

Trust response to the Scottish Parliament's Call for Views on NPF4

Questions and responses submitted through the online consultation portal on 10 January 2022

Organisation details

Name of organisation

John Muir Trust

Info about organisation

The John Muir Trust is a conservation charity dedicated to the experience, protection and repair of wild places. With support from the Trust's 11,000 members and regular groups of volunteers, we manage and care for land at nine properties in Scotland. These properties include wild mountain landscapes at Ben Nevis, East Schiehallion, Quinag and on Skye and Knoydart, as well as the wild coast at Sandwood Bay and a former sheep farm and conifer plantation, Glenlude, in the Scottish Borders which we are gradually returning to a mosaic of native habitats. Across these properties we maintain access by maintaining 120km of footpaths, design and install interpretation boards and lead guided walks. Throughout Scotland we facilitate access to outdoor education and nature connection through the John Muir Award, a popular environmental award scheme open to people of all ages and backgrounds. The Trust has supported community land ownership and continue to support community land ownership through partnerships. In 1999, we were a major contributor to the successful land purchase by the Knoydart Foundation. In 2000, we helped the Borders Forest Trust to buy Carrifran woodland. In recent years we have supported the Langholm community initiative's purchase of Langholm Moor and renewed formal partnerships with land owning Trusts on the Western Isles. We engage with the Scottish Government and Members of the Scottish Parliament to share our ideas and policy proposals for the protection and enhancement of wild places.

Consultation and development of the draft NPF4

Please provide your views on the consultation and development of NPF4 and how this has contributed to the draft.

The John Muir Trust has participated in the two prior consultations that have informed the publication of the draft NPF4. We responded to the Scottish Government's Call for Ideas with a response submitted in April 2020. We responded to the Scottish Government's Position Statement in February 2021. We have also contributed to the Call for Ideas and Position Statement consultation responses submitted by Scottish Environment LINK's planning working group. We have engaged with every consultation opportunity in the process and communicated these opportunities to our members. In doing so we have signposted people towards the resources that the Scottish Government made available on its Transforming Planning website. We have overall been satisfied with the consultation stages and opportunities to provide responses and views between early 2020 up until 31 March 2022. The timeframe for this latest consultation on the draft NPF4 and submission of Parliamentary evidence has seemed tight because it falls just after a time of year (December and early January) when many employed people expect to take some time off. We have

some concerns that this might prevent some people or organisations from engaging with the Scottish Parliament's Call for Views but recognise that the public consultation runs until 31 March which provides people with time to engage. Please see Scottish Environment LINK's response for additional feedback on the process.

Please provide your views on the structure of the National Planning Framework 4 document.

No comment

Please provide your views on the incorporation of the Scottish Planning Policy and coherence of the NPF4 document overall as a roadmap.

No comment

Part 1 – A National Spatial Strategy for Scotland 2045

What is your view on the Sustainable Places section?

To create sustainable places we must recognise we cannot engineer or build ourselves out of a nature crisis. To deliver net zero places, whilst supporting nature's recovery, requires a bold and transformative approach. The approach introduced in Part 1 is arguably not bold enough. It does not assert the inextricable links between nature restoration and climate resilience (although these links are recognised by the Scottish Government in other policy papers). Without more definition, net zero places may come at a cost to our natural environment. We need an approach that makes it clear that any new development (and especially new development on an industrial scale) must a) comply with circular economy standards, b) evidence how a reduction in greenhouse gas emissions will be achieved at each stage of the production-construction-decommissioning lifecycle and c) follow design principles that mean the overall site of the development is enhanced for biodiversity and, if possible and relevant, maximising its natural carbon store potential. To ensure there is accountability on each of the approaches, guidance and monitoring measures should be introduced for every new development (this should start with every national development) against **circular economy design principles, greenhouse gas emissions reduction and biodiversity net gain.**

To create sustainable places we also need a planned approach to onshore renewable energy development. The offshore wind energy development is an example of the Government taking a planned approach. We recognise it is easier to plan sites for offshore wind when there is effectively one 'landowner', the Crown Estate, negotiating leases with companies for sites. However, **a planned approach for onshore wind can and should be set by NPF4.**

Current planning policy (NPF3 and SPP2) has managed to provide **a spatial strategy for onshore wind.** This has been achieved by clearly categorising areas into three groups: 1) areas deemed appropriate for onshore wind, 2) areas where it will sometimes be appropriate to site onshore wind, and 3) areas where onshore wind is not appropriate. Current national policy also clearly states that Local Development Plans should include a spatial framework for identifying where onshore wind would be most appropriate.

As drafted, the NPF4 lacks the delineation and clarity that was provided in NPF3 and SPP2 on the future siting of sustainable green energy development. At a time when the Government expects onshore wind to expand by 8-12GW (draft onshore wind policy statement) **there needs to be clearer policy on where expansion is appropriate.** To

successfully achieve this target whilst protecting and enhancing biodiversity in Scotland, we need to make sure that onshore wind proceeds in sites that are not species-rich and wild by nature i.e. **not inadvertently destroying our best natural assets**. NPF4 can have a role in directing energy development to sites that are in already managed landscapes, where the development through land management interventions could still bring positive results for biodiversity but its scale will not fragment a landscape's natural ecological connectivity and not destroy sensitive and ecologically significant habitats. This is particularly important if we are to **protect the ecological and carbon value of peatlands as well as Scotland's wild land**. It is also important if Scotland is to achieve its target of 30% of land protected for nature by 2030 and reverse the decades of biodiversity decline in the country.

For sustainable places with respect to green energy, NPF4 should consolidate the development patterns that we have seen over the past 10 years in Scotland and direct development towards already managed landscapes. This means policies that:

- Support **repowering existing wind farm sites** by stating Local Development Plans and Local Authorities should progress development frameworks for repowering at Local Authority level (the Hagshaw Energy cluster repowering framework already provides a model).
- Favour **development in already managed landscapes** i.e. landscapes where energy infrastructure already exists.
- Signal that Local Authorities should prioritise approving development that is part of formal emerging '**energy clusters**' or '**energy hubs**'. A formal emerging energy cluster could be a number of adjacent sites operated by different companies with established turbines that have identified opportunities for the companies to coordinate closer integration of development across the sites including wind, battery storage, solar power and make the most of existing grid connections (substations, overhead power lines, cabling).
- **Safeguard greenfield sites and recognise that greenfield includes Scotland's mapped Wild Land Areas**. These areas are the 42 areas that represent the best expression of wildness in Scotland as measured by four physical attributes (perceived naturalness of the land cover; ruggedness of terrain; remoteness from public roads, ferries or railway stations; visible lack of buildings, roads, pylons and other modern artefacts).
- Reference existing maps and spatial data on carbon rich peatland soils as well as Scotland's Wild Land Areas and clearly state that Local Development Plans should identify and **safeguard these finite areas for peatland restoration programmes and nature based solutions to carbon storage**. Identifying, recognising and safeguarding these areas will provide clear policy direction and reduce any conflict between achieving targets for nature-based recovery (such as the target to recover nature across 30% of Scotland's land by 2030) versus targets for renewable energy expansion.

What is your view on the Liveable Places section?

No comment

What is your view on the Productive Places section?

No comment

What is your view on the Distinctive Places section?

To be nature positive, every new development needs to be considering how it will contribute to nature's recovery from the earliest design stages then evidencing the contribution at application stage. National planning policy has an important part in directing developers to:

- Consider and evidence the **sustainability** of their design (for example, materials being used and their provenance).
- Calculate the **carbon costs** associated with the development and evidence how these have been reduced.
- Appraise site options with **biodiversity and carbon emissions** as a top consideration
- Show how their development is expected to interact with surrounding land uses and habitats so that it **enhances nature** on the site and in the surrounding area.

At the same time national planning policy can direct Local Authorities to ask for this information.

What is your view on the 'Spatial principles for Scotland 2045' section?

We see a set of principles as complementary to spatial planning policy in guiding decision making but we are not convinced they will be able to direct difficult choices about whether a proposal will develop land in a way that respects the six planning outcomes and is appropriate for the area. To make those kinds of choices requires criteria that enable decisions to be taken.

There are a number of ways we think the principles could be strengthened so they have clearer application related to national planning policy. These are:

- **Clarity on how the principles are to be applied and by whom.** If the principles are to be of any use in enabling the right choices on where development should be located, NPF4 should make clear at what point in the decision making process the spatial principles are to apply and whose job it is to apply them.
- **Clarity on how the principles will guide particular decisions** e.g. when it comes to deciding on applications for green energy development or a future nature network. The former development type is expected to expand over the NPF4 timeframe making NPF4 an important document in guiding where this type of development is sited. From the spatial principles drafted, the principle of 'balanced development' seems most applicable to managing the growth of green energy development.
- We recommend **re-wording the 'balanced development' principle to take into consideration the need to balance local interests with national** when it comes to expanding green energy development. This is also relevant to the just transitions spatial principle. **In a just transition, people who live near development have a say in its design and a stake in its development.**
- Be consistent with and **reinforce the five guiding principles on the environment in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.** This Act requires public authorities and Scottish Ministers to have due regard to these principles in making policies. The principles are: (a) the principle that protecting the environment should be integrated into the making of policies; (b) the precautionary principle as it relates to the environment; (c) the principle that preventative action should be taken to avert environmental damage; (d) the principle

that environmental damage should as a priority be rectified at source; and (e) the principle that the polluter should pay.

- For the purposes of drafting NPF4, the legislative principle ‘protecting the environment should be integrated into the making of policies’ clearly applies and we suggest **each NPF4 policy should be evaluated for its impact on the environment with the option to make future changes to NPF4 if policies are contrary to environmental protection.**

Do you have any other comments on the National Spatial Strategy outlined in NPF4?

Whilst we are delighted to see wild land recognised in Policies 19 and 32, we don’t believe the document contains a **spatial strategy** that will direct renewable energy development in a way that will safeguard Scotland’s wild places. In NPF3 and SPP2 a spatial strategy for energy development was achieved by the following:

- The recognition of wild land as nationally important in NPF3.
- Table 1, in combination with paragraphs 161-163 in SPP2, which provided clear guidance on appropriate areas for siting onshore wind development.
- Paragraphs 166 and 167 in SPP2 which instructed local development plans to identify appropriate sites for ‘renewable electricity projects in addition to wind generation’.
- Paragraph 169 in SPP2 which added that ‘energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant’ and provided detailed considerations for deciding new planning applications for renewable energy development.

We strongly recommend that Policy 19 is revised to incorporate wording to the effect that large-scale renewable energy development in Wild Land Areas and peatlands (with reference to the 2014 Wild Land Areas map and Scotland’s carbon and peatland map) is **only supported where there is evidence that the impacts can be substantially overcome.**

Arguably NPF4 should go further on the **protection of peatlands** given the significant contribution restoring degraded peatlands would make to an overall reduction in carbon. The condition of peatlands varies across Scotland but with 80% of Scotland’s peatlands estimated as being in a degraded state, peatlands are a nationally significant source of emissions. There is huge potential to reverse this through nationwide restoration. The UK Committee on Climate Change’s most recent progress report to the Scottish Parliament (December 2021) notes ‘Scotland’s significant emissions from peatlands will need to be managed for the land use sector to avoid derailing the CCPu emissions trajectories’. It goes on to state ‘peatland restoration could occur at a significantly higher rate than that committed to by the Scottish Government, which is less than half that in the Committee’s Balanced Pathway’. NPF4 policies that identify and safeguard degraded peatlands for restoration (providing them with equal importance as fully functioning peatlands) should be part of a spatial strategy that makes sure the restoration and carbon saving potential of Scotland’s peatlands is realised over the next ten plus years.

What is your view on the 'Action areas for Scotland 2045' section?

We have comments on the actions for the regions where the Trust manages land.

North and West region

Overall we support the strategic actions for the north and west region but believe these could be strengthened by incorporating each of the **six shared goals of the NorthWest2045 partnership** (listed in response to Q8 above) and the long term goals highlighted at page 3 of the document (see <https://www.northwest2045.scot/> for a link to the vision).

The six goals are:

1. Affordable housing for young people and families
2. High speed broadband access for all
3. Rural hubs to support businesses, homeworking and delivery of services
4. A healthy food scheme based on local produce
5. A new Regional Land Use Partnership to support green economic recovery
6. New forms of local democracy to give communities a greater role in decision-making

Highlands/northern revitalisation region

As with the other regions in the NPF4 strategy, we strongly agree that 'This part of Scotland can make a strong contribution towards meeting our ambition for a net zero and nature positive country by demonstrating how natural assets can be managed and used to secure a more sustainable future.' We support a strategy for this region that seeks to 'strengthen networks of resilient communities; stimulate green prosperity; nurture nature-based solutions; and strengthen resilience and decarbonise connectivity'. The protection and recovery of wild places throughout this region can complement each of those four aspirations and would merit reference under the section headed 'nurture nature based solutions'.

Peatlands are wild places and the UK's most important natural terrestrial store of carbon. An NPF4 strategy should protect these habitats across the northern revitalisation region. Renewable energy development as well as new housing proposals should be critically evaluated for impacts on peat with a presumption against developing on deep peat (see Trust response to the NPF4 draft Policy 33 on peatlands). A recent development at Blar Mor which is an undesignated site of blanket peat resulted in the removal of huge areas of peatland to build new houses. A strategy would help to prevent recurrences of this kind of development on peat.

As with the north and west strategic region, the Highlands 'northern revitalisation' region contains a significant share of Scotland's natural capital, which provides the economic bedrock of Scotland's food, drink, outdoor recreation and tourism sectors of its economy. As with the north and west strategic region, the population is predominantly rural, but has some larger established settlements compared to the north and west. An NPF4 strategy for the region can make sure people in rural communities influence the stewardship of natural assets and resources as a priority in Local Development Planning. This is just as important for this region as it is for the north and west region in achieving a just transition given the overall contribution the region's natural assets make to Scotland's economic prosperity.

As part of a strategic 'shift to more sustainable transport' in this region there needs to be greater public transport connectivity to other regions and reduced reliance on private vehicles. Specifically, connectivity by rail or bus from the region to central Scotland could be improved as part of a strategy to reduce the number of cars on roads. Reducing road traffic should help to ease congestion and the sense of 'over tourism' that has been experienced in Glen Nevis and other scenic wild places. The high volume of traffic from people using cars to reach wild places, including the Trust's Nevis and East Schiehallion properties, has caused dangerous congestion and puts pressure on these wild places. We welcome a 'continued modal shift to rail for both passengers and freight' to reduce congestion and accidents in the region and to remove heavy goods traffic from major routes, such as the A82. For journeys

beyond rail, electric shuttle bus services could link people arriving at train stations to wilder more remote destinations. To further help manage visitor pressure on the region's wild places we would welcome targeted visitor infrastructure planning. Local communities and Local Authorities could create and uphold **Destination Management Plans that put local communities at the heart of tourism developments** and balance community, environmental, and economic impacts and benefits. These could be given weight in planning decisions.

Southern Scotland region

On the strategic action to 'innovate to sustain and enhance natural capital', it is great to see forests, woodlands and peatlands all being recognised as nationally significant assets. This should equally be the case for the north and west and northern regions in the NPF4 strategy where areas of 'Class 1' and 'Class 2' peatlands are extensive. However, in recognising native woodlands and peatlands as assets in the different regions, the NPF4 strategy needs to also recognise how they vary with geography, topography, soil types and climate. For example, vast peatland areas are more dominant in the north and west than they are in the southern regions of Scotland. Similarly, the species and character of native woodland also varies regionally (for example, Caledonian pine wood forest in the northern Highlands, Atlantic rainforest in the north and west coast regions, regenerating birchwoods in the southern uplands). NPF4 regional strategies and actions should be more specific on the regional variations, which, if protected, would all add up to a rich tapestry of biodiversity across Scotland.

We have the following additional comments on the strategic actions for the southern region:

- Sustainable development should consider **natural flood management** which is needed throughout the region.
- The region's woodlands and forests are mentioned as assets in the strategic actions but the strategy could be more precise in differentiating woodland types and land use priorities according to types. **Native woodland and habitat restoration or improvement** is needed throughout the region to redress the region's natural ecological balance (note Southern Scotland has one of the lowest levels of native woodland in the UK – conifer plantations dominate in this region. Whilst these plantations provide a quick timber supply, this land use hampers biodiversity recovery. This could be countered by more imaginative forestry and woodland planning tied to nature recovery outcomes which could be signalled as needed through NPF4 strategic actions for the region and associated policies).
- The region's **wild places are assets for human well-being and nature based therapy**. These benefits should be expressly recognised and protected for the long-term prosperity of the region as more people move into the region to be closer to accessing nature and more people visit for outdoor recreation. (We note the NPF4 draft states 'The area has aspirations to become a prime outdoor recreation and green tourism destination.')
- The region contains some of Scotland's smallest areas of wild land, including the officially recognised Talla Hart Wild Land Area as well as Carrifran wild wood and Talla & Gameshope. With the continued growth of onshore wind in the southern Scotland region these areas are all at risk of looking out onto development. This affects the wildness and wild quality experience associated with these areas. This may deter hill walkers, impede biodiversity recovery and soil quality in and around these wild areas. These **cumulative impacts** should remain a planning consideration in NPF4 and Local Development Plans when determining renewable energy planning applications.

- The main means of travelling around the region is by private car. NPF4 strategic action and future planning policies for the region should support more public transport connections as part of an equitable transition across Scotland to a low carbon society.

Do you have any other comments on the Action areas for Scotland 2045 outlined in NPF4?

No further comment

Part 2 – National Developments

Please provide your views on each of the National Developments in the text boxes provided below.

Central Scotland Green Network

In response to the government's Call for Views in 2020, Scottish Environment LINK members called for a **Scottish Nature Network as a national development** for expanding and connecting more sites for nature across Scotland which would 'enable delivery of green and blue infrastructure, restoration of nature and the ecosystem services that underpin societal wellbeing.' Some of these ideas have been incorporated into the national development proposal to expand the Central Scotland Green Network (CSGN). The expansion of the CSGN is welcome as it can be expected to meet multiple outcomes - improving biodiversity, expanding green spaces near urban populations and providing more recreational space for communities. However, we refer Scottish Government to Scottish Environment LINK's earlier calls for a National Nature Network and to consider placing a **duty on all Local Authorities to plan for nature networks**. For more detail please see Scottish Environment LINK's response to this consultation.

Strategic Renewable Electricity Generation and Transmission Infrastructure

There should be more detail on National Development Number 12 'Strategic Renewable Electricity Generation and Transmission Infrastructure'. As drafted, the development type applies 'Scotland wide'. Whilst we understand the demand for renewable energy, it is not clear how this 'Scotland wide' national energy development type will help achieve sustainable development that is plan led and does not result in competing land uses that undermine long-term climate targets (e.g. choosing between peatland restoration or wild land protection versus a new site for renewable energy). The clear risk is that Local Authorities and Planning Authorities are saturated by high volumes of energy development proposals, which they have to manage under the NPF4 policy principle to support, whilst also considering the green and blue infrastructure connectivity and realising the landscape scale nature recovery plans their regions need as part of addressing the biodiversity and climate emergencies.

Nature recovery relates to energy development expansion because at present energy development – particularly large-scale onshore wind – requires vast quantities of concrete for foundations for turbine and substation compounds, underground cabling or overhead power lines for connections to the grids, kilometres of track and excavation of large quantities of soil - which can include peatland - to make this all happen. To be really 'green', we suggest **the construction of renewable energy development needs to continue to be sited to avoid undermining nature recovery and must evaluate its carbon cost across the development lifecycle and plan its design and construction and operation to be net zero**. In reality, the onshore wind sector is not there yet (Viking wind farm is a case

in point where the scale of the development means mitigation options for restoring all the displaced and excavated peatland appear to be impossible).

The type of energy development within a national development category should be refined and focused on energy development that is re-using existing infrastructure (consistent with an infrastructure first approach). Examples could be repowering existing onshore wind development sites, energy development that expands or consolidates existing development in an 'energy cluster' with its own development framework.

While the Scottish Government's draft Onshore Wind Policy Statement makes the case for more onshore wind, it relies on national strategy and planning policy to guide where this expansion takes place and in what circumstances. Applications are currently driven by private corporations and private landowners in competition with each other – not strategic in terms of need, quantity and location. Including National Development Number 12 'Strategic Renewable Electricity Generation and Transmission Infrastructure' in NPF4 means it is also the job of NPF4 to direct the expansion of this development type so that it is in the public interest.

Please provide any other comments on the National Developments section of the NPF4?

No further comments

Part 3 – National Planning Policy

Please provide your views on each of the National Planning Policies in the text boxes provided below.

Policy 1: Plan-led approach to sustainable development

A plan-led approach to sustainable development is commendable but more is needed from NPF4 to make this achievable in practice (please see our response to Questions 1 and 5). The policy places an emphasis on the importance of Local Development Plans guiding long-term land use in the interests of nature recovery and climate resilience. However, to achieve this, all the policies in NPF4 need to take account of the imperatives of nature recovery and climate change. In our response to questions on individual policies we have pointed out where we think a policy can be revised so that it supports nature recovery and helps to reduce carbon emissions or mitigate against adverse impacts of climate change.

Policy 2: Climate emergency

Policy 2b requires development is designed to minimise emissions. This is welcome as a policy but raises questions. How will the Planning Authority know that a development has been designed to reduce emissions? Will the developer be expected to provide a report or evaluation as part of a planning application? If so, this should be made more explicit as a requirement.

Policy 2c states a presumption against approving development proposals that will generate significant emissions. This is also welcome but the wording needs refining to reduce ambiguity and inconsistent interpretation (for example, what is meant by 'significant' emissions?). As more renewable energy development options come forward, planners need to know which proposals are likely to generate the least or no 'significant' emissions and use this information as a transparent and logical way to approve schemes or not. To aid this process they need to receive accurate estimates of emissions from carbon rich soils and

peatlands associated with a proposed development. **An emissions assessment should be a clear requirement for planning proposals.** At present applicants for onshore wind use the carbon calculator to estimate emissions but this needs to be updated in light of improved understanding on how peatlands function and the ways that energy infrastructure can drain peatlands, turning them from being carbon stores into sources of carbon emissions. (Please see response to question 51).

Under Policy 2c national developments and major or EIA development will require a whole life assessment of greenhouse gas emissions. This is welcome but will the Scottish Government favour an assessment methodology to ensure there is consistency in evaluating planning applications for fairness and transparency? **The carbon calculator assessment methodology requires updating to reflect the science on the extent of drainage impacts infrastructure has on peatlands. These updates should include calculating a whole-life assessment.**

We suggest revisiting the wording of Policy 2c ('Where significant emissions are likely (even as minimised) in relation to national decarbonisation pathways but the planning authority is minded to grant consent, emissions off-setting measures may be considered including nature-based solutions'). As drafted, it potentially undermines Policy 2b. If offsetting is an option for 'significant' emissions, then a developer may give less consideration to how emissions can be reduced through design (Policy 2a). We suggest **making the priority order of these policies clear.** That is, development has to be designed to reduce emissions as far as possible. Offsetting being an available option for those emissions that cannot be reduced or eliminated by design. Developers should be asked to evidence their approach to design and account for how emissions have been reduced as much as possible. For those emissions that cannot be reduced, developers should be asked to provide a credible offsetting plan.

The UK Climate Committee's Progress Report to Scottish Parliament (published December 2021) points out that Scotland's Land Use, Land Use Change and Forestry Sector is a net emitter of carbon. This is a national failing. Policy 2 can afford to be bolder about what is expected from the land use, land use change and forestry sector. **NPF4 policies have a role in directing land use to ensure that the amount of carbon stored by the land rises and continues to rise in future decades. NPF4 should make it very difficult for land use changes that would emit more carbon than they remove to proceed.** This could be achieved through stricter carbon credibility and quality criteria for any type of development and discretion for Local Planning Authorities to refuse planning where development significantly impedes the natural ability of the land to store carbon. Further suggested NPF4 policies:

- As part of a development proposal, **applicants be expected to identify suitable sites for the restoration of native carbon sequestering habitats.**
- **Local Authorities to identify and protect degraded and functioning peatland habitats.**
- **Carbon storage values for land and habitats to be provided before any land use change** with estimates for how the carbon store will change following proposed development.
- **Local Development Plans to encourage natural flood mitigation** and defences as part of planning applications.
- Regional spatial strategies that map and **enhance landscape connectivity.**

Policy 3: Nature crisis

Policy 3a is very welcome. We agree that 'Development plans should facilitate biodiversity enhancement, nature recovery and nature restoration across the development plan area'. To help strengthen the outcomes this policy can achieve for nature, and to match the ambition that is needed to reverse biodiversity loss, we recommend **the wording is explicit that restoration across the development plan area requires the identification, creation and protection of nature networks in such a way that enables natural connectivity between habitats and reverses habitat fragmentation**. Examples for Local Development Plans to consider include the mapping and creation of riparian habitats, connected native woodland habitats, mapped areas for the restoration of peatlands and, where appropriate, recognition that Wild Land Areas provide a pre-mapped basis for nature networks, especially across the Highlands.

To aid interpretation of what Nature Networks may include, it would be helpful to expand the list as drafted in Policy 3a and make clear that it is not exhaustive. It is reasonable to expect that regionally what qualifies as a Nature Network can be expected to differ. However, the definition provided in the Glossary is really helpful for recognising that nature networks are about connecting wild places. In this respect they are distinct from 'green networks' and connecting green spaces. Green spaces are not necessarily predominantly characterised by wild nature; whilst open or green in aspect or appearance, they are most likely managed spaces such as country or city parks. We recommend that the list as written in Policy 3a includes the nationally important landscape type, Wild Land Areas, which whilst not protected by statute, remain valued landscapes and important places for wild nature (therefore matching the definition for Nature Networks in the draft NPF4). 83% of the public surveyed in 2019 by NatureScot agreed that Scotland's areas of wild land should be protected and 82% agreed that Scotland's landscapes make an important contribution to the economy.

For Policy 3b and c to be compatible and mutually enforcing, Policy 3c should state that overall a development proposal should enhance biodiversity on a site even where there is adverse impact arising from the construction or operation activities on some parts of the site. This would remove ambiguity or the interpretation that it is enough for developers to minimise harm. That would not be an adequate reading of Policy 3c given the biodiversity crisis is well known.

Policy 3d is really welcome. It has the potential of turning large-scale development into a means to reverse the decline of biodiversity. The land footprint of major EIA and national development can be vast (for example we estimated that the proposed Glenshero wind farm site is equivalent to the size of the city of Perth) therefore the biodiversity enhancement potential of these sites is enormous. Under this policy, the long-term monitoring and evaluation should be a policy requirement of every national, major and EIA development. We suggest removing the wording 'as appropriate' from the sentence 'They should include management arrangements for their long-term retention and monitoring.' This change would make the policy requirement unconditional.

Policy 4: Human rights and equality

No comment

Policy 5: Community wealth building

We support this policy but believe it could be strengthened in a number of ways.

In Policy 5a development plans should not only take a 'people-centred approach to local economic development'; they should take this approach to any kind of development as not all development is 'local economic development'. **National Developments, for example,**

should not be exempt from supporting community wealth building. Changes in land use of any kind should be informed by community wealth building and place-making principles.

Policy 5b could be strengthened by stating **a proposed development must show how it meets the community wealth building priorities.** It could also be strengthened by placing an expectation on developers to monitor and evaluate how development has supported community wealth building. Not only should a development proposal be assessed on how it contributes to community wealth building, but it should be accountable to the community for following through on its contribution. Monitoring of the development with respect to its contribution to community wealth building and evidence of outcomes should be reported in a way that the community can interpret.

Policy 6: Design, quality and place

Policy 6b should recognise landscape design principles where these have been adopted by planning authorities.

To promote careful design that supports Policy 5, community wealth building, and Policy 4, human rights and equality, Policy 6 needs to mention community involvement in the design. **The needs of people living in a place should inform the design of any development.** By making community needs a consideration at design stages it means developers and planners must take the time to explore what communities need. This could help developers consider how design aids or undermines human wellbeing.

Policy 7: Local living

No comment

Policy 8: Infrastructure First

This policy should be more explicit in stating what types of development will be favoured under an infrastructure first policy. On our reading of this policy, it would mean proposals for repowering existing renewable energy development sites and extending existing sites will be viewed more favourably than proposals for new energy development at previously undeveloped sites. This is because the latter would require new infrastructure to be constructed whereas the former would make use of existing infrastructure and should be designed and adapted accordingly. The Hagshaw Energy development cluster and its associated development plan is an example of the collaborative effort required to take an infrastructure first approach. This policy should be strengthened by stating that **collaborative approaches between different developers and landowners are expected in taking an infrastructure first approach.**

An infrastructure first approach should apply to green and blue infrastructure. To aid consistent interpretation, this policy should state that infrastructure can be natural forms as well as manmade. This would support the implementation of Policy 12, which states 'Local development plans should identify and protect blue and green infrastructure, safeguarding existing assets.'

Policy 9: Quality homes

No comment

Policy 10: Sustainable transport

No comment

Policy 11: Heat and cooling

No comment

Policy 12: Blue and green infrastructure, play and sport

Policy 12a, which asks Local Development Plans to identify and safeguard green and blue infrastructure, is a necessity if we are to make places green, healthier and more resilient. However, making places green, healthier and more resilient to climate change requires action. Therefore in Policy 12a or Policy 12h, NPF4 should **require Local Development Plans to support land uses that help to restore and recover nature at the identified and safeguarded green and blue infrastructure sites and areas. Only through nature restoration activity will places become greener, healthier and more resilient to climate change.**

Policy 12b is welcome – outdoor ‘green and blue’ spaces are spaces for children to play and connect with nature and as such they are valuable social spaces that support a child’s health, wellbeing and right to play.

Overall Policy 12 reads with an urban focus with references to ‘parks’, ‘outdoor play facilities’, ‘outdoor play provision’. These references imply formal, man-made environments in green spaces. In supporting human health and wellbeing, **NPF4 should more explicitly recognise the role of wild places, in addition to green spaces.** Empirical research consistently indicates that contact with the natural world provides multiple benefits for human health and wellbeing, including improvements to physical health (through increased physical activity) and improvements to psychological and social wellbeing (such as reduced stress and anxiety, increased happiness, self-esteem and resilience). In addition, research supports the view that spending time in nature is an important childhood experience that promotes personal development, with positive impacts on children’s cognitive processes, academic performance, interest in school, social and emotional skills, and civic interest and engagement. Time spent discovering, exploring and being active in nature and wild places also supports a child’s right to play under Article 31 of the UN Convention on the rights of the child is the right to play: ‘Every child has the right to relax, play and take part in a wide range of cultural and artistic activities’.

In light of this evidence, NPF4 would be more complete if it recognised the role of wild places and Nature Networks in making places greener, healthier and more resilient to climate change. This could be achieved by adapting Policy 12b, which should ask Local Development Plans to identify and protect wild places ‘as part of enhancing and expanding blue and green infrastructure’ and Policy 12f, which should make clear that ‘loss of children’s outdoor play provision’ includes loss of wild places in urban as well as rural areas. Policy 12i should also make it clear that ‘good-quality provision for play, recreation and relaxation’ has to include the creation, restoration and enhancement of wild places – native habitats such as community woodlands – close to new development so that children, young people and families can benefit.

For Policy 12c, development that would fragment green and blue infrastructure would be contrary to the aim of identifying and safeguarding it, so this policy is welcome. However, some types of the national developments listed in NPF4 could, if they were to proceed, fragment existing green and blue infrastructure. To aid consistent interpretation and decision making, **NPF4 should make it clear what is meant by ‘the overall integrity of the network of blue and green infrastructure will be maintained’.**

Policy 13: Sustainable flood risk and water management

No comment

Policies 14: Health and Wellbeing

This policy as drafted fails to recognise the important role that access to green spaces, and nature, has for improving health and wellbeing. Places where people can experience and connect with nature help to reduce cardiovascular disease, depression and anxiety. Green spaces and wild places are often a backdrop to recreational pursuits which keep people active and healthy. To ensure places support health, wellbeing and safety, **this policy requires a provision that there is a presumption to refuse any type of development that restricts people's access to green space and wild places**. The policy should also go further and require that any proposal for development close to existing green spaces (in an urban setting) or wild places (in a more rural setting) should show through its design how it will enhance the natural environment and community access to green spaces and nature. The Covid-19 pandemic highlighted the unequal access that people around the country have to nature. This policy can be re-drafted to address those inequalities and help realise an aspiration **that everyone in Scotland has access to nature and that new development proposals are pro-actively designed to include spaces for nature**.

Policies 15: Safety

No comment

Policy 16: Land and premises for business and employment

No comment

Policy 17: Sustainable tourism

A balance needs to be struck between development of renewable energy and industrialisation of Scotland's finite unique wild landscapes which potentially damage tourism.

Policy 18: Culture and creativity

No comment

Policy 19: Green energy

To ensure a continued expansion of renewable energy development that is low carbon and net zero it is vital that **every renewable energy development proposal is evaluated for its carbon costs** before a planning decision is made and that the expansion is compatible with Policies 32 and 33.

We have some suggestions for how this policy could be revised to ensure energy development that is approved by planning decisions is genuinely low carbon and net zero:

- As drafted, Local Development Plans under Policy 19a should be realising an area's full renewable energy potential. However, this could create unnecessary trade-offs between land uses with missed opportunities to restore peatlands and woodlands which would be in the interests of nature recovery, climate resilience and human wellbeing. To avoid this risk and potential policy conflict, we suggest **Local Development Plans should be identifying the areas in their Local Authority**

where the renewable energy potential can be realised whilst at the same time identifying areas for safeguarding for nature's recovery.

- In current National Planning Policy the onshore spatial framework has guided where onshore wind can be sited. This has been useful for ensuring consistency of interpretation and decision making at Local Authority and Scottish Ministerial levels. We strongly recommend that **a spatial approach for onshore wind is clearly stated and retained in NPF4**. This could be achieved by incorporating the same grouping of areas as those that feature in Table 1 of SPP2 (i.e. areas that are not appropriate for onshore wind, are only appropriate in some circumstances and are appropriate). It could be developed further by Regional Spatial Strategies but would provide a common start point for every Local Development Plan.
- For Policy 19a to be consistent with Policy 8, which requires an 'infrastructure first' approach to planning, we suggest **incorporating a preferential planning hierarchy which prioritises 1) repowering existing wind farms; 2) extending them; and 3) support for energy development clusters before new development on greenfield sites** (the draft NPF4 glossary contains a definition for brownfield and we suggest, for completeness, that it **includes a definition for greenfield too**).
- To aid clarity and consistent interpretation of Policy 19d, which states environmental and landscape impact assessments are needed, **reference should be made to Wild Land Area impact assessments as an assessment consideration within the Landscape and Visual Impact Assessment**.
- It would be helpful if Policy 19 could steer developers on **the integration of different types of green energy development** and how an infrastructure first approach will direct the concentration of development together. For example, the policy as drafted is missing any reference to pumped hydro storage despite this development type being listed for National Development status.
- This policy as drafted is missing references to **decentralising green energy**. By the same token it is missing National Planning Policy **support for community renewable energy development**. Part 1 of the NPF4 draft introduced spatial principles for Scotland 'To build a climate-conscious and nature-positive future, our strategy and the policies that support its delivery are based on six overarching principles.' These six principles include three that should be reflected in Policy 19: decentralising energy networks and building local circular economies, balanced development to enable more people to live in rural and island areas, and a just transition principle.

Policy 21: Aquaculture

We understand that Scotland's salmon farming industry is an important industry to Scotland and provides employment to people in rural communities on Scotland's north and west coasts. We therefore understand why the draft NPF4 policies would seek to sustain and support this industry. However, as consumers are increasingly tuned into the sustainability and providence of food sources, **farmed salmon in Scotland needs to become a brand that is truly sustainable, associated with maintaining clean waters and not undermining Scotland's natural assets. NPF4 policies need to protect the wild waters that the salmon farms operate in as the basis for the industry's future success.**

Policy 21, in its current form, does not go far enough to protect the wild waters of Scotland's inshore coasts and islands against negative impacts from aquaculture development. While

we welcome the statement in Policy 21a that ‘local development plans should guide new aquaculture development to locations that [...] take account of environmental impact, including cumulative impacts that arise from other existing and planned aquaculture developments in the area’, we are concerned that the emphasis placed on ‘industry needs’ and ‘support [for] investment in aquaculture’ will take precedence and outweigh environmental considerations.

Additionally, we do not believe that Policy 21b will provide adequate protection to safeguard migratory fish species, as **the policy does not cover Scotland’s west coast, where the vast majority of fish farm development is taking place, and where wild salmonids are already under immense pressure.** Records show a steady decline of wild salmonids returning to Scottish rivers; this decline has been seen during a time of climate change effects, expansion of industrial fishing at sea and, notably, the development and expansion of the fish farming industry, which is contributing to the deterioration of the inshore waters of Scotland’s west and northwest coasts (cf. the Scottish Parliament’s SPICe briefing on “Wild Salmon” from 2018).

The environmental and ecological impacts associated with open net fish farming are well documented and include negative impacts on the seabed, disease, organic and material waste, sea lice, medicines and chemicals, farmed salmon escapes, sustainability of food supply, plastic pollution and impacts on wild wrasse and marine mammals (cf. the Environment, Climate Change and Land Reform Committee’s “Report on the Environmental Impacts of Salmon Farming” from 2018). **Migratory salmonids rely on healthy coastal ecosystems to complete their natural life cycle, and the upland ecology benefits from the nutrients provided by mature salmonids returning from sea. Safeguarding the health of wild coastal waters and wild salmonids also helps to support the viability of fishing and helps to keep this activity and the knowledge of this species alive, but the negative environmental impacts of open net fish farms are increasingly creating conditions that are making it harder for wild salmonids to thrive.**

With a presumption in Scottish Planning Policy against further salmon and trout fish farm developments on the north and east coasts of Scotland, this **places the pressure on Scotland’s west coast.** This is of particular concern, given the aquaculture industry’s plans to increase salmon production in Scotland to 300,000 – 400,000t by 2030, the upper end of this scale being an effective doubling of the current output (cf. Scotland Food and Drink, “A Strategic Plan for Farming Scotland’s Seas” from 2017). At present, the Scottish Government has not set out how the increased pressures on the environment arising from the industry’s planned expansion will be mitigated. As the carrying capacity of Scotland’s inshore waters for fish farming has never been assessed, **a detailed Strategic Environmental Assessment should be carried out before any expansion of existing farms, or any new farms, can be contemplated on Scotland’s west coast.** This approach would be in line with the Rural Economy and Connectivity Committee’s 2nd recommendation from the 2018 report on “Salmon Farming in Scotland”.

We are concerned to see that Policy 21c, which outlines when development proposals for aquaculture should be supported, **does not outline when development proposals for aquaculture should not be supported.** For example, we believe that a development proposal should not be supported, if it is sited within a protected area. There are several examples of fish farms being proposed within Marine Protected Areas (e.g. Scottish Sea Farms’ recent application for a fish farm in the Wester Ross MPA), and the fact that this issue is not clearly addressed in Policy 21 is highly concerning, as it risks leading to an increasing number of applications coming forward within MPAs and other protected sites. This would place further pressure on Scotland’s precious inshore waters and aquatic ecosystems.

Finally, Policy 21d sets a discouragingly low bar for compliance by using wording such as “acceptable” and “appropriately”, which is arguably open to interpretation. **Scotland has a unique opportunity to become an international exemplar in aquaculture management, but in order to realise this potential Scottish Planning Policy must set high and clearly defined standards for compliance and safeguarding measures that will support the health of Scotland’s wild coasts and wild salmonids.**

If the Scottish Government wishes to safeguard migratory fish species and create a sustainable aquaculture industry in Scotland, **a strong precautionary approach must be applied from the outset to the licensing of both new and existing fish farms** – in line with the recommendations of both the REC and ECCLR Committees. **Tighter monitoring, regulation and enforcement of environmental standards, as well as public accountability measures for how open net fish farms are managed, should be implemented and emphasised in NPF4.** The need for a risk based approach in planning was highlighted in a report published by the Salmon Interactions Working Group in April 2020. This report contained 42 recommendations for the Scottish Government intended to minimise the impact of fish farming on wild salmonids. The recommendations included one that relates directly to planning and NPF4: **‘As a priority, the consenting of new developments should be managed within an adaptive spatial planning model which is risk based, of suitable resolution, underpinned by best available scientific evidence, and takes into account the cumulative effect of management practices of existing developments and impacts on wild salmonid fish.’**

If NPF4 does not clearly address the above mentioned issues, we are concerned that there will be further long-term harm to the health and vitality of Scotland’s iconic wild salmonids. This could mean the potential collapse of a species, with knock-on effects for the health of wild waters and wild land.

Policy 22: Minerals

No comment

Policy 23: Digital infrastructure

No comment

Policies 24 to 27: Distinctive places

No comment

Policy 28: Historic assets and places

No comment

Policy 29: Urban edges and the green belt

No comment

Policy 30: Vacant and derelict land

The re-use of vacant or derelict land is a welcome policy in principle where it is intended to complement an approach to planning decision making that safeguards remote wild places and ‘greenfield’ sites from new built development. However, it would be helpful if Policy 30c could make clear it applies to land anywhere in Scotland (thereby covering remote rural Scotland as well as urban Scotland). The draft policy 30c states ‘Proposals on greenfield

sites should not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the development plan, and there are no suitable brownfield alternatives.’ Greenfield is often associated with undeveloped areas of land around towns and cities. However, more broadly, it should be a term used to describe any undeveloped areas of land, including wilder remote wild places of Scotland, which by definition lack any manmade infrastructure or manmade development.

We would support the wider definition of ‘greenfield’. **A wider definition of ‘greenfield’ is more likely to achieve the planning outcome for improved biodiversity.** Some brownfield sites are havens for biodiversity and site specific surveys should always be required before development. However, across Scotland, the remote rural greenfield sites are the sites to protect for landscape scale recovery. In the wider sense, greenfield sites include Scotland’s Wild Land Areas, wild coastal areas, open moorland, native and regenerating woodlands. These landscapes support habitats such as bogs and peatland, Atlantic woodland, riparian woodland, machair, ponds and wetlands. Connecting these habitats through regional landscape scale restoration partnerships such as the Cairngorms Connect vision and the emerging Perthshire Nature Connections Partnership are essential for improving biodiversity. These ecological connections will be restricted if built development fragments the land. In light of this we would support **a clear NPF4 policy that makes greenfield development for any type of development, a last resort option.**

Policy 31: Rural places

As drafted, Policies 31d and 31f are missing small scale renewable energy. This type of development can provide a sustainable future income for rural communities and planning permission should not be a barrier to local rural communities developing and submitting plans for small scale renewable development. NPF4 policies have a role in supporting the Scottish Government target of achieving 2GW of community and locally owned renewable energy by 2030 (as stated in the Onshore Wind Policy Statement). This target could be exceeded with favourable planning policies in NPF4 which would send a clear signal to the market and investors that small scale renewable energy has Scottish Government backing in rural Scotland.

Policy 32: Natural places

We welcome Policy 32 and commend the Scottish Government for recognising and clearly emphasising the fact that Scotland’s natural environment underpins our economy, health and wellbeing, biodiversity and climate resilience. We support all of the sub-points in Policy 32 – particularly the emphasis on the application of the precautionary principle in Policy 32h – but would recommend that **NPF4 clearly identifies what would constitute “an unacceptable impact on the natural environment” in Policy 32b, as it appears open to interpretation in its current form.**

This policy as drafted provides protection for important sites for nature already designated as Special Areas of Conservation or Special Protection Areas. It also provides protection for National Parks, National Scenic Areas, Sites of Special Scientific Interest and National Nature Reserves. However, as drafted, it is not clearly **providing protection to nationally important peatlands.** We recognise these are the subject of Policy 33 but as ‘natural places’ reference to peatlands in Policy 32 is crucial. In addition, the wording on the protection for Wild Land Areas, whilst welcome, should be more exact to prevent differing interpretations.

We believe it is possible to achieve the onshore wind expansion targets stated in the Scottish Government’s draft Onshore Wind Policy Statement whilst also protecting Wild

Land Areas as nationally valued natural assets. With this in mind, **we strongly support the presumption against development in Scotland's wild land stated in Policy 32i and commend the Scottish Government for having the foresight to protect Scotland's wild land for future generations.** This policy fits with the infrastructure first approach required by Policy 8 as Wild Land Areas, by definition and their nature, do not have any infrastructure in them that could support large-scale development.

However, a note of caution on Policy 32i. As drafted, the policy would require a degree of interpretation of what 'cannot be reasonably located outside of the wild land area'. To prevent a piecemeal and disjointed approach to interpreting what this means, we suggest adjusting the wording slightly to direct its interpretation in Local Development Plans. Some of the draft policies in NPF4 clearly instruct what development plans should do. For example, Policy 5a states 'Development plans should address community wealth building priorities' and Policy 3a states 'Development plans should facilitate biodiversity enhancement, nature recovery and nature restoration across the development plan area'. **Policy 32 should be explicit in stating Local Development Plans should protect wild land areas.**

Another way in which Policy 32 could be more clearly worded to aid certainty and consistency amongst planning decisions is to **define or expand on what is understood by 'nationally and internationally valued natural assets'**. Clarity of meaning could be provided by expanding the text in Policy 32a – with reference to Wild Land Areas – or by including a definition in the glossary.

In SPP2, Wild Land Areas are counted as nationally important valued natural assets. They are included in a spatial strategy that recognises them as 'nationally important mapped environmental interests.' The map, hosted by NatureScot, has been a valuable part of onshore spatial strategy in Scotland since 2014 enabling a huge expansion of onshore wind while protecting Scotland's finest wild landscapes. Over that period, Scotland's power sector has largely decarbonised. The latest Progress Report from the UK Committee on Climate Change to Scottish Parliament published December 2021 confirms 'Emissions savings from the power sector have largely run out'. This means carbon savings and emission reductions need to be made in other sectors – particularly transport, aviation, land use. It also means energy development should proceed in a way that does not compete with other land uses such as peatland restoration and woodland restoration. The UK CCC Progress Report to Scottish Parliament published December 2021 recommended NPF4 'enforcing a favourable planning and consenting scheme for onshore wind and other renewables in manner that is consistent with other policies on land use, supporting repowering and life extension of existing wind power in Scotland, and aligning with adaptation priorities under the Scottish Climate Change Adaptation Programme.' The really critical words being **'a manner that is consistent with other policies on land use...'**

Wild Land Areas need continued recognition in NPF4 so that they continue to be considered in Local Development Plans and by Planning Authorities. This will ensure delivery of Policy 32 alongside strategies for nature's recovery in Scotland (such as Scotland's next Biodiversity Strategy and the 30% of land protected for nature by 2030 target). It would also align with a land use approach to planning decisions that enables landscape scale land management interventions for peatland restoration, woodland creation, deer management, community renewables and expansion of skilled jobs in the land sector.

We agree that small scale development 'directly linked to a rural business, croft or required to support a fragile population in a rural area', which is accompanied by assessments of impact, can be supported. This is a progressive policy that upholds the local living principle. We envisage that it can **enable sensitive, decentralised small-scale energy development in remote rural areas and could complement favourable policies for**

increasing community ownership of small-scale renewables which should in turn support aspirations for community wealth building in Scotland.

Policy 32 should support and further align with Policy 33 by **referring to peatlands as nationally important and finite assets which merit protection and restoration due to their importance for biodiversity (rare wading birds with declining populations rely on peatland habitat), as the most important terrestrial carbon store and for their cultural significance** too. The precautionary principle in Policy 32i should be specifically applied to proposals for large-scale development on peatlands in addition to other sensitive ecological sites. Applying this principle for peatlands is justified given we know important they are as a carbon store.

Policy 33: Peat and carbon rich soils

Policy 33c does not go far enough to protect peatlands. Peatlands are the UK's most important terrestrial store of carbon. According to the IUCN, the UK has nearly 3 million hectares of peatlands making it one of the world's top ten countries for peatland areas. This means that protecting these areas has global as well as national significance when it comes to reducing carbon emissions.

Policy 33c provides a presumption against development on peatland, carbon rich soils and priority peatland habitat. However, two of the exceptions listed to this presumption undermine how effective it will be in protecting the nation's peatlands.

Over recent years one of the main causes of damage to peatlands (some of which were already in a degraded state but had restoration potential) has been from large-scale onshore wind energy development and associated energy infrastructure (substations, power lines). We know that peatlands are valuable and we know that large-scale development damages peatland, a prudent approach to land use for carbon capture and storage would be to protect peatlands and prioritise their restoration with any type of construction on peatland taken as a last case, worse case, resort.

In evidence given to the Rural Affairs, Islands and Natural Environment Committee, on Wednesday 8 December 2021, Professor Sir Dieter Helm (University of Oxford) said:

'The wind farms versus peat bogs question is complex. In theory, both have value, and the wind farm, if it were to go on to a peat bog, should have to pay for all the carbon emitted from the peat bog as a result of its activities. My guess is that that would rule out virtually any wind farm on a peat bog. In practice, the peat is so precious and such a global asset that the contribution of individual wind turbines to global warming is not sufficient to offset the value of those peat bogs.'

*'We should remember that wind is a disaggregated, decentralised and very low-energy intensive way of generating electricity. That is not to say that we should not do it or that it is not desirable to have wind. However, given the amount of land in Scotland and the amount of coastal waters around the United Kingdom, **if our efforts in relation to climate change end up with us covering peat bogs with wind farms, we might as well admit defeat now and give up. That would be a tragedy of an outcome with no net benefit in relation to global warming and the concentration of carbon in the atmosphere that we should be addressing.** Before we do that, we should therefore think hard.'*

The policy as drafted asks for 'detailed site specific assessment' of the 'depth, quality and stability of soil and the effects of the development on peatland, including the likely effects of development on CO2 emissions.' The accuracy of these assessments is critical to planning

authorities being able to understand the quality and extent of peat present on a site and the approaches to design needed to avoid damaging the peatland.

As part of these assessments **developers should complete a carbon calculation which should include how much carbon will be released from the construction activity at a site.** To date developers have been using the Scottish Government's carbon calculator tool to estimate how much carbon is emitted from construction activity. This includes values for carbon emitted when tracks are constructed through or on peatland and from peat that is excavated.

The draft NPF4 does not make reference to the carbon calculator despite this being a tool developed with the intention of understanding a development's impact on peat. It is important that developers accurately evaluate the carbon that could be released from damaging and displacing peatland at a proposed site. This information is critical given that peatlands are the UK's most important terrestrial carbon store. **Without accurate assessments of the carbon that could be released from a site, the presumption should be against development at a site.**

To aid accurate assessments, the calculator needs to be updated to reflect scientific understanding of how peatlands function.

- 1) Developers need to consider and adjust calculations to account for the likelihood that the extent of drainage is much greater than has been predicted previously. The local formation of channels within the peats can extend the drainage much further than would have been expected. Because it takes a long time to properly estimate extent of drainage, developers are likely underestimating the extent of drainage in their carbon calculations.
- 2) The carbon assessment takes into consideration carbon savings from peat that is excavated and can be re-used. However this assumes that peatland that is excavated can be re-used. In all reality it is very difficult to save peat once it is dug up and starts to dry out. The carbon savings from any peat re-use should be re-visited with a default assumption that the 'stored' peat will be emitting carbon.
- 3) Carbon savings from peat restoration could be over-estimated when we know that real life restoration takes decades for peatland to reach a condition when it is storing carbon again.

NPF4 should be explicit on the requirements for peatland restoration activity across any development site and request a commitment from the developer to fund this and monitor improvement for the long-term. This commitment should be expected as part of any planning consent, which should be enforceable by a Planning Authority.

Until the carbon calculator is revised and decision makers can get a more accurate assessment of the carbon payback period, Local Development Plans should make it clear to developers that any large-scale onshore wind turbine proposed on deep peat will be refused planning consent. **There should be the expectation from the outset that developers design development to avoid peat.** NPF4 should signal this requirement for local authorities through its policy wording. This would be in accordance with the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 and the duty on public authorities to have regard to the environmental principles. Reference should be made to NatureScot's map of deep peat and carbon rich soils and SEPA should be the regulatory body that developers would have to engage with at the earliest opportunity to take advice about peatland matters.

In addition, NPF4 should assert that it is reasonable for Local Authorities to impose a maximum payback period for onshore wind development. Any development that had a payback period over that maximum should then be refused consent by the Planning Authority. The maximum period would need to be informed by the science and for that we suggest an urgent review of the carbon calculator.

For peatland management plans to be meaningful under Policy 33 there needs to be reassurance that the plans are being implemented and that the intended outcomes are being achieved. In addition to a commitment from developers to undertake site wide restoration of peatlands, there should be a commitment, with associated reporting requirements, to compliance and accountability, that the design of a development avoids peat and any peat that is disturbed is restored.

Policy 2c should align more closely with Policy 33 by referencing peatland emissions assessment as part of a life emissions assessment for development. We and others have noticed that the brief reference to the calculator in SPP 2014 at paragraph 169 has been dropped from the equivalent list in Policy 19k and that there is no reference to the SNH 2016 carbon/peatland map.

Policy 34: Trees, woodland and forestry

We are pleased to see the emphasis that NPF4 places on the importance of trees and woodlands and the commitment towards protecting and enhancing Scotland's woodlands. We welcome Policy 34a. However, we would recommend including an emphasis on native trees rather than non-native trees such as Sitka spruce, which do not generally help to improve ecological connectivity and are associated with low biodiversity. In terms of the expansion of woodlands, natural regeneration with minimum intervention should be encouraged and facilitated where possible. Where re-establishment techniques such as re-seeding or direct planting is necessary, indigenous stock sourced as locally as possible should be used, and planting should be based on local site assessment in as natural a manner as possible. There should be a presumption against planting on deep peat to avoid damaging active peatlands.

We welcome Policy 34b, particularly the point that 'development proposals should not be supported where they would result in: any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition'. We recommend that Scotland's rainforest is included on this list, in order to give this internationally important habitat the recognition it is due as one of Scotland's rarest and most precious habitats. We also believe there should be a clear definition of ancient woodland in the glossary to promote a shared understanding of what this means.

In terms of Policy 34c and 34d, NPF4 should stress the importance of safeguarding the remaining fragments of ancient woodland and Scotland's rainforest, as well as protecting native woodlands against any adverse impacts. Where development proposals involve woodland removal, developers should adhere to a "like-for-like or better" approach in terms of compensatory planting. For example, native trees should not be replaced with non-native trees such as Sitka spruce, as this would lead to a net-loss of biodiversity.

While we welcome the emphasis on sustainably managed woodland in Policy 34e, we would like to see Scotland become less dependent on Sitka spruce. It is undeniable that Sitka produces timber at speed, and we recognise that we will continue to need timber products for the foreseeable future. That being said, we need to make our forests more resilient to disease, severe weather and longer-term climate change, and forests with mixed trees and a healthy component of native species will be more resilient to future threats. Additionally, the dense canopy of Sitka plantations are associated with a lack of species diversity. Records

show that biodiversity in Scotland continues to decline (cf. “State of Nature Scotland” report from 2019), and we should therefore take every opportunity to diversify and restructure tree plantations in Scotland – this would benefit biodiversity, make them more attractive places for leisure and recreational pursuits and improve ecosystem services such as soil conditions and water quality. Overall, forestry practices with the least impact and using native species should be preferred.

Care needs to be taken in ensuring there are not future land use trade offs between forestry creation and peatland protection and restoration. Both woodlands and peatlands are important for carbon storage and for carbon sequestration. As a general rule, planting trees on peatland is ill advised with poor outcomes for biodiversity, timber production and climate. NPF4 should direct woodland and forestry planting to take place on mineral soils, on the fringes of healthy functioning peatlands where they could be expected to form naturally, or in the scrub woodland zone below upland blanket bogs where they would help to stabilise the soils and prevent upland erosion.

Policy 35: Coasts

No comment

Part 4 – Delivering Our Spatial Strategy

Aligning Resources

No comment

Infrastructure First

Please see our comments on the infrastructure first policy.

Delivery of National Developments

Please see our comments on individual national developments.

Development Plan Policy and Regional Spatial Strategies

No comment

Monitoring

We note that monitoring and evaluation is included in the priorities for delivery and think this work will be crucial for understanding whether NPF4 is achieving the six outcomes in the Planning (Scotland) Act 2019. For the purposes of monitoring whether the six outcomes are being met through the national planning policies, the Scottish Government will need to devise indicators for the application of these policies which can track change over time. That change needs to be attributable to planning decisions that are being made as a result of the planning policies.

Monitoring change over time should be accompanied with regular reporting, we suggest, to the Scottish Parliament. According to the Planning (Scotland) Act 2019 the next review date will be ‘no later than 23 June 2024 (being 10 years from the date on which the framework was last published before this section came into force)’. Thereafter reviews are expected to

be every 10 years. Given the importance of the policy and the six high level outcomes it needs to achieve, we suggest that if any policy is considered as under-performing based on monitoring data, there should be an review of that policy with a process for adjusting it before the formal review is completed.

Annex A explains which policies are directly relevant to the six outcomes. We were surprised that only some policies in the draft text were referred to. For NPF4 to achieve the hoped-for outcomes we would expect every policy to be contributing towards at least one of the outcomes. A monitoring and evaluation framework would devise indicators for measuring how each of the policies supports at least one of the outcomes and a monitoring process would need to be resourced properly to gather all the data needed.

Part 5 - Annexes

Please provide your views on Annex A.

No comment

Please provide your views on Annex B.

No comment

Do you have anything else to add in relation to the draft of the National Planning Framework (NPF4)?

We note definitions have been included in the draft NPF4. Some definitions are missing which could be helpful for aiding a shared understanding and consistent policy interpretation:

Wild Land Areas – to be defined as nationally important natural assets so that Policy 32a clearly applies to the future protection of Wild Land Areas and wild land in Scotland. In SPP2 Wild Land Areas were helpfully defined as ‘nationally important mapped environmental interests’ which made it clear that 1) they were nationally important and 2) that they already existed in clearly defined, mapped terms independently of planning policy.

Wild land – to be defined as land within Scotland’s 42 mapped Wild Land Areas. This definition has already been applied in Policy 32i ‘wild land (per Nature Scot Wild Land Areas map 2014)’ so re-stating it in the Glossary can re-affirm a common understanding.

Peatland, carbon rich soils and priority peatland habitat – these words are used in Policy 33 but are not defined. For clarity and consistent interpretation of this policy it would be helpful to define them. SPP2 defined peatland, carbon rich soils and priority peatland habitat as ‘nationally important mapped environmental interests’. This definition should be applied in NPF4 as it usefully indicates that data and maps delineate and provide clarity on where areas of peatland, carbon rich soils and priority peatland habitat exist without precluding the need for on-site assessments.

Ancient woodland – provide a definition for inclusion.