

## Review of extant planning permissions for commercial peat extraction in Scotland

### Background

The Scottish Government does not hold up-to-date information on peat extraction planning permissions. Current Scottish planning policy only permits commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible. Despite the fact that most damaged peatlands are capable of being restored, developers have continued to seek new permissions or extensions to existing permissions. Minerals permissions periods are lengthy and, in the case of peat, poorly regulated e.g. cases of lapsed permissions where peat has continued to be extracted for 13 years post expiry of permissions (e.g. Moy Moss). Few peatland sites have formal planning agreements to restore the peatlands and many have been abandoned in their degraded state<sup>1</sup>.

In England, there have been a number of recent examples (e.g. Bolton Fell, Wedholme Flow and Humberhead Peatlands) where peat extraction rights of the largest peat producing company have been bought out by the Government in order to halt extraction and commence early restoration. These cases resulted in compensation payments of several £million.

The most recent DCLG [‘Mineral extraction in Great Britain’](#) report (2014)<sup>1</sup> highlights that:

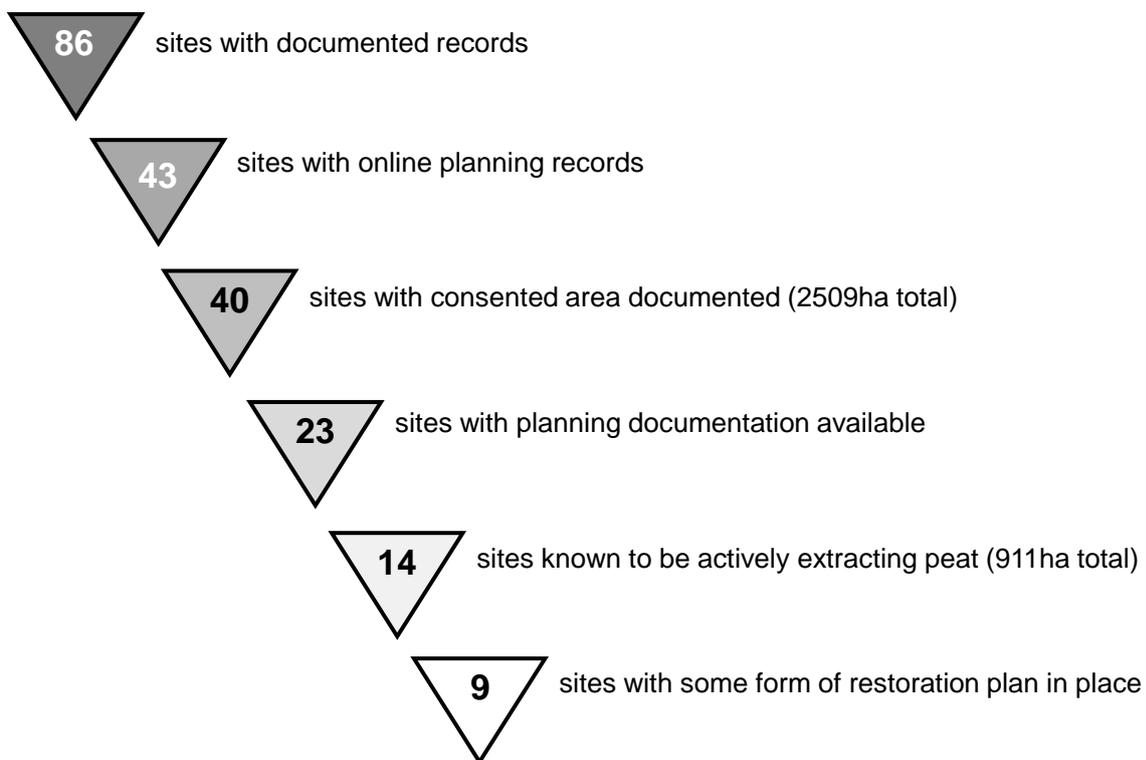
- 0.5 million cubic metres of peat was commercially extracted in Scotland in 2014 = 63% of peat extracted from the UK as a whole (0.8 million m<sup>3</sup>).
- The majority of Scotland’s peat (0.47 million m<sup>3</sup>) was for horticultural use and the rest for ‘other’ uses e.g. animal bedding, domestic fuel, whisky production and mushroom compost.
- Around 7500 ha peatland are commercially extracted in the UK.
- Employment in 2014: Scotland 142 employees (85 direct<sup>1</sup>), England 93 employees (84 direct). Seven contractors were also employed in the industry in Scotland and one contractor in England.

### Summary of review findings

- The review was based on information collated as a result of previous reports: Brooks (2003)<sup>1</sup>, [Corporate Watch Peat Extraction Review](#) and [the British Geological Survey Directory of Mines and Quarries \(2014\)](#), in addition to searching local authority planning databases and assessing satellite imagery of sites with application history for peat extraction for evidence of current or historic commercial extraction of peat.

<sup>1</sup>Brooks, S. (2003) Commercial Peat Extraction in Scotland. Draft report for Scottish Natural Heritage, Scotland.

- The aim of the review was to highlight the number of active commercial peat extraction sites in Scotland and the status of these active permissions and their recent ROMPs: Renewal of Minerals Permissions (ROMPs) is supposed to occur every 15 years after permission to extract peat has been granted. The ROMP process allows planning conditions and site operation to be reviewed and to ensure that activities on the site are carried out to meet current environmental good practice, such as water quality control measures and restoration proposals.



- There remain a number of sites of unknown status. It is unlikely that there are additional sites that are actively extracted as these would have been picked up via the aerial survey. However, there may be a larger number of sites that hold valid permissions and could be brought back into extraction.
- Some site permissions originate from as early as 1949. It may be that local authorities have paper records of these historic applications in archive. Paper records were not examined as part of this review as they were only available at special request and for an uncertain fee: e.g. one local authority quoted a fee of £65 per archive box to be recalled and an hourly rate to extract records from these boxes without any certainty of where information was located or what level of information would be retrieved.
- ROMPs had been assessed for eight of these sites, according to planning records. One site (Mossmorran, Fife) has had ROMP refused.
- Nine sites have detailed restoration plans. However, these restoration plans do not match what is considered to be the most up-to-date, best practice restoration techniques and do not meet the

recommended peat depth requirements for restoration to raised bog vegetation communities ([Lindsay, 2016](#)).

- Restoration is mentioned in conditions as a requirement of planning consent for a further nine sites but no restoration plans have been submitted to date.
- The timing of the request for a restoration plan is not consistent across all local authorities. Some recent cases have requested restoration plans to be drawn up prior to granting a ROMP, older cases require restoration plans within 6-12 months of permission being granted or, in some cases, not until 12 months before the extraction end date.
- There is no evidence of restoration bonds being agreed for any sites.
- End use for commercial extraction sites is varied and not all planning permissions granted will detail a return to 'bog' habitat. Some consents permit plantation forestry, restoration to a 'wetland' habitat, seeding with heather etc.