



## Briefing for the Public Petitions Committee

**Petition Number:** [PE01564](#)

**Main Petitioner:** James Treasurer on behalf of the Friends of the Great Glen

**Subject:** Save Loch Ness and the Great Glen

Calls on the Parliament to urge the Scottish Government to take steps to designate the Loch Ness and Great Glen as a National Scenic Area; to recommend a priority application is made to UNESCO for the area to be afforded World Heritage protection; and to take appropriate steps to discourage further wind turbine developments and support the restoration of sites damaged by wind turbines.

### Background

Loch Ness is situated within the Great Glen, a 100km-long valley system from Inverness to Fort William. Visit Inverness and Loch Ness describe the area as being home to 'some of the most dramatic scenery in Scotland'.

A suite of environmental designations are in place in Scotland. Scottish Natural Heritage (SNH) ([2013](#)) states that these are in place to 'represent the very best of Scotland's landscapes, plants and animals, rocks, fossils and landforms. Their protection and management will help to ensure that they remain in good health for all to enjoy, both now and for future generations'. Areas of land may be designated to meet the needs of international directives and treaties, national legislation and policies or more local needs and interests.

In Scotland, any application to build or operate an onshore power station (including wind turbine developments) with a capacity over 50 megawatts must have the consent of Scottish Ministers under the Electricity Act 1989.

In June 2014, the Scottish Government approved SSE's 67-turbine (240MW) wind farm at Stronelairg, about 14km from Loch Ness. SSE ([2015](#)) states that the development 'has been designed to avoid being seen from the main tourist routes and iconic attractions of the Great Glen', having agreed to remove 16 wind turbines from its original plan, reduce the height of 10, and reposition one. The status of the development is currently unclear, as it has recently undergone a judicial review – this is discussed in more detail below.

There are three operational wind farms in the wider Loch Ness area, with a further four sites under construction and five developments approved. The size of these developments varies significantly, from a single turbine at Gaoch, to the 67 turbines approved for Stronelairg.

### National Scenic Areas

There are 40 National Scenic Areas (NSAs) in Scotland, covering 13% of the land area, and were first identified by the Countryside Commission for Scotland ([1980](#)) as areas of 'national scenic significance... of unsurpassed

attractiveness which must be conserved as part of our national heritage.’ The Great Glen is not an NSA.

### **UNESCO World Heritage protection**

In order to become a World Heritage Site, a site must be nominated by its government, be shown to be ‘of outstanding universal value’ and meet at least one of ten criteria. One of these criteria is ‘to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance’ (UNESCO [2013](#)). Before nomination, a site must be included in its government’s tentative list of future nominations; usually set for 10 years and last announced for the UK in [2011](#) (the Great Glen is currently not included on this list). There appears to be no official process for priority applications.

### **Scottish and Local Government Action**

[The National Planning Framework 3](#) (NPF3) is a statutory document which sets out the Scottish Government’s long-term spatial development priorities. Local Development Plans, which planning authorities are required to prepare, must ‘have regard to the content’ of the NPF3.

Scottish Planning Policy (SPP) ([2014](#)) states the Scottish Government’s policy on nationally important land use, complementing the NPF3. It states that wind farms are not acceptable in National Parks or NSAs. However, wind farms may be appropriate under certain circumstances in ‘areas of significant protection’, including designated World Heritage Sites, National Nature Reserves, and areas of wild land as shown on the SNH map of wild land areas ([2014](#)). Loch Ness and the Great Glen do not fall under any of these categories and as such ‘wind farms are likely to be acceptable’ (SPP [2014](#)), subject to consideration of social, environmental and economic effects.

SNH’s policy statement ([2009](#)) emphasises the importance of ‘cumulative effects’ of multiple wind farms in the same area. SNH identifies ([2009](#)) Loch Ness and the Great Glen as generally within Zones of Lowest to Medium Natural Heritage Sensitivity. However, Loch Ness and the Great Glen do fall within the Loch Ness and Duntelchaig Special Landscape Area as designated by the Highland Council. This local designation is used ‘to assist in the determination of planning applications’ ([2011](#)), alongside the Highland-wide Local Development Plan ([2012](#)).

### **Stronelaig Decision**

SNH is one of a number of public sector organisations who are statutory consultees on key planning decisions (others include the Scottish Environment Protection Agency and the local authority).

SNH objected ([2012](#)) to the wind farm on account of ‘significant adverse effects’ on the Monadhliath wild land area immediately to the east of the Great Glen, advising that it would no longer be considered as wild land after construction of the Stronelaig site.

At a meeting of the South Planning Applications Committee of the Highland Council ([April 2013](#)) to determine SSE’s planning application for Stronelaig, three councillors voted to reject the application on the grounds that it

conflicted with NPF3 and the Highland wide Local Development Plan with regards to wild land and the visual impact on the landscape. Eleven councillors voted to raise no objection to the application.

A Public Inquiry was not called in this instance as it is only required if the planning authority maintains an objection, it is discretionary in the instance of other statutory consultees objecting.

In August 2014 the John Muir Trust (JMT) lodged a petition to the Court of Session asking for a judicial review of the decision to grant consent without a public local inquiry, this took place in February 2015, and a decision is expected imminently (JMT [2015](#)).

### **Scottish Parliament Action**

As a statutory document the Scottish Parliament is required to scrutinise the NPF. In early 2014 the Economy Energy and Tourism Committee (EETC) took evidence on the wild land mapping (and other relevant) elements of NPF3. They made recommendations ([2014](#)) in relation to the timing and process of the development of the documents, and called for clarity on the Government's policy intentions.

The following PQ is also relevant:

**Question S4W-12676: Colin Beattie, Midlothian North and Musselburgh, Scottish National Party, Date Lodged: 29/01/2013** To ask the Scottish Government what its position is on whether the potential benefits of wind farms outweigh those of established activities such as tourism.

**Answered by Fergus Ewing (22/02/2013):** It is not a question of whether the benefits of one outweigh the benefits of the other. We are committed to ensuring that the renewable energy sector and the tourism industry continue to flourish side by side. Therefore, we have already committed to examining the need for further research into the impact of wind farms on tourism.

In its report on the achievability of the Scottish Government's renewable energy targets of 23 November 2012, the Energy, Enterprise and Tourism Committee stated that it "has seen no empirical evidence which demonstrates that the tourism industry in Scotland will be adversely affected by the wider deployment of renewable energy projects, particularly onshore and offshore wind." and that "no witness has provided the Committee with robust, empirical evidence, as opposed to anecdotal comment and opinion, that tourism is being negatively affected by the development of renewable projects."

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May 2015

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Published by the Scottish Parliament Information Centre (SPICe), The Scottish Parliament, Edinburgh, EH99 1SP [www.scottish.parliament.uk](http://www.scottish.parliament.uk)