

CNPA Supplementary Planning Guidance

**GENERAL DEVELOPMENT AND CARBON SINKS AND STORES**

**July 2011**

## **Planning in the Cairngorms National Park**

Planning in the Cairngorms National Park is unique. It involves the Cairngorms National Park Authority (CNPA) working alongside the five local authorities which operate in the Park – Aberdeenshire, Angus, Highland, Moray and Perth & Kinross.

Due to the expansion of the National Park in October 2010, to take in part of Perth and Kinross, different planning policies apply there.

The following paragraphs set out what planning policies apply in the National Park, and how planning applications will be dealt with.

### **Planning Policies**

The Cairngorms National Park Local Plan, and this Supplementary Planning Guidance (SPG), cover the Aberdeenshire, Angus, Highland and Moray parts of the National Park only. This SPG sets out detailed advice to help you meet the requirements of the policies in the Cairngorms National Park Local Plan. It is recommended that it is read in conjunction with the policies in the Local Plan and other relevant SPG.

The Cairngorms National Park Local Plan and this SPG does not cover the Perth & Kinross area of the Park. The Perth & Kinross Highland Area Local Plan, or the Perth & Kinross Eastern Area Local Plan, and any associated SPG, apply. Please see [www.pkc.gov.uk](http://www.pkc.gov.uk) for further information.

The Cairngorms National Park Plan provides the strategic context for the local plan and its policies. It sets out the guiding principles, objectives and priorities for the CNPA and its partners to deliver. The Park Plan is a material planning consideration.

### **Planning Applications**

All Planning applications submitted within the Cairngorms National Park must comply with the relevant Local Plan and SPG (see paragraphs above on planning policies for details).

Planning applications should be submitted to the relevant local authority in the normal manner. The local authority ensures all the necessary information is supplied and registers receipt of the application. The CNPA is informed by the local authority and has 21 days to decide whether to call-in the application. Only applications which are of general significance to the aims of the Park are called-in. The CNPA determines called-in applications. In instances where planning applications are not called-in, the local authority will determine the application.

## 1.0 Introduction

The planning system has a significant role in promoting development which helps to reduce Scotland's carbon footprint. All new development should address the causes of climate change by minimising carbon and other greenhouse gas emissions.

This guidance provides information for applicants considering general development which may directly or indirectly impact on carbon sinks or stores (soils or vegetation that absorbs carbon - see para 4.0) within the Cairngorms National Park. Its aim is to ensure that new development considers these sensitive carbon sinks and stores.

'Policy 13: Mineral and Soil/Earth Resources of the Cairngorms National Park Local Plan 2010' requires that all development must avoid any unnecessary disturbance of soils, peat and any associated vegetation. Where soil disturbance is unavoidable, best practice must be adopted in their movement, storage, management and reinstatement. New areas of commercial peat extraction will not be permitted.

### Climate Change (Scotland) Act 2009

The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge of sustainable economic growth. Section 44 of the Climate Change (Scotland) Act 2009 requires all public bodies to act:

- in the way best calculated to contribute to the delivery of the emissions targets in the Act;
- in the way best calculated to help deliver the Government's climate change adaptation programme; and
- in a way that it considers is most sustainable.

The Act sets a target of an 80% reduction in emissions by 2050, with an interim target of a 42% reduction by 2020 (based on 1990 levels).

## 2.0 The purpose of this guidance

The guidance sets out how the impacts of general developments on recognised carbon sinks and stores within the Cairngorms National Park will be taken into account. It will explain:

- how the impacts on carbon sinks and stores should be assessed;
- what evidence should be gathered and what information should accompany any planning application;

### Types of general development that may fall within this guidance (this list is indicative and not exhaustive)

Any development which has a direct or indirect impact on carbon sinks or stores, ie affecting woodland, moorland, wetland or carbon-rich soils, including:

- Hill tracks and access roads, mineral and peat extractions, infrastructure, telecommunications equipment;
- Carbon capture and storage (engineering works specifically not land use change)
- Wind turbine foundations or bases and hardstanding's, hydropower schemes;
- Any other engineering works.

### Please note:

This guidance does not cover development of buildings including materials – for further information on this please see the Cairngorms National Park [Sustainable Design Guide](#).

This guidance also does not cover issues relating to carbon emissions from transport – see relevant Transport Strategies for more information. Forestry or agricultural practices are outwith the scope of the land use planning system and not considered here.

### 3.0 Carbon emissions

Carbon emissions are broadly defined as carbon dioxide (CO<sub>2</sub>) that enters the atmosphere as a result of human activity, especially the burning of carbon-based fuels. Carbon dioxide is the most common greenhouse gas (methane, nitrous oxide and fluorinated gases are others). These emissions are likely to have far-reaching and potentially adverse changes on our climate. For further information see:

[www.scotland.gov.uk/Topics/Environment/climatechange](http://www.scotland.gov.uk/Topics/Environment/climatechange)

### 4.0 Carbon sinks and stores

‘Carbon sinks’ refer to the active form of carbon sequestered in soils, healthy peatland and vegetation while ‘carbon stores’ relate to older form of carbon stock in geological formations, oceans, deep peat and mature vegetation biomass.

Peat bogs, soils and woodland effectively ‘lock in’ and store carbon and prevent it from being released into the atmosphere. These deposits represent a substantial store for new sequestered carbon and a huge deposit of older carbon, both significant in terms of climate change –the former equivalent to around 10% of the net greenhouse gas annual emissions in Scotland, while the latter is equivalent to over 200 times our current annual emissions.

The disturbance of some soils, and particularly peat, leads to the release of stored carbon, contributing to greenhouse gas emissions.

This guidance requires that development should avoid areas with high carbon sinks and stores (peat, mature woodland). Where disturbance is unavoidable, the likely impacts of activities on carbon sinks and stores should be assessed as part of the EIA or planning

application. Developers should adopt and follow best practices guidance during site construction and reinstatement. For further information see:

<http://www.cairngorms.co.uk/planning/localplan/>

The CNPA will encourage the sensitive management of all development, restoring degraded moorland, woodland and wetlands to create carbon sinks and stores, where appropriate.

### Moorland and peatland

Moorlands and peatlands cover more than half the area of the National Park. Blanket bogs are an extremely valuable active carbon sink. While blanket bog covers extensive areas of the Park, peat accumulates very slowly under conditions of water-logging or exposure. Thus, once any damage or exploitation happens, it is a very slow and difficult process to restore this habitat. This sensitive habitat cannot be recreated or restored in the same way as others.

Commercial peat cutting raises particular environmental concerns, and new operations will not be permitted in the National Park.

Any development should be designed to avoid peatlands and moorlands, particularly areas of deep peat and to minimise adverse impacts upon hydrology, peat stability and the generation of waste peat.

### Soil conservation

Carbon-rich soils such as peat and peaty soils commonly associated with semi-natural vegetation hold significantly more carbon than cultivated soils, and as such are a valuable resource in mitigating the impacts of climate change. The National Park is exceptional because of its unusually large extent of rare, undisturbed soils compared to other areas of Scotland; however these soils are particularly vulnerable. Soils on development sites can also be easily damaged during various stages of construction, leading to often substantial and

irreversible loss of soil functionality and potential land contamination. Development proposals should aim to retain the functional roles of soils. Where soil disturbance is unavoidable, developers should follow and promote good practice for the sustainable uses of soils on site.

The Scottish Soil Framework describes key pressures on soils, particularly climate change, sets out relevant policies to combat those threats, and identifies the future focus for soil protection, key soil outcomes, and actions across a range of sectors. For further information see:

[www.scotland.gov.uk/Publications/2009/05/20145602/0](http://www.scotland.gov.uk/Publications/2009/05/20145602/0)

Also see the State of Scotland's Soil Report at: [www.sepa.org.uk/land/soil](http://www.sepa.org.uk/land/soil)

### **Woodland**

Forests and woodlands are an important resource in addressing climate change. The extensive forests of the National Park can make a significant contribution to the storage of carbon. Forests can help mitigate climate change by off-setting carbon emissions through carbon sequestration. Development should avoid removing trees and woodland. Where appropriate, additional or compensatory planting will be required.

See the Scottish Government's Control of Woodland Removal Policy for further information.

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

and associated guidance –

[http://www.forestry.gov.uk/pdf/WRpolicyguidance17March2010.pdf/\\$FILE/WRpolicyguidance17March2010.pdf](http://www.forestry.gov.uk/pdf/WRpolicyguidance17March2010.pdf/$FILE/WRpolicyguidance17March2010.pdf)

### **5.0 Reducing impacts on carbon sinks and stores**

By reducing impacts on carbon sinks and stores, promoting their preservation and enhancement, this will help tackle climate change. All development should protect and enhance carbon sinks and stores across the National Park including moorland, soils and woodland. This should be achieved through measures to conserve and improve, as well as reduce, any adverse impacts, through sensitive design and layout and construction of developments. (For further information see: <http://www.cairngorms.co.uk/planning/localplan/>)

The CNPA hierarchy is based on: **avoidance – minimisation – compensation**. It includes;

A. *Preferred approach* - avoid all areas that are recognisable as carbon sinks or stores and site development elsewhere;

B. *Unavoidable approach* - in the event that an area recognisable as a carbon sink or store cannot be avoided ie locational constraints or an overriding need is demonstrable (see later section). The following is required:

Ia. Demonstrate a positive 'carbon balance and payback' for the development (see available guidance from SEPA, SNH and The Macaulay Land Use Research Institute), and minimise any impacts upon peat, hydrology and peat stability;

Ib. If the development cannot demonstrate a positive balance and payback, but the locational need is established, identify sufficient mitigation to minimise its impact by siting, layout and design. Reuse removed soil or peat on-site by carefully storing it to prevent decomposition, and reuse it in a way that maintains its carbon content.

C. *Compensatory approach* – where mitigation would be insufficient to avoid significant effects on carbon sinks or stores, off-site offsetting should be provided as a linked part of the proposal (see para 6)

**In all cases, development must:**

- 2. Demonstrate a commitment to reducing carbon emissions, including incorporating site-wide solutions to avoid undue disturbance of sinks and stores from initial design, construction methods to operation and maintenance (avoiding areas of deep peat, unnecessary drainage and minimising extraction);
- 3. Demonstrate sound management practices of moorland and wetland, soil and woodland habitats to take account of carbon storage, alongside the biodiversity importance of the habitats (avoid woodland clearance, altering active bogs or pollution);
- 4. Demonstrate sensitive decommissioning, site restoration and revegetation strategies; for further information see: <http://www.cairngorms.co.uk/planning/localplan/>
- 5. Demonstrate how the proposals will reduce waste of soil and soil carbon as by-products of site development
- 6. Outline the pollution prevention and environmental management practices for the site during construction, operational and decommissioning stages of development.

### Justification

Where carbon-rich soils, woodland or moorlands are to be developed, justification for this should be provided within the submitted information. Impacts should be detailed within the application. Instances where such development may be acceptable may include essential infrastructure, health and safety requirements or a positive environmental contribution and the opportunity to offset this impact elsewhere.

For further information see:

[www.snh.gov.uk/land-and-sea/managing-the-land/soils/carbon-activities/](http://www.snh.gov.uk/land-and-sea/managing-the-land/soils/carbon-activities/) and [www.sepa.org.uk/planning/](http://www.sepa.org.uk/planning/)

Early pre-application discussions are recommended if your development would affect a carbon sink or store.

### Locking Carbon into the Soil and Vegetation - Practical Measures

- Protect peatland, wetland, moorland and woodland from damage by avoiding excavation, drainage, extraction and deforestation;
- Take action to control soil erosion or degradation.
- Retain and conserve semi-natural grasslands;
- Protect and restore wetlands including floodplain management,;
- Utilise floating roads and carefully designed tracks.

### 6.0 Provision of equivalent carbon emissions savings elsewhere

Where the planning authority agrees that there are substantive grounds to allow development that is likely to affect carbon sinks or stores which cannot be satisfactorily mitigated on-site and there are overriding demonstrable reasons to allow this, alternative carbon offsetting provision may be made. These may normally be secured by Section 75 Legal Agreement and may involve physical offsetting or payment into an appropriate fund, which is used to reduce carbon emissions (if available). The amount of provision will be directly related to the requirement for the application site.

### 7.0 Further information

It is recommended that the following sources of advice are read in conjunction with this guidance note

Cairngorms National Park Authority  
**[www.cairngorms.co.uk](http://www.cairngorms.co.uk)**  
Sustainable Design Guide

Scottish Natural Heritage  
**[www.snh.gov.uk](http://www.snh.gov.uk)**

Scottish Environment Protection Agency  
**[www.sepa.org.uk](http://www.sepa.org.uk)**