



Consultation Response

Scottish Planning Policy
Proposed Policy Changes

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About the Scottish Wildlife Trust (SWT)

The Scottish Wildlife Trust (SWT) was founded in 1964 to take all appropriate measures to conserve the fauna, flora, and all objects of natural history in trust throughout Scotland. With over 35,000 members, several hundred of whom are actively involved in conservation activities locally, we are proud to say we are now the largest voluntary body working for all the wildlife of Scotland. The Trust owns or manages 123 wildlife reserves and campaigns at local and national levels to ensure wildlife is protected and enhanced for future generations to enjoy.

SWT's core aim is to advance the conservation of Scotland's biodiversity for the benefit of present and future generations.

SWT's vision for Scotland's wildlife requires a network of healthy, resilient ecosystems supporting expanding communities of native species across large areas of Scotland's land, water and seas.

This can be achieved through:

- Protecting vulnerable areas from further loss
- Restoring and enhancing degraded habitats
- Expanding these areas to form an integral part of large-scale, wildlife-rich landscapes
- Having a diverse range of people who are increasingly knowledgeable of, and actively engaged in, wildlife and conservation.

Scottish Planning Policy proposed policy changes

SWT welcomes the opportunity to comment on the Scottish Planning Policy (SPP) proposed policy changes consultation document.

SWT is supportive of new development where this is delivered in line with sustainable development principles and practice, and where it does not adversely impact on important habitats and species. We believe that the planning and design of new places could and should in the future enhance biodiversity, particularly if new developments are designed to improve habitat connectivity and avoid the destruction of valuable biodiversity hotspots (e.g. Local Nature Conservation Sites). To achieve this SWT recommends the application of an ecosystem-based approach¹ to at least the natural heritage aspects of the planning system.

As we stated in our consultation response 22 June 2009², SWT believes Government planning policy guidance needs a fundamental overhaul in order to make the planning system fit for the challenges of 21st century; particularly climate change (both mitigation and adaptation), and the depletion of natural resources, including biodiversity.

¹ See Hughes J., Brooks S. (2009) Living Landscapes: towards ecosystems-based conservation in Scotland. Scottish Wildlife Trust, Edinburgh

² See www.swt.org.uk



Climate change and flooding

We are pleased to see that guidance on climate change and flooding is now set in a legislative context.

However, we do have some concerns regarding the Climate Change section. Not least, is the lack of linkage to sustainable development. The Climate Change (Scotland) Act 2009 places a duty on public bodies to act in a way that it considers most sustainable³. Therefore when planning development, climate change 'action' needs to be delivered in the most sustainable way, taking account of environmental limitations and opportunities.

As we stated in our consultation response 22 June 2009, it is crucial that adaptation and mitigation measures form a central part of the SPP especially if we are to get anywhere near achieving an 80% reduction in greenhouse gas emissions by 2050.

The climate change section states that there is: "the need to help mitigate the causes of climate change and the need to adapt to its short and long term impacts should be taken into account in decisions throughout the planning system" In our original consultation response we were concerned that there was very little guidance relating to how this might be achieved.

Whilst we broadly welcome the revised guidance on mitigation in the current proposed policy changes consultation draft, we are concerned that there is still very little in the text regarding guidance on adaptation measures.

The one positive steer, from the original consultation draft, is the text of paragraph 95 which refers to green networks supporting adaptation to climate change. More solutions like this are needed in the SPP to ensure developers' decisions are 'climate change' proofed. (Further comments regarding climate change and flooding sections are dealt with below under specific points.)

Sustainable development

SWT welcomes the amendments to the Sustainable Development (SD) text. The substantive changes now give practical guidance on how planning decisions should contribute to sustainable development. Importantly, the guidance now accords with the UK Sustainable Development Strategy⁴, which is Scottish Government policy⁵, and complies with the statutory duty under section 3E (3) the Planning etc. (Scotland) Act 2006⁶ which states:

The Scottish Ministers may issue guidance to a planning authority for the purposes of this section [Sustainable Development] and that authority must have regard to any guidance so issued.

³ Climate Change (Scotland) Act 2009 Part 4, section 36 A1 (c)

⁴ Choosing Our Future. Scottish Executive 2005

⁵ Answer to question S3W-24914 by Richard Lochhead, 13 July 2009

⁶ Section 3E states: The Scottish Ministers may issue guidance to a planning authority for the purposes of this section and that authority must have regard to any guidance so issued.



We would advise from the outset that this section should include a clear link to climate change⁷.

Legislative and policy context

We maintain our concern, which was expressed in our consultation response 22 June 2009, that legislative and policy context should be a crucial component of all sections of the SPP.

We reiterate our belief that the loss of this level of detail from the consolidated SPP diminishes the meaning and practicability of each policy.

Landscape and natural heritage

We note there have been no changes to the text. We recommended in the original consultation response that paragraph 96 should be removed. We would still urge its deletion as we believe it conflicts with the principles of sustainable development⁸ and the aims of the Scottish Biodiversity Strategy⁹.

We would also like to see the text changed in this section to state that there would be a presumption against development on internationally, nationally and locally designated sites.

Climate change mitigation measures

Bullet point 5: Safeguarding and enhancing peatlands should be included as a mitigation example (peatlands act as a carbon store).

Climate change adaptation measures

First paragraph: Definitions of adaptation (and mitigation) should be given and both terms used appropriately throughout the section.

It should be stated that the Climate Change (Scotland) Act 2009 also places duty on public bodies to contribute to the delivery of adaptation programmes. To guide decision makers, the Scottish Government is producing a framework - *Preparing for Climate Change: Scotland's Climate Change Adaptation Framework* - which provides the strategic direction for Scottish Government actions regarding adaptation decisions.

Bullet points: Guidance on adaptation measures should be included. There is none in the present list. E.g. Local authorities should support:

⁷ See Chapter 2 of Changing our Ways: Scotland's Climate Change programme (2006)

⁸ See Living within Environmental Limits in *Statutory guidance on planning and sustainable development*

⁹ See *Scotland's Biodiversity – it's in your hands*. Main aim: To conserve biodiversity for the health, enjoyment and wellbeing of the people of Scotland now and in the future.



- green networks (provides wildlife with a migration route from their current location in response to climate change)
- restoration of peat bogs (mitigates climate change by acting as a carbon sink; acts as an adaptation mechanisms by regulating water flow in the catchment)
- tree planting (mitigates climate change by acting as a carbon sink; acts as an adaptation measure by forming part of the green network)
- wetland restoration (mitigates flooding and acts as adaptation measure by providing natural flood management)
- natural coastal realignment -allow natural process of deposition and erosion to occur (acts as an adaptation measure by increasing the natural flood defence system and increase the potential of wildlife to naturally adapt to these changes)

The adaptation mechanisms listed above also add value by increasing biodiversity and ecosystem resilience¹⁰ in a system.

Sustainable development

To avoid confusion between the terms SD and sustainable economic growth, and to show that SD is not interchangeable with sustainable economic growth, we recommend that both are clearly defined.

In bullet point 5, first paragraph, there should be a reference to the Climate Change (Scotland) Act 2009.

Bullet point 7 (Decisions on layout and design) should also include: incorporate (into the design layout) and enhance existing biodiversity ‘hotspots’ (e.g. species rich grassland, hedgerows, wooded areas).

Flooding

At the outset, there should be a reference to climate change exacerbating flooding risk. Local authorities need to ensure that development planning is ‘climate change proofed’ to account for this increased risk. Adaptation mechanisms such as wetland restoration and natural coastal alignment should be included.

Bullet point 4: It states - Where possible the likely impacts etc, ‘possible’ weakens the statement. Either remove it and state: The likely impacts of climate change etc. or replace possible with appropriate.

In our consultation response 22 June 2009 we proposed the flooding guidance should be set in the context of supporting sustainable development and delivering environmental justice. We note this has not been taken up. As the two goals are both pertinent to lowering the flood risk in a community we request once again that paragraph 3 of SPP7 should be reinstated.

¹⁰ Ecosystem resilience can be defined as the relative capacity of the system to repair itself when damaged, disturbed or stressed.



Coastal planning

From the outset, coastal planning should be set in the context of sustainable development and climate change.

Paragraph 15 bullet point 4: SD should be incorporated here. E.g. The identification of coastal locations which are suitable for development should adhere to the principles of sustainable development and be based on a clear understanding of the physical, environmental, economic etc.

Paragraph 15 bullet point 7: The statement lacks clarity. Does it mean that habitats should be enhanced? If so, what is to be regenerated - is it communities or the environment?

Paragraph 15, bullet point 8: It should be made clear that coastal realignment is an adaptation measure in response to climate change.

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