

PE1383/C

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By email to Alison.Wilson2@scottish.parliament.uk

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Dear Alison

### **CONSIDERATION OF PETITION PE1383**

Thank you for your letter of 25 January 2011 requesting the Scottish Government's written response to the specific issues raised in the Petition itself, those raised during discussion of the petition, and the specific written questions sent to the Scottish Government. The Committee's consideration of this Petition is timely. The question of how we identify and protect Scotland's wild land is one which the Scottish Government and its agencies have been actively considering, and we welcome the Committee's contribution to this debate.

Whilst many types of built development can affect wild land, we recognise that wind farm development is of particular concern to the John Muir Trust and to others. The Committee will be well aware of the challenges presented by climate change, and of the Scottish Government's ambitious targets for renewable energy generation. So whilst we need to carefully consider the landscape and visual impacts of all wind farm developments, protecting our most valued landscapes from their direct and indirect effects whilst gaining the optimum climate and economic benefits from Scotland's huge renewable energy resource is an objective that is well understood.

### **In what way are you improving the protection for the best areas of wild land and will you, as requested by the petitioner, introduce a new national environmental designation?**

It may be helpful if I first briefly outline current legislation, policy and guidance which is of most relevance to wild land:

- Scottish Natural Heritage (SNH) identified indicative Search Areas for Wild Land (SAWL) in its *Wildness in Scotland's Countryside* 2002 policy statement.
- SNH's Strategic Locational Guidance for wind farm development identifies zones of high, medium and low sensitivity to onshore wind farm development. The indicative

Search Areas for Wild Land are identified as being of high sensitivity, as are National Parks, World Heritage Sites, National Scenic Areas and in total some 30% of Scotland's land area.

- Scottish Planning Policy (SPP) states that planning authorities should safeguard the character of areas of wild land in their development plans.
- SPP also states that planning authorities should prepare a spatial framework for onshore large scale wind farms which identifies areas of search for windfarms, areas with potential constraints and areas requiring significant protection.
- National Planning Framework 2 states that great care should be taken to safeguard areas of wild land character.
- Scotland's 40 National Scenic Areas give statutory protection to our most outstanding landscapes and include a significant amount – though by no means all – of our wildest land.

I stated above that the government and its agencies are actively considering how best to identify and protect areas of wild land. I outline below how we are doing this.

SNH reports that its Strategic Locational Guidance for wind farm development is proving largely effective. SNH regularly refers developers to it, and analysis of wind farm consents shows that these are largely outwith the 2002 Areas of Search for Wild Land and other areas identified as having the highest sensitivity.

The indicative Search Areas for Wild Land (SAWL) were originally produced to give local authorities in particular an indication of the location of the largest blocks of wild land, to enable them to refine their demarcation and recognise them in their development plans. However the indicative SAWLs were not based on detailed survey work nor cover smaller areas of wild land elsewhere in Scotland. SNH is therefore working to prepare much more detailed and accurate maps of wild land. We expect this project to be complete within the next few months. Preliminary draft maps have been prepared and discussed at a seminar at which the John Muir Trust, the National Park Authorities and local authorities were present. Once complete, we expect these maps to be used by local authorities, with assistance from SNH, to identify and safeguard areas of wild land in their development plans, as anticipated in the SPP. We will also consider how best to use these maps at a national level, perhaps including a map of our most important wild land when we come to prepare the next National Planning Framework.

To date, most planning authorities have taken a lead from SPP and prepared a spatial framework for large scale onshore wind farms. The Committee should be assured that spatial frameworks either exist or are being revised or committed to by the authorities where indicative SAWLs have been identified. We are working with SNH to encourage a proactive approach to the preparation of those spatial frameworks that have yet to emerge.

We plan to issue updated advice to planning authorities within the next few weeks on renewable energy technologies and on spatial frameworks.

In addition to the mapping of wild land referred to above, SNH is preparing maps showing the location and theoretical visibility of consented wind farm development in relation to National Scenic Areas, National Parks and the indicative Areas of Search for Wild Land. Although initial drafts of these show that wind farm development is almost wholly absent from these areas, there is evidence that windfarm development is becoming more visible as one looks out from some of them, for example from parts of Caithness and Sutherland and in the south of Scotland. The Committee will also be aware of SNH mapping which shows the reduction in recent years of the area of Scotland's land from which no built development is

visible. SNH advise that this is largely due to wind farm development and its associated visual influence which is greater than other types of built development.

The Scottish Government brought forward the designation of the existing 40 NSAs under the new provisions contained in section 263A of the town and Country Planning (Scotland) Act 1997. This provides the basis for improved safeguarding and management of NSAs. In support of this, SNH is preparing NSA special qualities guidance, including on wildness, and 'NSA statements' to help local authorities and others better plan for and safeguard NSAs.

Finally, the Committee may wish to note that we plan to issue a consultation paper in the coming months regarding permitted development rights. One issue we will highlight in particular is that of hill tracks, the subject of a members' debate in Parliament in June last year. The consultation will also allow respondents to raise issues about permitted development rights in general.

I hope that the above provides a useful outline of current and planned action by the Scottish Government and its agencies which aims to improve how we safeguard areas of wild land. Given our policy approach and the breadth of this ongoing work, Ministers are not convinced by the case for a new form of statutory protection for areas of wild land.

### **What are your views on the issues raised in the Petition?**

It is clear from the value that the public places on Scotland's landscapes and wild areas, from the continued public interest in wind farm and other development proposals, and from the breadth of work on this area which I have outlined above, that the issues raised by the Petition are important.

Although, as I have stated, Ministers are not persuaded that there is a case for statutory protection for wild land, the Scottish Government recognises that there will continue to be development proposals which affect it. As far as wind farms are concerned, strengthened electricity grid connections may in future years generate more interest in development in our remoter areas of wild land in the far north and west which have hitherto been less developed.

Scotland's Landscape Charter was launched by SNH at the European Landscape Convention (ELC) UK Landscape Awards Scotland ceremony on 8<sup>th</sup> October 2010 at the Holyrood Park Education Centre. In line with the ELC principles, the Charter recognises the multiple values that landscape has for us today. It invites organisations to commit themselves to a range of actions in managing landscape change that will help to ensure that landscape is given adequate recognition in decisions, and best practice applied. A number of organisations have already signed up to the Charter, and it's hoped that many more will follow as the Charter is further promoted.

### **What is your response to the recommendations/opportunities set out in the "Review of status and conservation of wild land in Europe" report that you commissioned by the Wild Land Research Institute?**

This is a useful review and we are considering its conclusions. We need to reflect on the wider European experience, mindful of the fact that some continental areas are wilderness in the true sense of the word – including relatively pristine forests in Eastern Europe. Scotland's wilder landscapes, most of which show the imprint of past generations, will

require a Scottish approach. We will be discussing this with SNH in considering the results of their current wildness mapping work.

As SNH finalises its wild land mapping work, we intend to discuss the policy options outlined above - and others which are suggested to us – with the petitioner and other stakeholders to determine the best way to protect wild land in the future

I trust this provides a helpful response to the Committee's questions. Please do contact me if I can be of further assistance.

Yours sincerely

Bob McNeill