

## **John Muir Trust response to National Planning Framework 3 Main Issues Report** *(Headings and quotes from NPF3 Main Issues Report and draft framework are italicised)*

### **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. The Trust welcomes the opportunity to comment on the proposed National Planning Framework 3 Main Issues Report and Draft Framework.

The Scottish Government's overarching purpose of "sustainable economic growth" clearly runs throughout this Main Issues Report (MIR). However, in some cases, there appears to be an assumption that any economic activity which relates to renewable energy is "sustainable". For instance, in **2.6** it is stated that *"stakeholders recognise that helping to reduce GHG emissions is a key issue. There were many suggestions for infrastructure improvements, including from the development sector and utilities companies.....highlighting significant opportunities for economic benefit and investment in renewable energy."*

It is essential that the government recognises the dangers of building excessive infra-structure (both in excessive cost to the public purse and unnecessary environmental damage), for instance "over-engineering" the electricity grid for an intermittent power source, i.e. onshore wind (as onshore wind is still envisaged as being the major plank of the renewables sector until 2020, despite the government's commitments to have a balanced energy portfolio). Too much infra-structure which is ultimately paid for by electricity consumers will increase fuel poverty for families and accelerate relocation of industry outside the UK, to locations with less running costs. This is very relevant in the UK context but would be even more critical in an independent Scotland. So the Report needs to keep focused on having a primary emphasis on energy conservation which is the cheapest way to achieve GHG reductions in the energy sector.

**The Trust strongly supports the link of SNH's core wild land maps to the policy of protecting wild land areas. The Trust believes that core wild land areas should be given the same status as National Parks and National Scenic Areas. See response to SPP regarding the need for protection of these areas to be from any inappropriate development.**

### **DETAILED COMMENTS**

#### **SECTION 1 OUR SPATIAL STRATEGY**

##### **1.12 Bullet 2**

Successful carbon capture and storage technology will be essential to help achieve the greenhouse gas emissions reduction (GHG) targets so the Trust agrees that support for advancing potential projects needs prioritised.

### **1.12 Bullet 5**

The statement that the spatial strategy *“supports the further deployment of onshore windfarms but balances this with our commitment to protect our nationally important landscapes and residential amenity”* reflects the way in which the NPF3 draft is approaching this - from the “wrong end of the telescope”.

**The strategy should identify what characteristics should be protected first – in this case, nationally important landscapes - and put measures in place to protect such characteristics, in this case “wild land”, from any kind of inappropriate development; whether it be wind farms or mining or another industrial process or from future, not-yet-apparent threats.**

**So the identification of core wild land areas by Scottish Government is very much to be welcomed**, but the context this is described in should be with regard to “inappropriate development”, rather than specifically about large-scale wind development. These areas should be protected as nationally important landscapes.

## **SECTION 2 A LOW CARBON PLACE**

### **2.8**

*“Land management, including protection and restoration of peatland and woodland expansion will also make an important contribution to reducing emissions”*

The focus on the importance of decarbonisation of the transport sector is to be applauded.

The recognition that land management, including the **protection** of peatland, as well as restoration projects, is vital in contributing to GHG targets is also very welcome.

### **2.11& 2.12**

*“in the longer term, we expect contributions from deep geothermal and other emerging technologies to become significant”.*

The Trust believes that much more government support should be given to emerging “second generation” renewable sources – particularly ones such as deep geothermal which can contribute to heat and baseload electricity requirements. Such technologies will not progress, even “in the longer term”, unless sufficient research and development help is given to enable them to become competitive with the subsidised mature onshore wind technology.

We welcome the government’s continued support for combined heat and power systems. This is the right direction.

### **Q1**

*How can NPF3 support the transition to a largely decarbonised heat sector?*

*Could NPF3 go further in supporting a spatial framework to help achieve our ambition of decarbonising the heat sector and guiding the necessary infrastructure investments?*

## **A. & ref 2.4**

There is an urgent need for both a UK and a Scottish national energy strategy which considers energy conservation alongside all types of energy generation. Energy conservation is generally the cheapest, most effective way to reduce carbon emissions in our energy networks and so is the optimum area to focus on to achieve the reduction in energy demand and in carbon emissions referred to in this section.

### **Onshore wind**

#### **2.14**

*“...the further deployment of onshore wind remains a key strand in our efforts to reduce greenhouse gas emissions and achieve a balanced energy supply.”*

There is a lack of evidence that continuing the current high level of public support for onshore wind generation is the most effective and cost-efficient way to reduce greenhouse gas emissions, from the energy sector. See answer on Q1. The finalised NPF3 should avoid introducing measures which support onshore wind over and above other renewable sources which are not so mature but have the capacity to address some of the issues, including security of supply, which excessive reliance on onshore wind may cause. So the phrase *“achieve a balanced energy supply”* does not logically follow a commitment to further onshore wind – as it is already the dominant renewable coming forward in planning applications.

#### **2.15 & NPF2 monitoring report**

This paragraph appears to be putting forward justification of the current policy which, as the Ministerial Foreword notes, is not up for discussion in this consultation or appropriate for a planning document and so **the paragraph should be deleted.**

This paragraph repeats the assertion in the NPF2 monitoring report *“While onshore wind farm development is proceeding apace, it has not so far impinged on nationally protected landscapes.”*

If the paragraph is retained, the Trust records that we disagree with the assertion that developments to date have largely avoided our nationally and internationally protected areas. With regard to National Scenic Areas and National Parks, there are many developments around the fringes of these areas which, due to the visual dominance of wind turbines (each of which is taller than the tallest building in Scotland) will impact significantly and adversely.

Even if it were true that current developments are not impacting on designated areas, it does not follow that development coming forward is “the right development in the right place”. There are many areas – core wild land areas amongst them – which correct planning process should be protecting and enhancing but which are being very badly impacted. For this reason, the Trust welcomes the MIR’s recognition of core wild land areas as an important landscape and ecological concept.

The Trust also disagrees with the assumptions in the analysis of the last two sentences about people’s views. These sentences have no place in a planning document. The final document should not include justification for policies – its role is to interpret policies and explain the planning process.

#### **2.16**

See response on SPP 216 – 219

## 2.17

The Trust believes that there is a need for a national spatial framework for onshore wind which would be over-arching guidance for Local Authorities tasked with drawing up local spatial frameworks. The Trust understands that Local Authorities are producing draft spatial strategies for onshore wind which the Scottish Government is then rejecting as too restrictive and this is a matter of serious concern. If the government is going to impose its view, then it needs to do so through a spatial strategy, not by rejecting local decision-making piecemeal. Local Authorities cannot assess their part in a national plan, without a national map.

The Trust would go further and believes that an integrated national energy strategy covering all types of generation and incorporating a spatial element is needed to achieve rational decision-making over which major schemes should be given planning permission. This is the only way to balance national priorities, e.g. energy targets, which are the government's remit, with decision-making on the location of major projects which will have major impacts. The current system of each and every speculative application going through the planning process potentially to a Public Local Inquiry is not working.

## 2.18 – 2.21

**These paragraphs should be moved to Section 3, A Natural Place To Invest.** These paragraphs about protecting National Parks, National Scenic Areas and Wild Land are articulating principles which should apply to any kind of inappropriate development, not just onshore wind which happens to be the current driver for development on our natural heritage. It is important that this guidance be seated within the advice about natural heritage protection. See comment on 1.12.

## 2.18

***“Map 2 shows our finest and most iconic landscapes – National Parks and National Scenic Areas”***

**This is a completely incorrect interpretation of what the National Parks (NPs) and National Scenic Areas (NSAs) were designated for and, therefore, an incorrect statement.**

Scottish Natural Heritage (SNH) policy statement 02/04 stated *“Scotland’s National Parks are being established to protect and enhance **some of the very best** of our nation’s natural and cultural heritage.”*

SNH website *“The 40 National Scenic Areas (NSAs) in Scotland, with their outstanding scenery, **represent** Scotland’s finest landscapes.”*

**These SNH descriptions clearly state that both the NPs and NSAs are representative of our finest landscapes, but do not include all of them.** The statement claims that the map shows all and so is very misleading. In particular, the NPs and, to a lesser extent, NSAs were picked as areas which required management – particularly of the impacts of people – and, in the case of NPs, also to promote business within the areas. **For these reasons, wild land areas are drastically under-represented in both groups. However, the new SNH core wild land areas are absolutely amongst our finest and most iconic landscapes.** Examples of areas currently not in NPs and NSAs which are in this category include Cape Wrath and the Trust’s own estate of Sandwood bay (Visit Scotland notes this is *“reputedly the most beautiful beach in Britain”*); the South Uist hills and the north of Jura.

The sentence *“In addition to our nationally important, most scenic, landscapes, we also want to continue our strong protection for our wildest landscapes”* combines two incorrect points.

It continues the theme that wild land outside of NPs and NSAs is not amongst our nationally important landscapes which is incorrect. A moment's study of Map 2, imagining that all other areas of Scotland were "up for grabs for development", being regarded as "only of local or regional importance" will show that we would live in a drastically different and degraded Scotland. In the Year of Natural Scotland, this is not the direction Scottish Government planning will wish to take and be remembered for.

Protection for our wildest landscapes requires increased protection. Currently there is not "*strong protection for our wildest landscapes*". Planning revision offers the opportunity for that to happen and the Trust welcomes the core wild land areas map as a start to that process.

### **2.19**

This states that SNH "*has consistently advised against wind farm development which would adversely affect the character of our wildest landscapes*".

However, inappropriate developments have got through the system and been approved on some of our wildest landscapes – a striking example is Muaitheabhal wind farm on South Lewis, in one of the wildest areas of Scotland (and where the developers are currently seeking an extension which would impact even further on wild land). So the current process is not achieving the Scottish Government's stated aim of protecting our wildest landscapes.

### **Q2 & 2.20**

Q2 "*How should we provide spatial guidance for onshore wind?*"

*"Scottish Planning Policy already safeguards areas of wild land character."*

**The Trust does not believe that Scottish Planning Policy already safeguards areas of wild land character.** Over recent months, as the number of applications for wind developments grows, planning officers' recommendations seem increasingly not to give due weight to wild land as a resource of national significance. There is therefore an urgent need to strengthen protection for wild land and, potentially, for clear-cut protection zones to be agreed at national level. This is because of the visual and wider impacts of energy-related developments on wild land.

Q2 cont. "*Do you agree with the Scottish Government's proposal that we use the SNH mapping work to identify more clearly those areas which need to be protected?*"

**The Scottish government are to be commended for bringing forward the SNH core wild land maps to include in the planning process. It is essential that NPF3 references the SNH map of core areas of wild land (April 2013) as a key planning constraint. However, the Trust does not agree with the level of protection suggested in the text of the SPP - see our comments on paragraph 218 of SPP.**

### **2.21**

The Trust is disappointed that the Scottish Government does not intend to legislate for new environmental designations in Scotland and that core areas of wild land are not currently to be designated under statute. Wildness is not just about landscape, but also contributes to ecological health, ecosystems services and our own health and well-being. Great value could be achieved for the nation through the introduction of a Wild Land designation, giving statutory protection for this vital national asset. For comparison, if consideration is given to the National Parks system of the US (much more extensive than Scotland's NP

coverage and much more focused on wilderness protection), a system largely attributed to John Muir's advocacy and persuasion of President Roosevelt, the contribution to both the US economy and natural heritage is incalculable. A similar gain is within Scotland's reach if a long-term vision is applied to planning policy. On the other hand, within a few years, Scotland may have lost much that is held most dear by its people if the current attrition of our wild land continues.

*Q2 supplementary questions (not listed in Main Issues Report but detailed in online questionnaire)*

*(a) Should NPF3 identify and safeguard those areas where we think there remains the greatest potential for further large scale wind energy development? Where do you think this is?"*

The implications and reasoning behind this question, which does not occur in the main MIR but is in the separate questionnaire, is unclear. What is meant by "safeguarding areas for large scale wind development"? Does it mean that areas of the country should not be allowed to proceed with other potential uses in case a wind development is coming forward? It is very unfortunate that such an ambiguous question is only included in one list.

If the question means "should there be a national map of 'search areas for wind'?", the Trust believes that there should be a national spatial element of a national energy strategy, but this should encompass more than just onshore wind. See comments on Q1.

*(b) Should further large scale wind energy development be focused in a few key locations or spread more evenly across the country?*

See comments above

*(c) Is spatial guidance for onshore wind best left to local authorities?*

No, spatial guidance for onshore wind is not best left to local authorities. There is a need for a national spatial framework for onshore wind, rather than leaving this to local authorities to determine at local authority level. 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.

### ***Offshore renewable energy***

#### ***Q3, 2.26 – 2.28***

**The Trust agrees that a co-ordinated approach to offshore development and the infra-structure onshore is required and the logical way to address this is to have a National Energy Commission**, advising on a National Energy Strategy, which uses independent experts, industry and government policy advisors to identify what infra-structure is required for the country's needs.

**However, the onshore infrastructure for offshore renewable projects should not be included as a National Development.**

*"In particular, we could focus connections on a limited number of key hubs to avoid a proliferation of coastal landfalls."*

It is very important to avoid such a potential proliferation of landfalls but the Trust does not believe that the Scottish planning system can achieve this alone. Much of such co-ordination is the responsibility of Ofgem who are currently looking at this issue in their Integrated Transmission Planning and Regulation (ITPR) project. Also see Trust view of how to avoid unco-ordinated proliferation and development in proceeding paragraphs.

In the absence of a National Energy Strategy, however, the Trust believes that it is not appropriate to identify a collection of grid infra-structure in different parts of the country as a single National Development. The idea that development must be facilitated should not be used to over-ride the planning process which exists for onshore development. Transmission landfalls and electricity grid upgrades must go through the planning process otherwise the country risks the energy industry being given a free hand to map out national policy, without constraint. The Strategic Environmental Assessment Environment Report (SEA ER) cannot assess fully the impacts of a number of proposals lumped together, many of which have no detailed spatial plan as yet.

This part of the MIR does not address the fact that offshore developments can impact views from the land. The NPF3 needs to consider how to address this issue. For instance, core wild land areas should not be impacted visually by inappropriate offshore development.

**So the onshore infrastructure for offshore renewable projects should not be included as a National Development.**

#### ***Base-load electricity generation requirements***

##### ***2.33 – 2.42 Carbon Capture and Storage***

The Trust agrees that thermal generation will be essential for the foreseeable future, to provide on-demand electricity generation. Therefore, it is essential that Carbon Capture and Storage (CCS) technology is brought forward as quickly as possible.

#### ***Q4***

**The Trust agrees with designating the carbon capture and storage projects identified as National Developments.**

**The Trust agrees with Longannet and Cockszie retaining their national development status as part of a strategy of focussing baseload generation on existing sites.**

#### ***Electricity transmission, distribution and storage***

##### ***Q5 2.45 – 2.52***

*“What approach should we take to electricity transmission, distribution and storage? Should we update the suite of grid enhancements and include the landfall of a possible interconnector from Peterhead? What projects should be included?”*

**For the reasons below, the Trust does not agree with the suite of grid projects being included once more as a national development. The Trust believes that a National Energy Strategy should include rational, non-commercial assessment of whether all these grid upgrades are economically (for the public, not commercially for the developers) justified, or required for, and will contribute to, increased security of supply.**

The extent of what is proposed in this section, in re-structuring and reinforcing the electricity grid involves more infra-structure than has been built since the original national electricity network was developed in the mid-20<sup>th</sup> century. This proposal consists of a whole range of spatially dispersed projects, many of which are in their infancy and so have almost no spatial detail. To describe this as one national development is completely misleading and the SEA for it cannot possibly adequately assess each line, subsea cable, converter stations and substations. Indeed, 2.48 refers to “*these projects*” – a clear indication that this cannot be reasonably described as one development.

**Each geographically separate project should have an appropriate Environmental Impact Assessment. So there is inadequate information to make new grid upgrades part of this NPF3.**

The Trust argued in the NPF2 consultation that it was not reasonable to regard all transmission work in Scotland – in different parts of the country – as a single development, for planning purposes. That remains our position.

#### **2.47**

The “need” for the subsea links to the islands has not been proven and the costs to the UK consumer have not been shown to be good economics. The islands could thrive by adopting a different model of community-scale renewable projects, feeding directly into a decentralised grid which could encourage local business development.

#### **2.48, 2.49**

Again, the interconnection to Norway has not had the need proven.

### **SECTION 3 A NATURAL PLACE TO INVEST**

The introductory overarching statement in this section –

*“Our ambition is to respect, enhance and make responsible use of our natural and cultural assets”* – should be reworded.

The usual phrase found in government and SNH documents is either “conserve and enhance” or “protect and enhance”. There is a worrying tendency in government decision-making for one department somewhere to be “restoring” or “enhancing” through projects, whilst another department doesn’t notice that there is too little protection in development they have oversight for, and which will lead to degradation of similar natural assets. It is hard to imagine a government definition of “respect” that will be useful in this context and so this should be re-worded to make clear the need to protect important natural heritage.

#### **3.4**

The Trust commends the government on its recognition of the intrinsic value of our natural and cultural heritage.

#### **3.9, 3.10**

The government’s recognition of the need for peatlands to be protected – both for biodiversity and carbon storage – is welcome. However, the Trust does not agree that “the potential impacts on development on



[peat], in particular wind farms, are already being taken into account in the consenting process.” This is not reflected in the Trust’s experience of the lack of proper consideration of this aspect in many consents given – both by councils and also government.

This statement presumably relates to the use of the Scottish Government commissioned Carbon Calculator. However, the authors of the methodology have themselves queried whether siting industrial-scale wind developments on deep peat can be justified. The Scottish Government’s carbon calculator is a useful tool as part of the assessment of impacts but does not take into account all impacts. **In particular, there is great uncertainty about the extent of damage from construction on peat and the precautionary principle should be respected, as is recognised in paragraph 133 of SPP.**

**The Trust believes there should be a presumption against the siting of such developments on deep peat included in planning policy.**

### **3.11**

Again, this paragraph identifies National Parks and National Scenic Areas as needing to be “respected” in considering wind development. Core Wild Land areas should have the same level of protection and this consideration should relate to all inappropriate industrial development, not just wind.

*Q7 Can NPF3 do more to support sustainable use of our environmental assets?*

*Should NPF3 propose any specific actions in relation to the role of land use in meeting climate change targets, for example for woodland expansion, peatland or habitat restoration?*

The sustainable use of our environmental assets must be a principle that runs throughout NPF3, which is not the case as proposed.

It is vital that NPF3 is absolutely clear about the importance of safeguarding and enhancing the nation’s natural carbon sinks and stores. The principles outlined in 3.9 and 3.10, noting the significance of peatlands as a carbon store, and identifying the need for protection, are therefore welcome.

**NPF3 must include as a matter of principle the protection of key peatland sites in addition to the restoration of those that have been damaged.** This should include a specific focus on the protection of peat and as a national resource rather than only within designated sites.

*Q7 Should the strategy be more aspirational in supporting the development of a National Ecological Network? If so, what should the objectives of such a network be?*

The Trust believes that the idea of a National Ecological Network should be adopted as a National Development as soon as possible. This should include some of the core areas of wild land recently mapped by SNH and tie into our responsibilities at a global level.

*Q8 What should NPF3 do to facilitate delivery of national development priorities in sensitive locations? Are there other opportunities for strategic environmental enhancement that would support our wider aspirations for development, or could potentially compensate for adverse environmental impacts elsewhere?*

**“Offsetting” (enhancing environments elsewhere by way of compensation for a development being consented in an environmentally sensitive site) should be a last resort** compared to considering alternative, less sensitive locations for the development, even if the economic cost is greater.

*Q9 Can NPF3 do more to support sustainable tourism?*

*What are the key national assets which should be developed to support recreation and tourism?*

**Scotland’s natural heritage, including its wild land, is its greatest asset and needs protected** to support these activities. Increasing polling evidence (see Trust YouGov polls, Nov 2012 ,June 2013) shows that tourists and Scots alike visit our natural landscapes for unspoiled beauty and nature.

Scotland’s wild land makes a vital contribution to Scotland’s economy with many people making a decision to visit based on Scotland’s scenic landscape and wildlife. Government agency VisitScotland specifically promotes Scotland’s outstanding natural beauty as a key reason to visit. The loss of any more of Scotland’s wild land could have a significant impact on our economy. For example, a YouGov poll carried out in November 2012 suggested that high concentrations of wind farms could pose a serious threat to tourism in Britain’s scenic areas. The poll showed that 43 per cent of people in Britain who visit scenic areas in the UK for their natural heritage and beauty would be ‘less likely to visit a scenic area with a large concentration of wind farms’, with only 2 per cent saying they would be ‘more likely to visit a scenic area with a large concentration of wind farms’. In Scotland, the respective figures were 36 per cent who would be less likely to visit and 2 per cent who would be more likely to visit. This represents a serious long-term threat to those areas whose economic lifeblood is tourism.

## **National Developments**

**The Trust does not think that the need for a National Development can be regarded as proven if it is not described spatially, in some detail.**

NPF3 has a list of National Developments. If these are included in the final version, the “need” for such developments would be regarded as “proven.” This is a dubious concept generally, in a planning document intended to run for several years, as technology and society’s views on the most appropriate technology or solutions will change and move on. This is of concern for a number of the National Developments but the John Muir Trust response concentrates on the ones on which we have considerable expertise – the grid infrastructure.

**The Trust has particular concerns about the inclusion of all possible grid additions as outlined in the National Development for the onshore electricity grid and also the National Development for the offshore grid** (see Q5 and Q3).

The inclusion of National Developments in NPF3 would mean the need for these developments has been proven, yet technology and society’s views on the appropriateness may move on during the lifespan of the planning document. In view of the long timescale which the NPF is looking at, these proposals should still be assessed for “need” at the time they are submitted - because the economic and technical case changes all the time, as we have seen with the recent economic upheavals. Of particular relevance is the advancing technology for sub-sea cabling, changes in costs and maturing of offshore energy technologies. For

instance, changes in costs and advances in technology may negate the case for building a particular transmission project onshore, as opposed to using subsea routes.

**The long-term nature of the NPF means that it must not be used to embed commercial proposals, with no planning or policy process which allows such projects to be re-examined, in the light of new circumstances and the public good properly assessed.**

This is a critical issue since designation in the National Planning Framework is the mechanism for establishing the need for these developments and any subsequent examination of the detailed planning implications will not be concerned with the principle of the development.

**Therefore it is essential that the “need case” can be demonstrated to have been examined in detail, and “future-proofed” against technology changes and society’s requirements before it can be said to be proven. This is not the case for either the onshore or offshore-related grids in this MIR – the SEA ER does not give justification for them to be considered National Developments.**

It is critical that the National Planning Framework does not become a vehicle for fast-tracking controversial decisions, using the “national interest” argument to rule out any rigorous examination of the plan by all interested parties. This would be a dangerous erosion of democratic rights.