areas (April 2013);
- wildlife and habitat designations.

If the SNH core wild land areas map is confirmed in planning policy without significant adjustment, the Trust will refer, in the first instance, to the SNH core wild land map. The Trust will then consider the other criteria listed in the bullet points above.

If this map is not confirmed in government policy, the Trust will refer to the John Muir Trust Wild Land map (2010) in the Trust Wild Land Policy in the first instance. The UK's top 10% wildest land, identified in blue as "wild land" on that map, will be used as an indicator for where core Wild Land is - although the map is indicative only. The Trust

will also take into consideration Scottish Natural Heritage's wildness mapping (2012) – which preceded the core wild land map of 2013 - and Search Areas for Wild Land, as well as the other criteria listed above.

The Trust recognises that no map will provide an entirely accurate boundary for where wild land characteristics start and end. When considering whether to object to an individual development in cases where there is uncertainty, after a map-based exercise, about whether or not the area is high quality wild land, the Trust will make a judgement using the above criteria as well as site visits and its own corporate knowledge. The final judgement on whether the Trust wishes to object will be based on whether it considers that wild land of high quality would be significantly adversely impacted and its character diminished.

Where an application is particularly relevant to the Trust's aims and objectives, the Trust may collaborate with other organisations, or support their campaign financially or with expertise, to ensure the best case is made.

## **CRITERIA FOR THE TRUST MAKING AN OBJECTION TO AN INDIVIDUAL PLANNING APPLICATION**

### **Proposed Developments Within Wild Land**

The presumption regarding a significantly large built development proposed within the core wild land is that the Trust would be opposed to the scheme.

**Proposals for smaller built development, e.g. an application for a house which was within the Trust's "top 10% wild land" on our map, would be much less likely to be opposed.** The map is indicative only and there will be many hamlets or areas, for instance, around the periphery of the wild land area where such development would not impinge on the core area. In fact, to date, the Trust has not objected to any proposed housing development. Individual or small scale developments on the periphery are less likely to alter the character of the core wild land area.

There would need to be very strong and exceptional reasons for the Trust not to oppose a significant development on core wild land. An example would be if a built development could not be sited anywhere other than core wild land and was proven to be essential for a significant local, national or international public good or environmental need, such as a flood prevention scheme which was required to protect local homes under major threat. It would not be enough for there to be no alternative options within the locality. The importance of protecting and enhancing wild land is such that imaginative and far-ranging alternatives to proposed, unsuitably sited, built development should be pursued first.

### **Proposed Developments On The Periphery Of Wild Land**

Significant built development proposed away from inhabited areas and bordering on wild land will be assessed as to the impact on the adjacent wild land and further assessed according to design, scale and importance to the local community or for the national or international good. The Trust may find it necessary to oppose the development if any of the following apply:

- There is a significant adverse impact on the adjacent wild land or protected landscapes;
- The cumulative effect of the proposed development with others in the area would be significantly detrimental beyond the impacts of the individual development;
- The scheme is considered to be of an excessive scale for its location adjacent to wild land;
- There is a significant threat to wildlife (especially designated habitats and species);
- The scheme and its associated infrastructure are not sympathetically designed within the landscape.

### **Proposed Developments On Areas Away From Wild Land**

There will be a presumption that the John Muir Trust would not normally lodge an objection to built development and constructions proposed away from an area identified as wild land, within more obviously managed landscapes. There would need to be very strong and exceptional reasons for the Trust to oppose such developments.

An example might be if the development would be likely to contribute to bringing forward further applications for development in or near wild land, such as a transmission line for which the justification is predicated on further significant, industrial-scale energy development that would then be brought forward in wild land areas.

### **Energy Developments**

The Trust will apply the above principles to individual proposed energy developments. This Policy supersedes the Trust's Renewable Energy Developments Policy of 2004.

For the Trust's strategic energy policy approach, see the Trust's Energy and Wild Land Policy (2013).

### **Trust Policy on Sustainable Development**

The Trust will develop Policy Position Statements and Briefings on Sustainable Development to inform and influence decision-makers. These will not be restricted to wild land areas and will include a strategic overview on national planning and energy policies relating to sustainable development. The Trust will work with other relevant bodies advocating that documents such as the Scottish National Planning Framework 3 and Scottish Planning Policy adhere to sustainable development criteria.

See also the Trust's Energy and Wild Land Policy (2013)

See also the Trust's Wild Land Policy (2010)