

Environment and Forestry Directorate
Natural Resources Division

T: 0131-244 6516 F: 0131-244 0211
E: Helen.e.jones@scotland.gsi.gov.uk



Ned Sharratt
Assistant Clerk
Public Petitions Committee
Room T3.40
Scottish Parliament
Edinburgh EH99 1SP



5 August 2015

Dear Mr Sharratt,

I refer to your request of 27 May 2015 for views on Petition 1564 (Save Loch Ness and the Great Glen).

I note that the Petition falls into three areas asking the Scottish Government to :

1) Take steps to designate the Loch Ness and Great Glen as a National Scenic Area

National Scenic Areas (NSAs) are defined as areas of 'outstanding scenic value in a national context' for which special protection measures are provided through the planning system. There are 40 NSAs in Scotland, covering 13% of the land area of Scotland; their location is shown on the attached map. The day-to-day care of NSAs is undertaken by landowners.

NSAs were first designated by Scottish Ministers in 1980, the areas having been identified by the Countryside Commission for Scotland (in [Scotland's Scenic Heritage](#), 1978). Loch Ness and the Great Glen were not amongst the areas selected.

NSAs were re-designated by direction in Dec 2010 under new planning legislation. This set out the designation considerations:

- (a) whether the area is of outstanding natural beauty,
- (b) the amenity of the area, including (i) whether it is of historical, cultural or environmental importance; and (ii) the nature of any buildings or other structures within it, and
- (c) any flora, fauna or physiographical features of the area, whether or not to any extent the product of human intervention in the landscape.

The Scottish Government has no current plans to designate any further National Scenic Areas.

2) Recommend a priority application is made to UNESCO for the area to be afforded World Heritage protection

The World Heritage Convention is a reserved matter under the Scotland Act 1998. To be considered as a candidate for World Heritage Status (WHS), any UK site must initially have been included on the UK Tentative List compiled by the UK Department for Culture, Media and Sport (DCMS). To qualify, a site must prove to be of outstanding universal value and meet at least one of ten UNESCO criteria (see <http://whc.unesco.org/en/criteria/>), one of which is that an area must “contain superlative natural phenomena or (be) areas of exceptional natural beauty and aesthetic importance” (criteria vii).

The Scottish Government works closely with the UK Government and other devolved administrations in overseeing the process by which properties/sites in Scotland are identified and put forward for inscription. To qualify for WHS, the proposed site must have adequate protection and management regimes in place to ensure safeguarding of its outstanding universal value, authenticity and integrity. In practice this means in the first instance, that an area is recognised nationally by a natural and/or cultural heritage designation.

We know that in 2007-08, ‘Destination Loch Ness’ scoped out the feasibility of a bid for inclusion on the UK Tentative List, but this did not lead to an application when the list was last revised in 2010. During this list review, 38 applications from across the UK were put to an independent expert panel for assessment, who then put forward their recommendations to the UK Tourism and Heritage Minister. Only eleven made the UK Tentative List (2011). The selection process was rigorous, aimed at selecting only those applications which were considered likely to succeed.

The UK list is currently not open for new applications and the Scottish Government understands that the list is unlikely to be reviewed next until 2019 at the earliest; there is no priority process for adding new sites to the Tentative List. UNESCO’s own procedures dictate that sites that are not on a State Party’s Tentative List cannot be nominated.

3) Take appropriate steps to discourage further wind turbine developments and support the restoration of sites damaged by wind turbines

Onshore wind farms

The Scottish Government is strongly committed to delivering on a secure, low carbon economy. To do this, national objectives and targets include deriving:

- 30% of overall energy demand from renewable sources by 2020;
- 11% of heat demand from renewable sources by 2020; and
- Equivalent of 100% of electricity demand from renewable sources by 2020.

(see Renewables Routemap 2011- <http://www.gov.scot/Publications/2011/08/04110353/0>)

As a result the planning system supports the development of a diverse range of electricity generation from renewable energy technologies, including the expansion of renewable energy generation capacity and the development of heat networks. This recognises the importance of balancing the benefits of renewable energy development with its impacts on communities and the environment. This includes ensuring that wind developments are sited in appropriate places.

Scottish Planning Policy (SPP), published in 2014, aims to achieve the right development in the right place, not to allow development at any cost. It identifies the approach to wind farms that the Scottish Government expects to be taken forward in development plans and decisions on individual wind farm cases. The Scottish Planning Policy Spatial Framework approach to addressing wind farms in development plans clearly identifies those areas that the Scottish Government considers are not suitable for wind farms, those that need significant protection and those that have potential for wind farm development. SPP makes it clear that windfarms are not acceptable in either National Parks or NSAs.

Site restoration

SPP makes it clear that when planning authorities are considering individual development proposals for wind farms, one of the factors to be considered is the need for conditions and a robust planning obligation to ensure that operators achieve site restoration.

Relevant to this is Scottish Natural Heritage (SNH) research on the restoration and decommissioning of onshore wind farms (<http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=2007>). It concluded that improvements could be made in terms of current practice and made recommendations to support this. This fed into a joint working group (comprising industry, practitioners and environmental agencies) to promote good practice during wind farm construction. The resulting SNH guidance, Good Practice in the Construction of Wind Farms (<http://www.snh.gov.uk/docs/A1168678.pdf>), includes an overview of habitat restoration methods, including case studies.

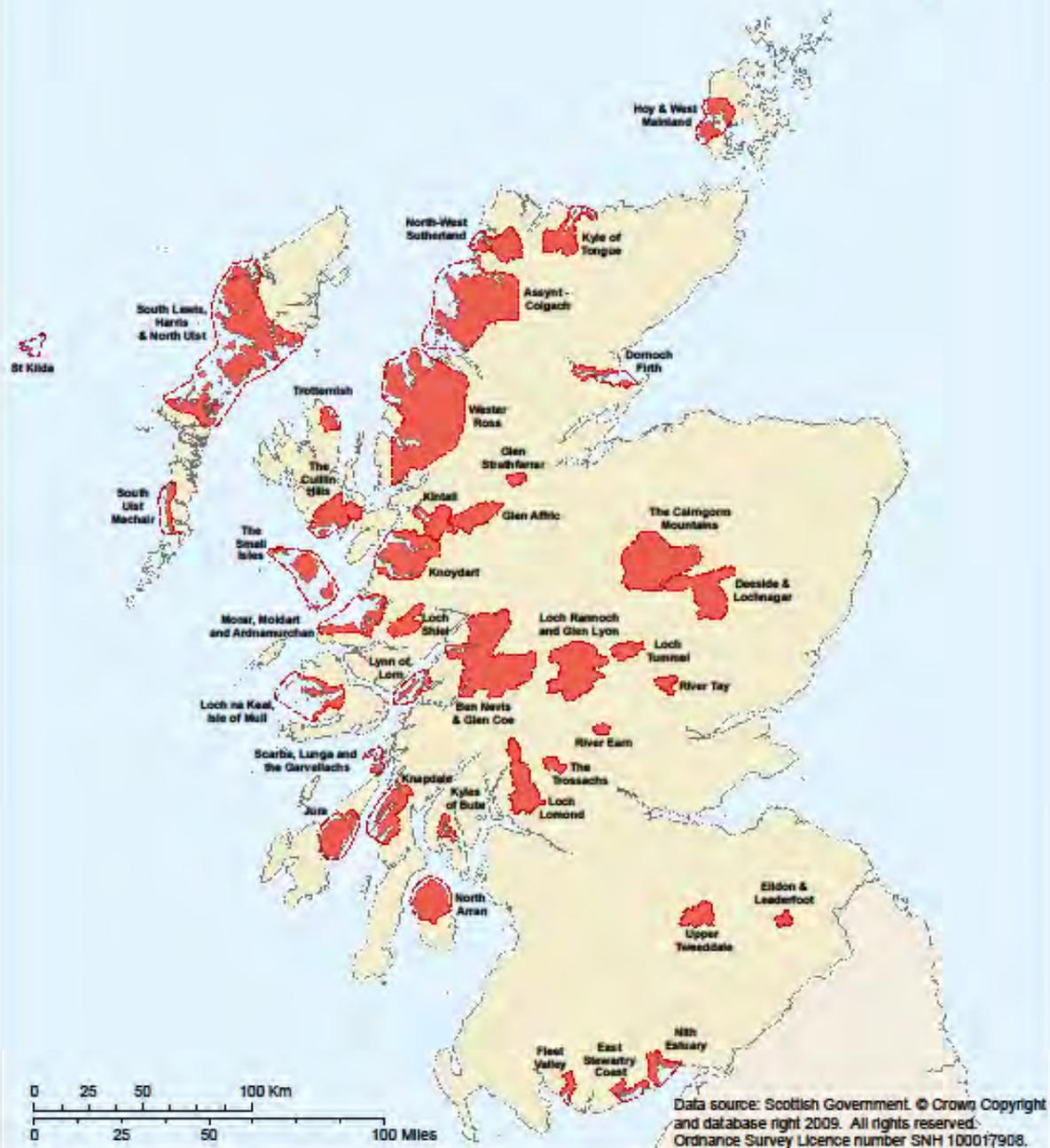
Yours sincerely,

Helen E Jones

NATIONAL SCENIC AREAS IN SCOTLAND



National Scenic Area



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