Response to the Scottish Government Consultation on the LUS Scoping SEA report

by the Scottish Environment LINK Sustainable Land Use Taskforce

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Introduction

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations - over thirty member bodies representing a wide spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. LINK assists communication between member bodies, government and its agencies and other sectors within civic society. Acting at local, national and international levels, LINK aims to ensure that the environment is fully recognised in the development of policy and legislation affecting Scotland.

LINK members welcome the opportunity to comment on this consultation and to support the development of the Land Use Strategy (LUS). LINK produced its 'Living with the Land' report in 2009[1] which set out LINK's proposals for the vision, principles and definitions which, LINK believes, should underpin the LUS. We believe that the LUS has the potential to, and should, move land use planning away from a sectoral approach to one which achieves multiple objectives. It must seek synergies and reward multi-benefit land use, and must aim to resolve conflicts. Decisions need to be based on principles of sustainable development, in which environmental and social goals have equal status to economic ones.

Answers to specific questions

Does the Scoping Report identify the most important environmental information relating to respective land uses?

Generic comments

The Scoping Report includes environmental objectives but LINK is concerned that these are vague and do not clarify the actual outcomes required. LINK recommends that the environmental objectives are reviewed within the Strategic Environmental Assessment (SEA) to ensure that they are specific.

[1] Scottish Environment LINK; Living with the Land; 2009

The Scoping Report fails to include the built environment in the scope of information to be covered by the SEA. This is despite acknowledgement on the Scottish Government Land Use Strategy (LUS) web page that urban and rural land use will fall within the scope of the LUS, and a reference in paragraph 1.1.4 of the scoping report states, *'In preparing the evidence base for the LUS, the range of the relevant land uses has been considered. Relevant information has been compiled by the following four workstreams: … Development Planning (urbanisation, physical development, transport, infrastructure, interface with development planning system);"* LINK recommends that this omission is rectified in the SEA and that the LUS fully covers issues of urban land use which can have significant environmental impacts and knock-on impacts on rural land uses.

LINK believes that the SEA should consider in more detail natural flood management approaches and these, rather than hard defences, should be prioritised in the LUS. The Flood Risk Management (Scotland) Act 2009 represents a major opportunity to change the way floods are managed in Scotland and has the potential to deliver effective flood protection for homes and businesses whilst delivering additional and multiple benefits.

Agriculture

The report does not explain the contextual importance of agricultural funding. The Single Farm Payment, LFASS and the SRDP provide £433M, £65M and £60M[2], respectively, to the agriculture sector in Scotland. This public money can, if used wisely, have significant impact on land management decisions in the agriculture and other land-use sectors.

Many key farmland species are now too rare to be included in the terrestrial breeding bird index and are experiencing ongoing decline e.g. corn bunting. In addition, other populations such as corncrake have been turned around due to targeted agri-environment management. LINK recommends that this context be considered within the SEA.

Forestry

LINK believes that a specific key objective for forestry is to achieve commitments under the Scottish Biodiversity Strategy and UK Biodiversity Action Plan (UKBAP) and targets for UK, EU and internationally designates sites, as well as achieving the increase in native woodland creation in the Scottish Forestry Strategy. We welcome the recognition in the report for biodiversity conservation and enhancement, but there also needs to be recognition of the need for objectives to include woodland and non-woodland priority species and habitats and designated sites – the right tree in the right place.

We welcome and agree with the objective on the 'importance of carbon rich soils [peatland] and the negative consequences of inappropriate forestry'. We recommend that the SEA and LUS address LINK concerns about the negative

[2] 2010-11 draft budget figures

biodiversity impacts of inappropriate afforestation on high quality non-woodland habitats which are not on high carbon soils

We believe that a key objective for this sector is the need for forestry policy and regulation to ensure sustainable multiple benefits from forestry planting, management and felling (Scottish Forestry Strategy and UK Forestry Standard).

The area of forestry designated as SSSI is described in paragraph 3.2.17. Whilst this is valuable baseline information the baseline should include data on; SSSI condition on non-FCS land; UK BAP native woodland habitat extent and condition; and ancient woodland and woodland of high nature conservation value. Furthermore the report should set as a baseline the area of restorable peatland and coastal dune systems (UKBAP priority habitats) currently forested.

LINK believes that these sub-sections must cover adaptation for native woodland habitats, priority species and designated sites, but also for non-woodland priority habitats and species (e.g. semi-natural grassland, blanket peatland and breeding wader sites). At the moment it reads that forestry and climate change is all about 'mitigation' through sequestration, tree planting and product substitution. The sustainable multiple benefit aspects of native woodland creation, forestry policy and regulation must not be ignored.

Short rotation forestry (SRF), should be included in the SEA, both in terms of it being a potential cause of loss of important upland habitats, as well as introduction of new, potentially biodiversity damaging new tree species which could present as yet unknown impacts on biodiversity.

LINK also recommends including the potential for biodiversity for developing woodfuel markets in the SEA which could improve native woodland condition and potential climate change mitigation benefits through product substitution.

Renewable Energy

LINK recommends that the SEA and Land Use Strategy is seen within the context of the Scottish Government ambition to decarbonise the electricity generation sector by 2030 (as set out in the Climate Change Delivery Plan).

The SEA will need to consider the onshore infrastructure (including grid infrastructure etc) that will be required to deliver the planned expansion in offshore renewables.

The Scoping Report mentions biodiversity issues associated with bioenergy in terms of positive effects (e.g. increased thinning of woodlands), however, it does not consider negative implications of biomass and biofuels (e.g. change in land use, non-native species, biodiversity and landscape impacts, etc). We recommend that the SEA covers negative impacts of bioenergy crops.

While it is true that mitigation of climate change through renewables may have potential benefits for biodiversity (Para 4.2.14), there are also a number of

potential impacts in terms of displacement, disturbance and collision that may result from the installation of renewable energy technologies in the wrong location. For this reason it is important that renewables are sited to avoid areas where there may be a detrimental impact on wildlife or habitats.

Damage to existing peatland habitats is a potential impact of locating renewable energy technologies in upland areas. Guidance has been produced by SNH and reference to this should be considered in the SEA and used in the LUS.

Nature Conservation

LINK is concerned that the Scoping Report focuses too heavily on nature conservation within designated sites. We recommend that the SEA considers in more detail the much wider influence of nature conservation and the need for conservation management out with land designated for nature conservation.

We would like the Strategic Environmental Assessment to recognise the following context:

- Biodiversity is the key indicator/definer of sustainability, i.e. development of any kind that erodes biodiversity cannot, by definition, be sustainable.
- Nature conservation legislation influences the planning sector by stopping damaging developments and steering planned development and strategy towards sustainability.
- Management for nature conservation plays a significant role in optimising ecosystem services.

Climate change will have more than simply direct effects on conservation sites and species. Indirect effects will also impact on nature as land use patterns change, in response to climate change, in inherently unpredictable ways.

We welcome the reference to the Monarch project (Paragraph 5.2.4) but we caution that when considering the outcomes of the project in developing the SEA and land use strategy the Scottish Government must take a detailed view, cover the caveats associated with this analysis and emphasise the uncertainties.

Recreation, Tourism and Countryside Sports

In constructing the SEA scenarios and in making LUS decisions, LINK recommends the inclusion of the following context. Over half the money spent by shoot providers on habitat and wildlife management comes from non-shooting sources, only 19% comes from shoot's own revenue[3]. Public money, such as SSSI, woodland and agri-environment grant schemes, pays for the majority of environmental management where shooting is one land use. This money could be

[3] PACEC, The Economic and Environmental Impact of Sporting Shooting, 2006

received irrespective of whether the land is used for shooting and is provided by the taxpayer principally for landscape, wildlife and access.

Natural Resource Use and Infrastructure

The report emphasises the potential positive effects of development (e.g. disused sites can host rare species) (Para 8.2.14) however, realistically and proportionately open cast coal mining probably has more negative impacts on habitats and species, especially if sited on areas of sensitive habitats.

Do you think we are focusing on the most relevant environmental challenges for the Land Use Strategy and its environmental assessment?

LINK is concerned that on the whole the wording of the key challenges listed in the scoping report are not sufficiently specific and need to be clarified by the SEA and the LUS.

LINK believes that a number of key environmental challenges are missing from the scoping report or need to be reworded. These are outlined below.

Agriculture

We believe that biodiversity loss caused by agricultural practice is a key challenge for the agricultural sector. This includes the challenge of altering intensive agricultural practice to produce suitable habitats for farmland species, and the need to better support high nature value farming systems which produce public benefits such as positive management for habitats and species, and the landscape

Forestry

LINK recommends that the challenges listed for forestry must include a more specific reference to the important challenge of minimising the impact of forestry on other habitats. We recommend the following wording. ‘Forestry development must not compromise the functioning of non-forestry ecosystems and habitats, such as Peatlands, and where damage has occurred these functions must be restored’.

We believe that forestry's role is greater than simply 'supporting biodiversity', it has to protect and enhance it, and this should be reflected in the final bulleted key challenge.

Renewable Energy

A key challenge in the renewable energy sector is for Scotland to meet it’s ambitious renewables targets in a sustainable way by locating renewable in a way that does not adversely impact sensitive landscapes, habitats or species and where appropriate habitat mitigation and enhancement is undertaken.

Nature Conservation

A significant proportion of the protected areas network is in unfavourable condition. This and the funding for nature conservation work in Scotland, are significant challenges which, we believe, needs to be put first and foremost in relation to site conservation.

Whilst this report includes 'biodiversity, flora and fauna' as an element in each section of the document, an ongoing challenge is to improve the integration of biodiversity conservation into other land uses, such as agriculture, forestry, sporting management etc, and not regard it simply within the Nature Conservation section.

The significant challenge of peatland restoration and protection is not specifically covered by any of the challenges listed in the report. Restoration and protection of this ecosystem is important in order to maximise its functions of carbon storage and sequestration, natural water resource management and as a habitat for biodiversity. Peatlands issues are not adequately captured by the sections of the Scoping Report.

Cultural Landscapes and Communities

LINK believes that a key challenge missing from this section of the scoping report is the need to restore landscapes where the integral ecosystem or ecosystems have been damaged through inappropriate development.

Gardens and allotments, including community gardens and orchards, can sustainably contribute to many LUS objectives within the urban and rural landscape and community[4]. A key challenge is to ensure that these enviroments within towns and cities are protected and enhanced in order to provide these benefits.

Natural Resources and Infrastructure

In the Natural Resources and Infrastructure section a missing key challenge is to protect areas of high biodiversity interest from development, and to secure habitat mitigation and enhancement on sites where development does go ahead.

Do the documents tell you enough about what is in the Land Use Strategy to allow you to consider its potential environmental impacts? What else do you need to know about the Strategy to make an informed contribution to the SEA?

LINK is unable to comment on this question.

[4] LINK; Living with the Land; 2009; paragraph 49.

What do you think of the proposed assessment methods? Is the approach appropriate for a national level strategy?

LINK welcomes the development of scenarios within the SEA to assess environmental impact. We recommend that scenarios for each sector include those which promote sustainable land uses which deliver multiple benefits – for the environment, society and economy. We also seek scenarios which promote ecosystems services as a natural and sustainable method to deliver public goods and benefits.

LINK recommends the inclusion of Air as an SEA topic area. Land use change and land management practices can affect air quality and air quality can impact habitats, for example by affecting the balance on sensitive, naturally low-input, habitats, such as healthland and moorland, through nitrogen deposition causing vegetative growth changes.

LINK recommends the inclusion of material assets as a topic to be covered by the SEA, particularly to address the impact of urban development on rural land use.

LINK members would welcome clarification on the process of stakeholder engagement planned for developing the LUS and the SEA. *LINK* believes that the full engagement of stakeholders, such as LINK, would help to benefit the development of these documents and ultimately the fulfilment of their objectives.

This response was compiled on behalf of LINK's Sustainable Land Use Taskforce and is supported by:

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- Living Streets Scotland
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For more information

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