

13 March 2013

David Stewart MSP  
Convenor  
Public Petitions Committee  
The Scottish Parliament  
Edinburgh



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Dear Mr Stewart

**Petition PE1383: Better protection for wild land**

Thank you for copying to us the Minister for Environment and Climate Change's letter of 5 February 2013 in response to the John Muir Trust's letter of 29 January 2013 to the Committee.

The Minister acknowledges that the Committee has deferred further consideration of our petition pending completion of SNH's work on mapping areas of wild land character. The Minister also notes that clerks to the Committee have been in touch with SNH about its work and have been advised that SNH are in discussion with Scottish Government officials about next steps. Following this, we welcome the decision taken by the Committee at its 19 February meeting to invite the Chair and Chief Executive of SNH to make a presentation to the Committee about progress with the mapping work. There is an urgent need for both the Committee and others concerned to know the timescales, output and anticipated use of this work, as has also previously been recognised by both the Committee and the Trust.

Notwithstanding that the outcome of the SNH mapping work is yet to be made public, the Minister takes the opportunity in his letter to make it clear that he has already reached a decision that he is not persuaded that there is a case for a new statutory designation for "wild land." The Minister lists three reasons that have led him to this conclusion and we respond to these as follows:-

1. *"That there are already two types of protected areas with a specific landscape focus – National Scenic Areas and National Parks. These cover almost 20% of Scotland's land area."*

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The Minister's response misses the point that the Trust's call for a new designation is a call to specifically protect Scotland's **best wild land**. There is not necessarily a correlation between "landscape" and "wild land" in the context of existing protected area status. Work the Trust has carried out with the Leeds Wildland Research Institute has demonstrated that **only about one third of the top 10% wildest land in the UK, most of which is in Scotland**, is protected through the NSA designation, and only about 6% by National Park status. SNH's current "Search Areas for Wild Land" identify where the most significant and valued areas of *wild land* are most likely to be found but date from preliminary work in 2002 "for debate and further refinement." The current SNH mapping exercise was designed to build on this, so as to inform policy with respect to the extent of Scotland's wild land resource that should be protected. In the absence of publication of the SNH mapping work, the John Muir Trust emphasises the Leeds finding that there is a significant lack of protection for Scotland's **best wild land**. This is the land that is the focus of our call for designation.

2. *"Scottish Planning Policy states that planning authorities should safeguard the character of such areas in development plans, and that they should prepare spatial frameworks for onshore wind which identify both areas of search for wind farms and areas requiring significant protection."*

The Trust highlighted in its January letter to the Committee that it had recently become apparent that, in the absence of an updated policy position from SNH and the Scottish Government with respect to the status of wild land, recent planning officers' recommendations have not always given due weight to wild land. This is contrary to the status of wild land as an asset of national importance under existing NPF2 and SPP planning policy. The Scottish Government needs to address this issue as a matter of urgency.

3. *"The National Planning Framework Monitoring Report published in March 2012 concluded that onshore wind farm development 'has not physically impinged on habitats or landscapes safeguarded by designations to any significant extent.'*

The NPF report concluded that there had been no significant impact from onshore wind farm development on "protected areas." However, as we have highlighted above, much of Scotland's **wildest** land currently lacks a landscape-scale designation (about two thirds), whilst half lacks *any* form of statutory designation. This land is therefore outside the scope of this monitoring, as well as at particular risk. In the absence of a specific measure to illustrate loss of/impacts on wild land, the SNH Natural Heritage Indicator N3 "visual influence of built development and land use change" is a reasonable proxy. The most recent figures available show that in 2002, 41% of Scotland was unaffected visually by built development. By 2009, this had reduced to 28%. With no updated figure available, it is not clear how much more of Scotland's wild land has since been lost or seen an impact.

Turning to the Minister's more general comment that the Scottish Government is "committed to facilitating the transition to a low carbon economy and we are aware that much of the debate about landscape and wild land relates to wind energy." A new designation is required to prevent *any development which is inappropriate for wild land*, regardless of type, from coming forward, in

recognition of the fact that there are some places which are so important for environmental and other reasons that they must be safeguarded.

For example, the James Hutton Institute has highlighted that sixty per cent of Scotland's wild areas constitute peat soils. These play a vital role in helping to prevent greenhouse gas emissions. A loss of 5% of the carbon stored in peat bogs in the UK would be equivalent to one whole year's carbon emissions from other human sources.

Protecting peat bogs also plays a role in flood management. Wild land also makes a major contribution to Scotland's economy in terms of the role it plays to the tourist industry.

SNH's letter of 2 February 2011 to the Committee refers to the SNH Natural Heritage Indicator N3 (see above). SNH explains how this provides a coarse indicator of change for the whole of Scotland, not just our wild landscapes. Nonetheless, SNH make it clear that this provides a useful indication of current trends. SNH advised, at that time, that their initial analysis of the latest figures suggested that the most significant contributor to the decline in the amount of land unaffected visually by built development was the development of wind farms, a consequence of their prominence and extensive visibility and siting in rural locations with little or no previous development. Whilst the rapid expansion of onshore wind power development is driving current concerns about loss of Scotland's wild land, wild land has been lost to other developments in the past, for example, commercial forestry, housing etc. Without a proper framework to protect what remains, wild land will continue to be eroded by as yet unforeseen developments. The Trust's petition is about protecting wild land now and into the future.

The Minister rightly highlights the role of planning authorities in striking the right balance between achieving the Scottish Government's long-term energy security targets whilst protecting Scotland's environment. However, recent suggestions that planning authorities are looking to the Scottish Government for an updated policy position with respect to the status of wild land demonstrates the need for national guidance.

We note the Scottish Government's commitment to review the National Planning Framework (NPF) and Scottish Planning Policy (SPP) and, as part of this process, for a public consultation in which it will be keen to hear views on the appropriate policy approach to wild land. We are concerned that the Minister has appeared to prejudge the outcome of that consultation by the statement he makes in his letter in which he dismisses the case for a new designation. We would urge the Committee to keep in mind the evidence we cited in our 29 January letter of strong public support for action to protect Scotland's wild land<sup>1</sup>, and which included specific support for a designation. The Trust contends that the Scottish Government should take confidence from the above study, as well as previous consultations and surveys, that there is already popular support for and a robust case for improving protection for Scotland's wild land.

Given the Minister's comment that SNH's mapping work will be very useful in the proposed planning review and that the mapping work will inform the Scottish Government's approach to the protection of

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<sup>1</sup> *Public Perception Survey of Wildness in Scotland: Loch Lomond & The Trossachs National Park Authority/Cairngorms National Park Authority/Scottish Natural Heritage: July 2012*

landscapes, there is an urgent need for the conclusion of the SNH work and publication of Scottish Government policy use for that.

We urge the Committee to reflect on the implications of further loss of Scotland's wild land and to use its powers to encourage the Scottish Government and its agencies to take action to ensure that Scotland's wild land is given the protection that is so urgently required. The Year of Natural Scotland 2013 gives the Scottish Government a particular opportunity to safeguard the wild land for which Scotland is famous.

Yours sincerely

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cc Clerk of Committee (by email)  
Members of Public Petitions Committee (by post)