I am writing on behalf of the North East Mountain Trust (NEMT). You may know that NEMT is a voluntary body (Scottish Charity SCIO 008783) based in the Grampian area, which represents the interests of hill-goers and those who enjoy visiting wild land. NEMT membership, comprising thirteen hillwalking and climbing clubs along with individual members, totals around 1000 people.

There are three issues which we think should be addressed in the forthcoming Planning Bill.

**Wild Land Areas**

One of the main concerns of our members is the continuing reduction in the extent of land which can be described as ‘wild’. Such areas bring a variety of benefits. They attract a great many visitors who, in turn, support the economy of remoter communities. In addition, wild land fulfils vital ecological functions; its large scale peatlands store carbon and provide a home for rare plants and wildlife. It is increasingly recognised that the regeneration of such areas through the extension of native woodland and habitat improvements has the potential to create jobs in the environmental sector.

NEMT welcomed the introduction of Scottish Natural Heritage’s Wild Land Map three years ago. A recent YouGov poll for the John Muir Trust found that 80% of Scottish people surveyed think that the Wild Land Areas should be protected from large-scale infrastructure projects. The map has encouraged planning authorities to be very cautious regarding approving developments within those areas. Nevertheless, the Wild Land Map brings no additional protections and it is of concern that the Scottish Government recently approved the Creag Riabhach windfarm, part of which covers a Wild Land Area. Windfarms are of such a scale that land on which they are constructed, and the areas adjacent, can no longer be considered ‘wild’ and so the areas covered by the map will decrease incrementally.

Scottish Planning Policy states that windfarms should not be approved in National Parks or National Scenic Areas. NEMT thinks that the same should apply to areas covered by SNH’s Map. The easiest way of doing this would seem to be for the Planning Bill to include a clause prohibiting windfarms in National Parks, National Scenic Areas and the areas cover by SNH’s Wild Land Map.

**Independent Contractors**

A variety of assessments may be required when plans are submitted for developments in environmentally sensitive places. These include Environmental Impact Assessments, Landscape and Visual Impact Assessments, Wild Land Assessments and specialist assessments regarding the impact on habitats and vegetation. The contracting of professionals to undertake such assessments, and the ecological clerks of work who are sometimes required to oversee construction, falls to the applicant. This could lead to conflicts of interest where the individual or company contracted was either well known to
the applicant or hoped to receive further work from them. Indeed, we have seen applications where the person undertaking the assessment appeared to be the applicant themselves! This is obviously unsatisfactory- proper independence is needed. The solution is for the planning authority to contract professions assessors or ecological clerks of works and to charge the applicant. This would greatly enhance the credibility of the system.

Third Party Rights of Appeal

At present, an applicant can appeal a planning decision which goes against them but objectors cannot. This weights the process heavily in favour of developers. The only recourse for individuals, communities and voluntaries organisations who object to a decision is via expensive legal action. Financially, taking such a step is often prohibitive but, even where such action is taken, objectors face the huge financial advantages companies have when operating within legal processes. NEMT believes this is clearly unfair and should be redressed in the Planning Bill.

I would be grateful if you could consider whether you could support introducing these three measures in the Planning Bill. We would also like to learn your views on them and we look forward to hearing from you.

Thank you for your interest.

Yours Sincerely

Dave Windle (Chair of NEMT)