

NPF4 Committee briefing note

John Muir Trust welcomes NPF4 but seeks urgent clarification on the wording of Policy 4 g) i.

Summary

As drafted Policy 4 g) i) is ambiguous and does not provide a proper test for Planning Authorities. It is therefore open to legal challenge and associated wasted time, energy and resource, if not resolved at this stage.

The drafting is also at odds with the policy 4's intent, which is to '*protect, restore and enhance natural assets making best use of nature-based solutions*'. This conflict between policy wording and policy purpose should be addressed.

Flaws with the wording

1. **A false test** - as drafted, the approval of development in Wild Land Areas is conditional on whether it can support meeting renewable energy targets. This is a false test given:
 - a. it is impracticable to possibly show how a renewable energy development would *not* support renewable energy targets.
 - b. it is an undefined and potentially moving target that fails to anticipate a time when it will be reached.
2. **Lack of information to answer the test at the appropriate level** - how are Local Authorities to assess a development proposal's contribution to renewable energy targets when an accurate aggregated data on this is not held at Local Authority level?
3. **Conflict with Policy 5 on soils** - If the development is on peat, then it may take us further away Scotland's net zero target than towards it. We need to be confident through carbon assessments and lifecycle greenhouse gas emission assessments that strategic energy proposals on peatlands are not releasing vast amounts of carbon, costing us more carbon emissions overall than the carbon that would be saved. This is going to be an ever more pressing issue as renewables become an ever-increasing share of the UK's National Grid Mix.

Request for the wording to be amended

To achieve the intent of Policy 4, we must have policies that ensure the benefits of renewable energy are realised in a way that does not destroy the nature-based solutions already available to us in the form of our wild places.

The following is suggested alternative wording for policy 4) g) i):

'Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal can demonstrate siting inside the Wild Land Area is necessary¹ for achieving the onshore wind energy target as set out in the onshore wind policy statement.

¹ Note that the word 'necessary' is used in Policy 18 (infrastructure first) – under this policy Local Authorities determine a proposal in accordance with what has been deemed necessary:

'Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.'

We would welcome this Committee opening a dialogue with the Scottish Government to ensure the wording of this policy is revised so that it is clear and workable for all those tasked with applying it.