Scottish Government's National Planning Framework 4 'Call for Ideas'

A response from the John Muir Trust

About the John Muir Trust

The John Muir Trust is a conservation charity dedicated to the experience, protection and repair of wild places. We own and manage nine estates in some of the more remote and sparsely populated areas of Scotland: Sandwood (North West Sutherland); Quinag (Assynt); Strathaird, Sconser and Torrin (Skye); Li and Coire Dhorrcail (Knoydart); Ben Nevis (Lochaber); East Schiehallion (Perthshire), and Glenlude (Tweeddale).

We also work in formal partnership with five major community landowners on the Western Isles and West Highlands (Galson Estate Trust; North Harris Trust; West Harris Trust; Assynt Foundation; Knoydart Foundation) which together own over 30 per cent of the total community-owned land area in Scotland and represent 15 per cent of the population of those who live on community land. We are also in landscape partnerships with multiple community, government and private landowner partners around our properties at Quinag, Ben Nevis and Schiehallion.

Since 2014 we have invested nearly £1million pounds in visitor management infrastructure projects in some of the more remote rural parts of the country, including footpath construction and restoration, installation and upgrading of toilets and car parking facilities, most of which has employed local contractors. We organise the equivalent of up to 700 volunteer days per year in these areas, carrying out a vast range of conservation activities including clearing rubbish from beaches and footpaths; tree planting; path maintenance; removal of invasive species; and structural repairs to walls, fences and buildings.

We also employ a team of staff in Scotland to run the John Muir Award (our engagement initiative to connect people to wild places), working with almost 2,000 schools, in addition to other community organisations, this is on offer in every Local Authority Area. The Award connects tens of thousands of mainly young people with wild nature (with over a quarter of participants coming from socially excluded backgrounds) each year. The conservation work carried out by John Muir Award participants in Scotland has been valued at almost £800,000 a year.

As an organisation that aims to conserve and protect wild places, with a special interest and expertise in Scotland's wild land and wild places, we have focussed much of our comment in response to the five questions asked by the Scottish Government in this Call for Ideas accordingly.

1. What development will we need to address climate change?

The John Muir Trust fully supports the Scottish Government's drive to achieve a net-zero carbon economy by 2045 at the latest, and we recognise that the move away from fossil fuels towards a fully decarbonised electricity sector has a vital role to play if we are to meet these targets.

We note that, according to the Scottish Government's Annual Energy Statement 2019, Scotland is already on target to run on 100 per cent renewable electricity generation by 2020. We recognise too that future advances in transport and heating will require further renewables capacity, though these are likely to be focused on hydrocarbons (transport) and ground-sourced and air-sourced heat pumps (heating). Against that background, we believe that one of the biggest advances we can make towards our net zero emissions target will be through transformational change in land use.

To help this transition, we need to start thinking about development, for the purposes of planning and Scotland's next National Planning Framework, as an expression of choices we make about land use. This means thinking about development in the broadest sense, to include green and blue 'infrastructure', the expansion and restoration of peatlands in Scotland's wild land, as well as elsewhere, the restoration of wetlands and development that protects and enhances our wild land. Each of these development types could be summarised in a development category for 'ecological restoration'. By including this as a category for development in the next National Planning Framework, we could ensure the ecological and carbon sequestration potential of Scotland's land is not lost for future generations.

Scotland is unique within the United Kingdom in that it still has extensive areas that, although modified over the centuries by human activity – for example through deforestation, burning, draining and overgrazing connected with livestock and deer stalking for sport – have the potential for landscape-scale ecological restoration. These areas have been mapped by the government's advisory body, Scottish Natural Heritage (SNH), in the form of a Wild Land Areas map. This map of 42 Wild Land Areas, published by SNH in 2014, provides a spatial framework that identifies those parts of our landscape that can make a major contribution to addressing climate change, for example, through woodland and peatland restoration on an extensive scale.

The next National Planning Framework could have an influential and unique role in articulating a positive vision for the restoration of Wild Land Areas based on their future carbon sequestration potential as well as their national value as representative of Scotland's finest landscapes (in The Scottish Nature Omnibus Survey 2019, which asks the public for their view on Scotland's landscapes, 83% of respondents said Scotland's areas of wild land should be protected). In doing so, it could strengthen the existing provision at paragraph 200 of Scottish Planning Policy, which places an expectation on Local Authorities to '*identify and safeguard'* areas of wild land in their local development plans: '*Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas.*'

Planning has an important role in directing our resources efficiently by ensuring that developers and those making planning decisions understand the carbon sequestration value of land, not just in its current condition, but with respect to its potential value, if that land is restored to support fully functioning ecosystems. If we allow development to proceed which undermines the potential for future ecological restoration, it will take us further away from achieving the outcomes of Scotland's Climate Change Plan, and we will fail to address the drivers of biodiversity decline as set out in the State of Nature Report 2019. The potential for land, soils, waters, plants and trees to absorb carbon through ecological restoration must be

a major consideration when assessing the suitability of all large-scale development under the next National Planning Framework.

A resource-efficient and asset-based approach to development that addresses climate change would protect the integrity of our existing functioning peatlands, which store 1.7 billion tonnes of carbon (equivalent to 140 years' worth of Scotland's total annual greenhouse gas emissions), and repair degraded peat so it can achieve its full carbon sequestration potential. For the purposes of planning, this means banning the commercial extraction of peat; developing a spatial strategy that protects peatlands that are already intact; and ensuring that every development proposed on peat is subject to rigorous independent assessment and has applied up-to-date guidance.

The next National Planning Framework should contain a set of clear criteria for what is and is not acceptable development on peat, retaining references to Scottish Natural Heritage's peatlands map from existing Scottish Planning Policy (at paragraph 161 and Table 1). It should also distinguish different grades of peat (peatlands that are healthy eco-systems from peatlands that are already degraded); and, it should update the carbon calculator and guidance for impact assessment to capture present understanding of the carbon and ecological significance of peat.

We understand the need for the right kind of development in the right place. Many of our most sparsely populated rural areas, for example, desperately need affordable housing, schools, health centres and community facilities. Other types of development are more contentious. As a general rule, we believe that all development should be required to apply a precautionary approach to protecting the environment which informs the design, siting and construction methods. For commercial development which does not primarily serve any community or public need we would support the principle of mandatory biodiversity net gain, requiring the applicant to demonstrate that at least an equivalent area of land as that lost to development would be enhanced and natural habitats restored.

2. How can planning best support our quality of life, health and wellbeing in the future?

Planning will best support quality of life, health and wellbeing if every decision at every level is guided by a set of environmental principles which recognise human life is predicated on fully functioning life cycles which replenish and store nutrients and energy: healthy soils, clean water, resilient, connected and diverse habitats with an abundance and distribution of biodiversity needed to sustain ecosystems.

Planning will also support our quality of life by recognising and protecting the quality of our wild landscapes. The quality of Scotland's wild landscapes is recognised as a major driver of Scotland's economy (in the recently published Scottish Nature Omnibus Survey 2019, 82% of respondents stated Scotland's landscapes make an important contribution to the economy). They are also an important part of our cultural heritage and a source of inspiration for our creative and cultural industries. Scotland's finest landscapes support human vitality and health (see, for example, research led by the Scottish Landscape Alliance on how quality landscapes positively affect human health); inspire awe, wonder and a sense

of peace; and provide space for challenge, reflection and adventure beyond the day-to-day. The livelihoods of people who live in or near these landscapes are interwoven with the health of the landscapes. Rural businesses in the tourism, heritage, food, farming and cultural sectors are also underpinned by a quality landscape.

Paragraph 4.4 of the Third National Planning Framework recognises the role of Scotland's landscapes, including our wildest landscapes and wild land, as contributing to our quality of life, '*Scotland's landscapes are spectacular, contributing to our quality of life, our national identity and the visitor economy'*, '*landscapes support place-making'* and '*we also want to continue our strong protection for our wildest landscapes – wild land is a nationally important asset. Closer to settlements landscapes have an important role to play in sustaining local distinctiveness and cultural identity, and in supporting health and well-being*.' We ask that the next National Planning Framework continues to recognise the role of all landscapes, including our wildest landscapes, and wild land, in contributing to quality of life, health and wellbeing of present and future generations by carrying over the wording from the existing National Planning Framework.

Planning, and specifically the next National Planning Framework, can give a spatial expression to the National Outcome for the environment ('*We value, enjoy, protect and enhance our environment'*) by identifying and recognising the significant contribution to quality of life made by our National Parks, National Scenic Areas, Wild Land Areas, coasts, waters, islands, and Special Landscape Areas (which, collectively, for the purposes of planning, could be considered under the expression 'green and blue infrastructure'). A spatial approach to planning should identify our existing 'green and blue infrastructure', where this can be expanded, and where connections between existing 'green and blue infrastructure' can be made or strengthened, so that more people have access to, and can benefit from, nature and wild places.

Existing Scottish Planning Policy at paragraph 193 recognises that the natural environment is the foundation of a spatial strategy; that the environment is a '*valued national asset'*, and, that planning has a role in protecting the environment, enhancing it and promoting access. The next National Planning Framework needs to maintain this recognition because the health of our environment underpins quality of life for all. It must also go further, by setting a duty on planning authorities to be proactive, through the decisions they take, in applying precautionary principles of harm to protect and enhance our land, soils, waterways, coasts and landscapes. This could be achieved by requiring every development to be compatible with the National Outcome for the environment. Any development that is contrary to any aspect of this outcome – be it valuing, enjoying, protecting or enhancing our natural environment – should not proceed. The burden ought to be on the developer to demonstrate how this outcome will be achieved.

Planning can also support quality of life, health and wellbeing through processes that put people first by ensuring the following:

- Community involvement in planning decisions – in recognition of the reality that local people are best placed to understand the potential positive and negative impacts of these decisions on their quality of life, health and wellbeing.
- Planning decisions are further informed by evidence and opinion from communities of interest that can share specialist knowledge and expertise on issues of relevance.

- Planning decisions are evaluated against evidence of what works for achieving quality of life and the health and wellbeing of future as well as present generations.
- Planning policy embodies conditions for planning approval which mean the natural features and qualities of landscapes are enhanced if the development is approved and there is a follow-up mechanism for evaluation and reporting. This could be achieved through a principle of mandatory biodiversity net gain for all new commercial development which does not primarily serve any community or public need (as expressed in response to question 1).

3. What does planning need to do to enable development & investment in our economy to benefit everyone?

To enable development and investment in our economy that benefits everyone, planning needs to advance the Scottish Government's wellbeing economy. That means placing peoples' quality of life on an equal footing to economic growth. To achieve this, the next National Planning Framework could set out a public interest test for all development. Such a test could incorporate the National Outcome for the environment with the condition that new development of a certain scale and size is only approved if it can demonstrate that it enhances quality of place and the natural environment, aligns with community interest (which could be evidenced by Local Place Plans) and promotes human health and wellbeing. Each of these measures is, in turn, a fundamental driver of our economy, enabling productivity, innovation and investment.

There is a growing local economy around eco-tourism and conservation across some of Scotland's most sparsely populated areas that relies on the wild character of these areas being maintained. This is already in evidence through the enterprising work of community land owning trusts on the Western Isles, as well as the work of conservation charities. The organisation Trees for Life, for example, is set to open the world's first rewilding centre near Loch Ness, which is expected to welcome over 50,000 visitors annually, boosting the rural economy by providing a new attraction on the journey between Loch Ness and Skye, and benefiting the local community through at least 15 new local jobs.

With a growing potential to support local economies in Scotland (and not just in the Highlands), ecological restoration at landscape scale should be considered as a category of every development plan. Existing partnerships for landscape-scale restoration provide models for development plans; for example, the Heart of Scotland Forest Partnership, Nevis Landscape Partnership, Coigach and Assynt Living Landscape Partnership, Cairngorms Connect and Great Trossachs Forest are partnerships whose work could all inform development plans. These plans could be a way of helping to coordinate the Scottish Government's policies across planning, land use and land reform agendas through Regional Land Use Frameworks.

Alignment of Scotland's Infrastructure Investment Plan with the Land Use Strategy and emerging Regional Land Use Frameworks will be important in enabling development that benefits everyone. This will only be achieved through coordination and identification of priorities and mechanisms that operate across the country through the next National Planning Framework and the Land Use Strategy.

4. How can planning improve, protect and strengthen the special character of our places?

Planning can protect the special character of Scotland's most scenic landscapes and its nationally recognised wild places by defining what kind of development is appropriate, based on careful consideration of the special qualities and characteristics of these areas (careful consideration of the qualities and characteristics of Scotland's Wild Land Areas has already been completed by Scottish Natural Heritage). Direction and guidance given by planning authorities for what is appropriate should be evidence-based, consider the special qualities and characteristics of areas and the existing environmental baseline as well as the future baseline with and without the development.

Planning should adopt an approach to improve, protect and strengthen the special character of the places that we already recognise as special in existing planning policy and statute. This is taking an assets-based approach to future development. The existing National Planning Framework, at paragraph 4,4, recognises wild land as a '*nationally important asset*'; wording that is mirrored in existing Scottish Planning Policy at Table 1 where '*areas of wild land*' are listed as '*nationally important mapped environmental interests'*. This recognition is consistent with summaries within Scottish Natural Heritage's 2017 report, 'A review of the social, economic and environmental benefits and constraints linked to wild land in Scotland', which found that '*Wild Land Areas contain nationally important stocks of a range of habitats which can be associated with a range of ecosystem services. In particular, Wild Land Areas provide important regulating services including erosion control, water flow regulation and climate change mitigation. The supply of cultural ecosystem services such as recreation and well-being is particularly high*.'

Scottish Natural Heritage's map of 42 Wild Land Areas has helped to inform planning policy since 2014 and can continue to have a role in improving, protecting and strengthening the special character of our wildest landscapes and wild places. Page 39 of existing Scottish Planning Policy contains a spatial strategy for industrial scale windfarm development by reference to the Wild Land Areas map. The existing spatial framework creates three groups. *Group 1: areas not appropriate for windfarm development ('National Parks and National Scenic Areas'); Group 2: areas of significant protection where windfarm development may be appropriate under some circumstances ('areas of wild land as shown on the 2014 SNH map of wild land areas; carbon rich soils, deep peat and priority peatland habitat') and Group 3: areas with potential for wind farm development.* Paragraph 169 of existing Scottish Planning Policy makes it clear that every development must '*take account of spatial frameworks for wind farms and heat maps where these are relevant'* and outlines relevant considerations, these include '*landscape and visual impacts, including effects on wild land*'.

By giving weight to the significance of the wild qualities of these areas and the need to consider impacts on the wild qualities of these areas, existing Scottish Planning Policy has helped to protect these areas from inappropriate development. Paragraph 215 of existing Scottish Planning Policy states: '*In areas of wild land (see paragraph 200), development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation*.' In practice, this has led to developers assessing impacts of large-scale windfarm development on Wild Land Areas and these assessments have helped to inform planning decisions.

We ask that the wording that we currently have in the Third National Planning Framework and Scottish Planning Policy, which recognises the national importance of wild land and Wild Land Areas and gives weight to the wild qualities of these areas in assessing whether development is appropriate, is carried over into the next National Planning Framework and that the Wild Land Areas map is retained as part of a spatial framework. Protecting large areas of natural asset or producing renewable energy is a false choice. Retention of the Wild Land Areas (by reference to the importance of the areas themselves and the role of the Wild Land Areas map) in planning will help to ensure that developments can be sensitively sited to produce the energy we need whilst protecting our most fragile and precious natural assets.

Our vision for Wild Land Areas is that they could play a major role in addressing the climate and biodiversity crises, while significantly boosting rural economies through the investment that would be needed in people, partnerships, expertise and skills. The John Muir Trust is commissioning academic research into the potential for combined ecological, social, cultural and economic regeneration of some of Scotland's sparsely populated areas which will involve focusing on a sample selection of the mapped Wild Land Areas. The next National Planning Framework offers an opportunity to unveil a national vision for the ecological restoration of Scotland's Wild Land Areas as an integral part of sustaining and revitalising rural and remote rural communities in Scotland.

For landscapes that already receive statutory protection - our National Parks and National Scenic Areas - the next National Planning Framework will need to continue to recognise their national importance and special characteristics and, in the context of a declared climate emergency, protect the potential of these areas to respond to and help address climate change. For National Parks, it can do so by continuing to uphold their first objective. In addition, development plans for National Parks should support the first objective of National Parks, and planning decisions should be consistent with the priority weighting of the first objective. Within development plans for National Parks, there should be a development category for ecological restoration as in this respect planning can help National Parks to fulfil their primary objective.

For National Scenic Areas, the next National Planning can protect these areas of outstanding scenic value by reflecting the amendments made to the Town and Country Planning (Scotland) Act 1997 as described in the Planning (Scotland) Act 2019.

The spectacular nature of Scotland's coasts and waters help to define our national landscape in addition to wild landscapes inland. Existing Scottish Planning Policy expects local development plans to safeguard Scotland's coasts. It states, at paragraph 91, '*plans should safeguard unspoiled sections of coast which possess environmental or cultural qualities, such as wild land*.' In recognition of the wild qualities that define many of Scotland's coastlines, out with the existing recognition provided to Wild Land Areas, the next National Planning Framework should continue to assert this expectation.

5. What infrastructure do we need to plan and build to realise our long term aspirations?

To realise long-term aspirations for a low carbon, net zero society, where nature and people are thriving, we need planning and the next National Planning Framework, to interpret 'infrastructure' in its broadest sense to include 'green and blue infrastructure'. We can then identify, improve on and expand, the green and blue 'infrastructure' (e.g. wildlife corridors, national parks, canals, riverbanks, flood plains, forests) that we have and need. We need this infrastructure if we are to restore the damaged ecosystems, on which all life depends, and increase the quality of places where people can re-connect with nature and the land on which we all depend.

For our towns and cities, we would like to see the next National Planning Framework embed a green target for all citizens to have access to greenspace within 250m of their homes (mirroring a target set in the city of Umeå in northern Sweden). This would be achieved by improved connectivity between green places (cycle and walkways) as well as by increasing in number and/or expanding our existing green places in our urban areas.

By helping to incentivise the creation of more green infrastructure, the next National Planning Framework can accommodate the transformative land use required to reach net zero emissions. The Committee on Climate Change report, 'Land use: policies for a net zero UK', published February 2020, recommends '*restoring at least 50% of upland peat and 25% of lowland peat' and 'increasing UK forestry cover from 13% to at least 17% by 2050 by planting around 30,000 hectares (90 – 120 million trees) of broadleaf and conifer woodland each year.*'

In 2018-19 Scotland exceeded the woodland creation target in the Climate Change Plan. Over the next fifty years we need to significantly raise the ambition for green and blue infrastructure by:

- Working with landowners to identify land for progressive, transformative land management and its restoration (this could be achieved through the Regional Land Use Partnerships).
- Identifying and planting half a million hectares of land where native woodland can regenerate (this could be achieved through the Regional Land Use Partnerships).
- Identifying and restoring degraded and deteriorating peatlands under a national peatland restoration programme.
- Embedding integrated land use in our next National Planning Framework so that across land uses the national ambition for a low carbon future, where declines in biodiversity are reversed, can be achieved throughout Scotland.
- Realising a Scottish Nature Network/National Ecological Network through the next National Planning Framework, as proposed by Scottish Environment LINK, with existing protected areas and Wild Land Areas (which already contain two thirds of existing National Scenic Areas) at the core of a wider landscape network. This network has been described as a '*national vision to create a rich network of natural habitats across Scotland and a commitment to deliver that. Promoting an overarching ambition for restoring and reconnecting nature and a spatial vision of where and what could be achieved, would give us all a common purpose and show where best to target collective action and investment. Applying strategic planning to our green and*

blue infrastructure, as we do with built infrastructure, would catalyse the necessary step change in level of action.' (Landscape Scale Conservation Working Group of the Scottish Biodiversity Strategy Working Group Paper).

Infrastructure built now needs to be fit for the future. That future needs to be resilient to climate change impacts (flooding, more severe weather patterns, peaks in summer temperatures); align with the principles of a circular economy; decarbonised to achieve net zero emissions; and delivering outcomes for biodiversity, human health and wellbeing.

At this stage we cannot afford to invest in infrastructure that in ten to fifty years from now represents stranded assets and reduces the ability of our land to support life. This means that before we build infrastructure that creates impermeable surfaces, disturbs soils and destroys habitats, we need to more rigorously assess at design stage how all proposed infrastructure will interact with nature in the immediate vicinity as well as upstream and downstream.

Design stage assessment should include, amongst other things, whether the infrastructure will increase the risk of flooding, cause the release of carbon dioxide from soil and peat disturbance during construction or after, or fragment habitats (leading to further loss of biodiversity). Infrastructure design should first reduce as far as possible and mitigate any harm to soils, plants and life, and secondly, enhance or add to life and the natural fabric of places. We would further suggest that all approved infrastructure should be periodically assessed for environmental, ecosystem and health impacts, and with mandatory requirements in place that would compel developers to redress damage over a reasonable timeframe.