

Woodland Trust Scotland response National Planning Framework Call for Ideas

Woodland Trust Scotland (WTS) welcomes the opportunity to contribute to this call for ideas.

The comments that follow are delivered on behalf of the UK's leading woodland conservation charity. We have four main aims: ensuring no further loss of ancient woodland, restoring and improving woodland biodiversity, increasing new native woodland creation and increasing people's understanding and enjoyment of woodland.

We own over 1,000 sites across the UK, covering approximately 27,000 hectares (ha). In Scotland we own and care for around 60 sites covering in excess of 11,300ha which include the 5,000ha Glen Finglas estate and significant urban forestry holdings in Glenrothes and Livingston. We combine the promotion of public access with forestry, farming and conservation of the natural and cultural heritage. The Woodland Trust has 500,000 members and supporters.

In this call for ideas response we will answer the general set of questions as well as the specific questions on the policy issues on the natural environment.

Summary

Woodland Trust Scotland would like to see the following policy provisions in the NPF4:

Development needed to address climate change

- Recognition that increasing woodland cover can be part of the toolset to address the nature and climate emergencies through native tree planting and native woodland expansion.
- Protection of existing ancient woodland and veteran trees, as well as their soils, from adverse impact of development, recognising the longevity of trees and woodland ecosystems in policy criteria.
- Increasing the urban forestry canopy cover across Scotland's towns and cities to deliver ecosystem services and facilitate climate change adaptation in urban areas where most people live. Local authorities should commit to a minimum target for tree canopy cover in new developments of 30%.
- Supporting tree planting on vacant and derelict land to provide carbon absorption and high quality green space close to where people live.
- Specifying environmentally friendly building design through the planning system. The increased use of locally grown timber from sustainably managed forests should be supported in construction.

Planning to support quality of life, health and wellbeing in the future

- Policy criteria should ensure that health inequalities are minimised through adequate provision of accessible green infrastructure in all areas, not just in 'green leafy suburbs.'
- Integration of trees and woodland into green networks across our towns and cities to facilitate sustainable urban development.

Planning to enable development and investment in our economy

- Recognise that investment in green infrastructure, including trees and woods, provides a range of natural capital benefits that support the economy.
- Policy criteria that make use of developer contributions and levies to provide the non-market goods that are facilitated by green infrastructure.
- Include natural capital benefits in economic considerations of developments.
- Increase tree and woodland cover in areas where communities are to support employment and support the rural economy in its just transition to a net-zero economy.

Policies are needed to improve, protect and strengthen the special character of our places

- Strengthen policy wording for the protection of ancient woodland and veteran trees, following the wording and definitions of these in the NPPF in England, including for the provision of buffer zones between ancient woodlands and proposed developments.
- Update the Ancient Woodland Inventory to allow compliance with policies to protect ancient woodland.
 - Protect at the national policy level the globally important Atlantic Rainforest habitat which is present on the west coast of Scotland across three planning authorities: Argyll and Bute, Loch Lomond and the Trossachs National Park, and the Highland Council.
 - Planning policy needs to work at landscape-scale, and take account of cumulative impacts of development, to avoid fragmentation of habitats and facilitate functional habitat connectivity.

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

There is no doubt that the NPF4 will be key to achieving the net zero target by 2045. This target was advised by the Committee on Climate Change because of Scotland's capacity for land use. Therefore land use planning needs to ensure that development best supports and works alongside wider measures to end Scotland's contribution to climate change and to help nature and communities adapt to a changing world. There need to be mechanisms that address the climate and nature crises simultaneously. The policy framework for this is provided by the NPF4 and also by the Land Use Strategy, the Environment Strategy Vision and Outcomes, the Climate Change Plan and Adaptation Programme and also the Forestry and Biodiversity Strategies. All these need to be coherent and work together, and not undermine each other.

First and foremost, development must protect existing ancient woodland and ancient and veteran trees, as these are irreplaceable habitats. These habitats store carbon, not only in their trees, but also in the soils that have taken hundreds of years to develop. Other native woodland habitats should also be appropriately protected through a land use planning system that guides development to avoid harm to the environment, in line with the mitigation hierarchy.

In addition to protecting existing trees and woodlands, increasing woodland cover will be part of the net zero transition: land use planning has a role to play in delivering this. The NPF3 recognises that our forests and woodland are economic assets as well as environmental assets and so our forests and woodlands can be part of a just transition to a net-zero economy by providing green jobs, and also be part of the transition to making Scotland's land into a carbon sink and more biodiverse. The ecosystem services provided by strategically placed trees need to be harnessed through better, integrated land use planning which the Land Use Strategy and the NPF4 can deliver. The right trees in the right place for the right reasons can prevent flooding, clean our air, provide habitats for biodiversity - all this while absorbing carbon.

Climate friendly places will be those that have a good mix of built and natural environment, and green infrastructure is used to help places adapt and mitigate the effects of climate change. New development should have plenty of green infrastructure and be supported by actions to get people out to enjoy and

appreciate it. As part of this, local authorities should commit to a minimum target for tree canopy cover in new developments of 30%. A developer levy could stipulate requirements to reach this target and trees can be planted in advance to provide mature natural infrastructure for when the development is finalised. Not only will an increase in canopy cover in built up areas capture carbon directly, but they could also be used to create more welcoming streets for active transport, such as walking and cycling - reducing reliance on polluting cars.

Tree planting on vacant and derelict land has also been recognised by the Cabinet Secretary for Environment Climate Change and Land Reform as a way to use land to absorb emissions. Some of this type of land is close to where communities live and therefore it can provide a range of benefits for a range of National Performance Framework outcomes, much in the same way that Cuningar Loop in Rutherglen provides for the community. The Woodland Trust is very supportive of Cuningar Loop and the way that land was used to create an urban space for people and nature and more development of high quality like that should be encouraged and secured through development contributions.

There are also a number of initiatives now in Scotland's cities and urban areas to help increase the tree canopy cover. Edinburgh Million Tree City has launched this year: [https://www.edinburgh.gov.uk/news/article/12729/edinburgh-2030-a-million-tree-city-;](https://www.edinburgh.gov.uk/news/article/12729/edinburgh-2030-a-million-tree-city-) In Helensburgh there is an initiative where local residents plant trees on streets and replace old trees in Helensburgh's urban landscape: <https://www.treetrust.co.uk/>.

Homes and other buildings should be built with locally grown timber from sustainably managed sources. Good, environmentally-friendly design of new buildings must be required through planning, working alongside building regulations to ensure safe and healthy places for people to live, work or play in.

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

Around 80% of Scotland's people live in urban areas. The government, local planning authorities and developers should ensure that places where people live are healthy, happy and productive places to be in. It is now widely recognised that trees and green spaces deliver high quality places to live and work in.

Good planning encourages people to go out and enjoy nature. Having nature close to where people live and activities to engage with that nature can improve their quality of life, health and wellbeing - from clean air and encouraging active lifestyles to improved mental wellbeing, for example. The Forestry Strategy for Scotland recognises that urban forestry 'plays a key role in maintaining and expanding green networks across Scotland's city regions, providing a landscape framework for sustainable urban development, making urban communities more attractive places for people to live and work in.' Urban forestry not only helps cities cope with climate change through provision of ecosystem services but it also provides additional health benefits close to where people are, enhancing people's mental wellbeing and physical health.

Research shows that currently there is an imbalance between 'leafy suburbs' and deprived areas. Strategic land planning can help with ensuring that the distribution of trees is equal across areas, with more deprived areas greened and maintained as well as wealthier areas. Inclusion of existing and creation of new green space can help reduce these inequalities. In those areas where there are a greater proportion of green spaces income-related health inequalities are lower.

Planning can best support our quality of life, health and wellbeing in the future through ensuring the places that we live and work in are health, happy and productive places. Such sustainable urban development can be facilitated through the integration of urban forestry into green networks across Scotland's towns and cities.

3. What does planning need to do to enable development and investment in our economy so that it benefits everyone?

Good planning can ensure that we have the right land use in the right place and that the right development is directed in the right place to benefit a range of sustainable development outcomes; in Scotland these outcomes are outlined in the National Performance Framework.

Investing in green infrastructure and protecting our woods and trees provides a whole range of natural capital benefits that ultimately support the economy. From helping people to recover from ill health, reducing lost work days, and saving the NHS money, to reducing the risk and costs of flooding, a healthy environment is integral to a thriving economy.

Our planning system needs to make better use of developer levies to provide for green infrastructure which is part of the needed development to address climate change.

We know that investing in green spaces and tree planting can increase quality of life which in turn has positive knock-on effects on the economy. While not every benefit from providing high quality nature can be monetised, the additional benefits of, for example, trees in mitigating air pollution and storing carbon should also be included in an economic consideration of green spaces.

Local development plans and development management can also be used to evaluate appropriate locations for development taking into account the creation of new woodlands and restoration of existing ones to support thriving rural communities. Woodland creation and forestry closer to where people live and integrated with communities can offer up new employment opportunities, and make a contribution to Scotland's just transition to a net-zero economy.

4. What policies are needed to improve, protect and strengthen the special character of our places?

The Woodland Trust would like to see strengthened policies for the protection of ancient woodland and veteran trees - both through direct loss and development that leads to their deterioration. NPF4 needs a clear policy position on no further loss of ancient woodland and veteran trees. Through our work in responding to Local Development Plans and influencing planning authority policy we note that the interpretation of the woodland section of the Scottish Planning Policy (SPP) clauses 216 to 218 differs across Scotland. Stronger and clearer policy wording, as well as providing definitions of ancient woodland and veteran trees in NPF4, can help address this and help protect ancient woodland for generations to come. SNH recognises ancient woodland as an irreplaceable habitat and only occupies less than 2% of Scotland's land. Development should be possible while avoiding damage to this habitat if adequate policy provisions are in place and enforced by local planning authorities. The recently adopted wording in the National Policy Planning Policy Framework for England is stronger than the current one in Scotland:

NPPF Feb 2019 wording

Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional circumstances and a suitable compensation strategy exists.

Wholly exceptional reasons are considered: infrastructure projects (nationally significant infrastructure, orders under the Transport and Works Act and hybrid bills) where the public benefit clearly outweighs the loss or deterioration of habitat

There should be an endeavour to map all ancient and veteran trees in order to protect them, and even to help comply with the current Scottish Planning Policy provisions. The Woodland Trust runs the Ancient Tree Inventory <https://ati.woodlandtrust.org.uk/> through which a system has been set up to map out the most valuable trees and thus help protect them. Ancient trees provide homes and shelter for thousands of species, and this is why we should all work together to provide them with special care and protection. NPF4 should also provide a clear definition of ancient and veteran trees.

Currently to try and comply with clauses 216 to 218 developers and planning authorities rely on the Ancient Woodland Inventory. While this can be a useful starting point to identify the location of ancient woodlands it is incomplete and inaccurate at best and SNH recommend that it is used as a guideline. An update to the AWI is needed for compliance with current planning policy and is likely to be needed even more in the future, especially with the Scottish Government's recognition of the biodiversity crisis and most biodiversity in Scotland is in our ancient woodland sites. The Woodland Trust would be happy to engage further to discuss how an update of the ancient woodland data we have for Scotland can best be supported.

We have recently also come across a local case where a mountain bike trail had been built with the landowners approval through an ancient woodland. While no trees had been felled, the soil in the woodland was affected, especially as the trail is through a bluebell patch, now partially destroyed. While with landowner approval such a track is legal, it should not be permitted in irreplaceable habitats such as ancient woodland. Ancient woodland has value as a habitat, not just for the trees, but the entire ecosystem: planning must recognise these less obvious impacts on ancient woodland.

Scotland's west coast is also home to the unique Atlantic rainforest. The three planning authorities where this habitat is found are: Argyll and Bute, The Highland Council, and the Loch Lomond and Trossachs National Park. The Forest and Woodland Strategies across these planning authorities make reference to this habitat but not enough protection is warranted nationally to this globally important habitat. The conditions in our Atlantic rainforest occur over less than 1% of the planet and Scotland has some of the best examples of this habitat. This habitat is now highly fragmented compared to its former extent. The wildlife it holds is significant to Scotland's history, culture and economy. It is also one of the world's rarest habitats, which we have a responsibility to look after. Climate change and pollution are some of the threats to the rainforest, and these are ones which could be minimised through the planning system. As well as development threats from minor developments, the development of renewable hydropower can threaten the wider rainforest habitat, changing the flow and local humidity in areas where rainforest species are found. Such renewable energy schemes are important in moving away from fossil fuel energy sources, but their development must be done in a way which avoids impact on our richest rainforest sites. Through the NPF4 the national importance of the rainforest can be promoted to the planning system stakeholders; this helps inform developers and local planning authorities of the importance of this habitat and the implementation of informed policies which protect this habitat and guide sustainable development. In this respect, we recommend that one of the policy criteria to facilitate the protection of this habitat can be for the planning system to work at landscape scale, looking at cumulative impacts, and be informed by the local forest and woodland strategies, biodiversity plans and landowners to help connect and prevent further fragmentation and degradation.

In this response we will also consider the natural environment policy issues:

- **How can NPF4 best support the role of the development plan for identifying international, national and locally designated areas and sites i.e. is guidance needed on the issues to be considered when identifying locally designated sites?**

The NPF4 could guide local authorities to map existing designated sites and areas and seek to protect and restore these sites through local plans and in planning decisions. These maps should work with existing inventories including the Ancient Woodland Inventory and Ancient Tree Inventory.

However, planning also needs to recognise that not all natural resources worth protecting are on designated sites (for example protected species). There need to be policies which protect what is important, such as ancient woodland and other features. Policies need to be clear in their intention on what development is and isn't allowed in certain areas or in proximity to certain features, including through clear guidance on minimum buffer zones. While we need to recognise that there are irreplaceable features outwith designated sites, designations are important in promoting certain sites and informing their management. Guidance issued nationally can ensure that a consistent approach is taken across Scotland.

- **How can we ensure that the introduction of national policy criteria in NPF4 recognises and reflects the distinct role of national parks?**

Current policy criteria in the NPF3 and SPP reflect the distinct role of national parks and the role of the national parks partnership plans. National parks can be attractive places for housing and other built developments, precisely because of the attractive nature of their high quality environment. However, care must be taken to find the balance between nature conservation and enhancement and development. No major developments should be permitted in national parks, except in exceptional circumstances. Sometimes sustainable development can also mean taking the decision to not expand further, given certain constraints on certain places such as the national parks.

- **What policy criteria should be included in NPF4 to ensure guidance is applied to development management most effectively?**

Policy criteria that is well defined and clear will provide much needed certainty for developers, planning authorities, and communities as well as other stakeholders in the planning system. Policy criteria must also be accompanied by appropriate resources (funding, staff, expertise) to help local planning authorities with the development management process.

Development management should be led by the local development plan allocations and policies, and be more plan-led than it is at the moment. This is especially important as the local development plan development cycle is moving to a 10 year cycle, and where stakeholders need to have the certainty that the development plan on which they have consulted on will be what is delivered for their local area.

For the natural environment, policy criteria should take into account cumulative impacts of developments at landscape scale. Where woodland removal and peatland disturbance is likely due to a proposed development, the effects of that removal and disturbance on carbon must be publicly assessed and presented as part of the development proposals. This is similar to the current provision 205 in the Scottish Planning Policy, but a provision along these lines for woodland and peatland, where vast amounts of carbon

are stored, is even more important with the adoption of the net zero by 2045 target. Developments which could cause significant disturbance to carbon stores should not be permitted.

Statutory agencies such as SNH and Scottish Forestry could also have an enhanced role in their engagement with the planning system, but these agencies need adequate resourcing in order to do so. These agencies are key when it comes to providing expert advice on biodiversity and forestry. Research undertaken by Ironside Farrar on the adoption of Scottish planning policy in local development plans confirmed that 'The SPP could provide more detail on the treatment of biodiversity and ecosystem services sites although key agencies provide additional detailed guidance.' Not all statutory agencies are resourced enough to serve all local authorities with expert guidance on biodiversity and ecosystem services. In order for the guidance to be effective NPF4 must also provide more detail on the treatment of biodiversity in order to set out what is and what isn't acceptable.

- **How can NPF4 help secure positive effects for biodiversity from new development most effectively?**

Firstly, this can be achieved by not allowing damage to irreplaceable habitats such as ancient woodland, through clear and effective policies. Ancient woodland is irreplaceable, so no amount of compensatory planting can make up the loss of biodiversity associated with this habitat. The NPF4 needs to make it clear that this is unacceptable.

Assessments of the biodiversity on a site prior to development need to be consistent and appropriate, with clear criteria, done by independent qualified ecologists and arboriculturalists. The Woodland Trust would be greatly concerned if ancient woodland removal compensation was considered through the process of securing positive effects for biodiversity; as discussed above ancient woodland is irreplaceable, therefore no amount of compensation can make up for this loss. Ancient woodland restoration can be considered as part of securing positive effects for biodiversity where appropriate; such restoration could deliver significant gain for biodiversity, but over the longer-term.

- **How can NPF4 best complement existing environmental legislation, strategies and guidance, including that from other national bodies.**

It can make reference to them and state how they will be interacting with NPF4. Identify the relevant policies and whose role it is to do what. This is important to ensure that policies do not undermine each other. For example we cannot have one policy which protects ancient woodland for its biodiversity value, and another one which allows development on this habitat.

Integrating relevant policies across land use, biodiversity, climate change adaptation and mitigation, and planning can also work to support the integration of data and mapping in decision making. This process can be somewhat facilitated by the land use partnerships and frameworks which are being developed at the moment following the passing of the Climate Change (Scotland) Act 2019. The Forest and Woodland strategies which local planning authorities need to produce, following the passing of the Planning (Scotland) Act 2019 should be part of the land use frameworks to allow for better integration of land uses, all with the purpose of contributing to Scotland's action on the climate and nature crises.

- **The policies needed to understand and limit the impact of development on soils and protect them from damage, including erosion or compaction?**

The richness of ancient woodlands is not just in the trees, plants and wildlife supported by this habitat. The soils of these habitats are the most important. Ancient woodland soils have taken to form and their relative lack of disturbance means they are hugely complex and diverse. Even if development in ancient woodland

does not result in loss of trees, soil disturbance is a real issue, and one that the Woodland Trust often faces in its responses to planning applications. The importance of ancient woodland soils needs to be better recognised and provided for in the planning system. We cannot have planning applications approved on ancient woodland on the basis of no tree loss, when soil disturbance is one of the effects of that development.

In urban areas soil compaction around trees is a real issue and in time this leads to damage and eventual loss to urban trees. Developers must adhere to the trees and development standard: 'BS 5837:2012 Trees in relation to design, demolition and construction' and planning authorities must be resourced to enforce compliance on the ground. National policies are needed which specify that soil compaction around trees is not acceptable and encourage compliance with BS 5837:2012. As discussed previously, trees in urban environments, collectively referred to as urban forestry, provide us many benefits and help climate change adaptation, therefore they should be protected from development which can lead to the compaction of the soil around the trees. This is as true for permanent development and also for temporary developments, such as festivals being set up and de-rigged around areas with trees. Year on year, these temporary developments can have cumulative effects and lead to the loss of those trees. Such situations are avoidable with strong local policies, adherence to BS 5837:2012 and appropriate enforcement on the ground.

Clear guidance on the use of buffer zones is key. The Woodland Trust advocates for a 50m buffer zone for large development, and we find that some local planning authorities will respect this and incorporate within plans and planning approvals, as best practice. Other local authorities take a bare-minimum approach to environmental protection and do not give buffer zones consideration. Therefore, clear guidance provided by the NPF4 could ensure that a more consistent approach is adopted across local planning authorities.

- **How planning can best support increased woodland creation and expansion and the desirability of preserving peatland, in response to climate change targets?**

Planning can support this through the implementation of the Land Use Strategy. Correct mapping of areas of opportunity which takes into account sensitive habitats such as peatland and guides the spatial strategy for the right tree in the right place, and better integration with other land uses, through the forest and woodland strategies produced by local authorities and the integration of these with the land use partnerships and frameworks.

The forest and woodland strategies produced at the local authority level are an example of land use mapping to place woodland strategically. With this type of mapping and guidelines at the local level planting on deep peat is no longer the case. The guidance on the right tree in the right place has also been produced to address the mistakes of the past by the forestry industry where planting on deep peat has occurred. As far as the Trust is aware that is no longer the case today. The case for peatland protection is very strong and the planning system can facilitate that protection, while at the same time ensuring that woodland creation happens in the right place. This is all the more important with the new climate change targets.

The question above should also ask how planning can best support woodland protection. Indeed the Planning (Scotland) Act specifies that forest and woodland strategies should protect ancient woodland by mapping sensitive habitats. There are various issues with the Ancient Woodland Inventory which the forest and woodland strategies at the local level can help address though the identification and mapping of ancient woodland at each local authority level. The Woodland Trust has long been calling for an update to the Ancient Woodland Inventory in order to more accurately map ancient woodland and thus protect it. There is an opportunity here for Scottish Forestry and local authorities to undertake this work as part of the forest and woodland strategies which they are required to produce.

- **How do we balance; the need to protect our natural environment assets with other policy ambitions (e.g. Delivering Renewable Energy) and pressures arising from tourism, rural housing affordability or other development types?**

The implementation of the Land Use Strategy, alongside the NPF4, to allow for planning for integrated land uses and prioritising what is appropriate in which areas of Scotland, is be key to finding this balance. There needs to be a study of the land capacity available to meet climate and biodiversity ambitions and what type of land use can deliver the most for Scotland's targets.

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