



SLBP Position Statement: Habitat loss and mitigation on windfarm sites.

1. Climate change is now internationally recognised as posing a significant threat to the environment and people. The Scottish Government places a high priority on action to tackle climate change and the Climate Change (Scotland) Act was passed unanimously by the Scottish Parliament in 2009. The Act sets targets to reduce greenhouse gas emissions in Scotland by 42% by 2020 and by 80% by 2050. In order to achieve these highly ambitious targets, there has been an increasing emphasis placed on sustainable economic growth and the reduction of greenhouse gas emissions. The Government's commitment has also been enshrined into one of its 5 strategic objectives, namely "a greener Scotland".
2. Renewable energy is important in mitigating against current, and reducing future, climate change and Scottish Government Policy is to generate the equivalent of 100% of Scotland's gross annual electricity consumption by 2020 from renewable sources.
3. Within the footprint of a windfarm development, there may be competing pressures for use of the land resource. Such pressures include agriculture, forestry, operational requirements for the windfarm and habitat restoration. Such pressures can often complement each other and share objectives. Occasionally, however, these pressures can come into conflict with each other and further discussion will be necessary to secure positive outcomes for all parties.
4. Forestry plays an important role in combating climate change, supporting biodiversity and providing important rural jobs.
5. Peatland habitat is an irreplaceable resource which plays a vital role in climate change mitigation, flood control and water purification. Degraded peatland acts as a carbon source, potentially limiting the benefits of other climate change mitigation measures including forestry and turbines.
6. The South Lanarkshire Biodiversity Strategy (SLBS) recognises the importance of woodland and peatland habitats for biodiversity and their importance towards atmospheric carbon reduction. Peatland and ancient woodland habitats are identified as priority biodiversity assets, afforded the highest level of protection under the SLBS. Several of the peatland areas in South Lanarkshire are recognised as being of European importance, designated as Special areas of Conservation (SACs).
7. In many parts of South Lanarkshire peatland habitats are degraded but, with appropriate management, may be restored to a favourable condition over time.
8. The Scottish Government's Policy on Control of Woodland Removal (SGPCWR) seeks to protect the existing forest resource in Scotland. The policy supports woodland removal where it would achieve significant and clearly defined additional public benefits, which are identified in the policy and

associated guidance (for example “Restoration of peat bogs where the removal of woodland would prevent the significant net release of greenhouse gases”).

9. In some cases, including those associated with development, a proposal for compensatory planting may be appropriate. The SGPCWR has a strong emphasis on the inclusion of compensatory planting in development proposals where woodland removal will occur. Planting plans should follow forest design best practice standards to ensure benefits for biodiversity and may be located off-site if peatland restoration is appropriate on-site.
10. The SGPCWR also recognises that there are a number of circumstances in which removal of commercial forestry may provide the opportunity to restore a former open-ground habitat or create a higher value woodland habitat. Annex C of the policy provides guidance on the acceptability of woodland removal. Scenarios where woodland removal may be acceptable include when priority habitats or their connectivity can be enhanced, where the conservation of soil and water resources can be enhanced, where climate change adaptation/ mitigation can be enhanced and where the quality of the woodland cover can be improved (i.e. through the creation of UK BAP priority woodland habitat types). The emphasis is on “net public benefit” and each case is assessed on an individual basis. The SLBS supports this approach, recognising that a number of habitat options should be considered for each site.
11. Proposed mitigation (either compensatory planting and/or other habitat restoration) should be assessed in terms of its social, economic and environmental value, so that a comparison can be made between what’s been felled or damaged and what is to be replanted / restored. Without this assessment/comparison, it’s impossible to draw a conclusion as to whether the proposed mitigation is appropriate and compensates for the negative impacts of the proposed development, woodland removal or habitat destruction.
12. Appropriate land tenure agreements must be in place to allow implementation of habitat management proposals.
13. When consulted upon Wind Farm proposals, each organisation within the South Lanarkshire Biodiversity Partnership (SLBP) must act in line with its own policy and priorities. This statement acts as recognition of areas of commonality between all members of the SLBP.

Habitat mitigation and restoration.

It is common to find that the developer hasn't provided a methodology which clearly demonstrates how they assessed the value of the component habitats on-site and the significance of environmental impact that results from altering it. This is essential information, as it in turn informs what mitigation is required. Similarly, the Environmental Statement and/or Habitat Management Plan (HMP) often don't provide sufficient detail relating to habitat creation/ restoration, felling and compensatory planting proposals e.g. who, where, why, what, when and how the mitigation or compensation will be delivered. The Partnership proposes that the following information should be required as a minimum, in order to properly assess applications and proposals:

Who: The person who is to survey, describe, assess, specify, deliver and monitor proposals must possess the relevant qualifications, technical abilities and have the necessary experience.

Where: The exact location of habitat works should be fully detailed, described and supported with good quality maps. If there are any peat issues, a full assessment should be undertaken using recognised survey techniques and details of this provided as part of the ES for the application.

Where appropriate, the land in question must also have the necessary forestry consents (Forestry EIA and Public Register) to allow tree planting. Reference should also be made to guidance relating to woodland planting (e.g. UKFS, Right Tree in the Right Place), ensuring that no planting occurs on peat >50cm in depth (preferably avoiding areas of peatland altogether).

Opportunity mapping and habitat network maps (e.g. Forest Research, CSGN, ADAS) can be utilised to target areas which may be suitable for compensatory habitat creation.

If the developer does not own the land, ensure appropriate landowner agreements are in place that allow habitat work (on or off-site).

Why: A rationale that explains why the proposals are necessary and designed the way they are, should be provided. This should include the assessment of environmental impacts and proposed mitigation. Consideration should be given to all ecosystems present on site including soils, aquatic and terrestrial habitats. All impact assessments must be carried out by suitably qualified and experienced ecological experts. These assessments will be used to inform decisions on necessary and appropriate mitigation.

What: A full description and specification for proposed habitat works, mitigation works, felling and compensatory planting should be provided. Appropriate levels of details should be provided. Examples of

information that may be required include soil/ peat surveys, NVC surveys, diffuse pollution risk assessments and assessment of sensitive receptors. For more information on the information and level of detail likely to be required, please contact the appropriate agency (SNH, SEPA, SLC, FCS).

When: The exact timings for habitat works, felling and compensatory planting should be detailed. Forestry Commission Scotland advises that all compensatory planting should be completed within two years from the commencement of the development. Ensure that a compensatory planting maintenance plan with appropriate timescales is provided.

How: Ensure that compensatory proposals are enforceable, for example by recommending that HMPs are secured for implementation by planning condition or legal agreement.

How to respond

- When reviewing applications involving habitat loss and compensation/ mitigation proposals, highlight any concerns you may have to the planning authority and developer.
- If you are unsure about whether an application is compliant with policy and legislation or you are just looking for general advice, please contact the appropriate agency (e.g. SNH, FCS, SEPA, SLC).
- Copies of agency and other responses to consultations can be accessed via the South Lanarkshire Council Planning Portal (www.southlanarkshire.gov.uk). You can also contact organisations directly to request a copy of their response.

Useful Documents

The following documents may be of use when examining development proposals. Please note that this list is not intended to be comprehensive.

Planning:

Scottish Planning Policy

<http://www.scotland.gov.uk/Publications/2010/02/03132605/0>

South Lanarkshire Council Local Development Plan and associated Supplementary Guidance

<http://www.southlanarkshire.gov.uk>

SNH advice for planners and developers on biodiversity

<http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/biodiversity/>

Biodiversity:

Scottish Biodiversity Strategy & 2020 Challenge

<http://www.scotland.gov.uk/Publications/2004/05/19366/37239>

South Lanarkshire Biodiversity Strategy 2010 -2015

http://www.southlanarkshire.gov.uk/downloads/download/389/biodiversity_strategy_2010-2015

Forestry:

The Right Tree in the Right Place

[http://www.forestry.gov.uk/pdf/fcfc129.pdf/\\$file/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$file/fcfc129.pdf)

Control of Woodland Removal Policy

[http://www.forestry.gov.uk/pdf/fcfc125.pdf/\\$FILE/fcfc125.pdf](http://www.forestry.gov.uk/pdf/fcfc125.pdf/$FILE/fcfc125.pdf)

UKFS guidelines

<http://www.forestry.gov.uk/ukfs>

Other:

Getting the best from our land: A land use strategy for Scotland

<http://www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy>

Scottish Soil Framework

<http://www.scotland.gov.uk/Publications/2009/05/20145602/13>

Legislation

Water Framework Directive

Flood Risk Management (Scotland) Act, 2009

Climate Change (Scotland) Act, 2009

Nature Conservation (Scotland) Act, 2004