

The Flow Country World Heritage Site Làrach Dhualchas na Cruinne Dùthaich Fhliuch

Planning Position Statement 2

June 2025





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1. Introduction

- 1.1. The Flow Country was inscribed as a World Heritage Site on 26th July 2024. The Statement of Outstanding Universal Value for the Site is the key reference setting out, in brief, the basis for the inscription of The Flow Country on the World Heritage List. It and other key documents can be accessed on the UNESCO webpage for the Site (<https://whc.unesco.org/en/list/1722>). This planning position statement provides an introduction to and overview of this 'new' consideration, being the first World Heritage Site in Highland and Scotland's first to be inscribed only under 'natural' criteria (not 'cultural' criteria). It sets out the Council's position on how World Heritage should be factored into the consideration of proposed developments for which effects on the inscribed Site are likely to be a consideration. This is relevant from the earliest stages of a developer considering site selection and design for their proposal, including requirements for assessment, and through the planning and development process.
- 1.2. The need for this document results from the lack of precedent, with no site in Scotland previously nominated for wholly natural World Heritage criteria, nor one in a location where there is so much development pressure, specifically from onshore wind energy and electricity transmission infrastructure. This is Planning Position Statement 2. An earlier Planning Position Statement (April 2023) was produced with a particular focus on providing information about the Site and consideration of its value when it was a candidate Site nominated to UNESCO, that is to say prior to UNESCO's decision to inscribe it on the World Heritage List. It should be noted that as a candidate, the Site was nominated under both criteria ix) and x) of the World Heritage Convention, whereas the Site has since been inscribed under criterion ix) only.
- 1.3. Versions of this Planning Position Statement document are indicated in the following log, in chronological order:

MAJOR VERSION	MINOR VERSION	DATED
Planning Position Statement	For approval by Economy and Infrastructure Committee 04/05/2023	April 2023
	Publication post 04/05/2023 Committee	April 2023
Planning Position Statement 2	For note by Economy and Infrastructure Committee 29/05/2025	May 2025
	Publication post 29/05/2025 Committee, including: - update to reflect Committee decision to prepare Article 4 Direction - addition of note on the World Heritage Site boundary	June 2025

2. Definitions

2.1. As The Flow Country is the first UNESCO World Heritage Site within Highland, it is important to explain a number of key terms used within World Heritage:

2.2. **OUV** – Outstanding Universal Value – as defined by [UNESCO's Operational Guidelines for the Implementation of the World Heritage Convention](#) (the Operational Guidelines), means “*cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity*”. The specifics of what is required for a natural World Heritage Site to have OUV is set out in the Operational Guidelines. However, in summary such a Site must meet: a) one or more specific criteria of natural value; b) a threshold of wholeness and intactness, called integrity; c) a threshold of effective protection and management to ensure its safeguarding. A significant negative impact, or incremental damage, to any of these could lead to a Site being placed on the World Heritage in Danger list if that Site is threatened by serious and specific dangers – which could potentially in turn lead to that Site losing its inscription.

2.3. **Integrity** – As set out in the Operational Guidelines, the integrity of a World Heritage Site is a measure of the wholeness and intactness of its natural and/or cultural heritage and its attributes. In line with the Operational Guidelines, for a property to maintain its integrity as inscribed it must therefore:

- a) retain all elements necessary to express its Outstanding Universal Value
- b) remain of adequate size to ensure the complete representation of the features and processes which convey the property's significance (as laid out in the attributes)
- c) remain protected from adverse effects of development and/or neglect.

A note on Protection and Management: It is relevant to note that protection and management of natural World Heritage relate to how a property's OUV, including its integrity, are sustained and enhanced over time. As explained above (under 'OUV'), a significant negative impact, or incremental damage, to integrity would be of considerable concern and could threaten the continued inscription of the site.

2.4. **Mitigation & Mitigation Hierarchy** – The mitigation hierarchy indicates the preferences for the consideration and addressing of the impacts of development through types of mitigation. For a World Heritage context, the mitigation hierarchy is explained by the following diagram:

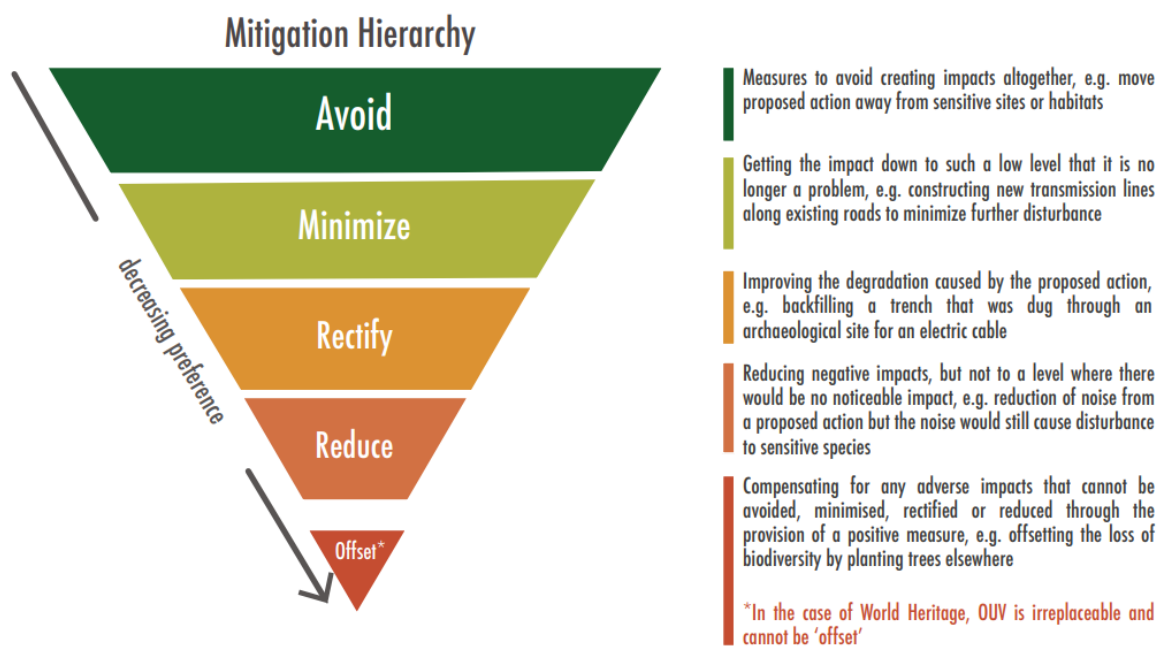


Figure 6.10. The Mitigation Hierarchy.

(Source: [UNESCO's Guidance and Toolkit for Impact Assessments in a World Heritage Context](#), 2022 (UNESCO's Guidance and Toolkit))

- 2.5. Not all levels of the hierarchy may necessarily be suitable for and capable of delivering full and appropriate protection of the Site from any particular case and effect of proposed development, in the context of complying with the World Heritage Convention. Specifically, UNESCO says in the diagram above that "in the case of World Heritage, OUV is irreplaceable and cannot be offset".

A note on Peatland Restoration proposals: Any proposals to restore peatland as part of development proposals should distinguish clearly between restoration which is intended to meet particular policy requirements for biodiversity enhancement, restoration which is intended as mitigation to "rectify" degradation caused by the proposed development, and restoration for other purposes – noting as above that resorting to the "offset" of impacts on OUV (compensation for loss) would not be an acceptable approach to mitigating impacts on OUV if World Heritage is to be protected and preserved in line with UNESCO's expectation. So for example, proposals to remove an area of conifer plantation and restore that area to peatland may be supported, but could not be identified as offsetting impacts on OUV. The Management Plan for the Site sees restoration as an opportunity within the Site and its setting, but allowing development is not the only means by which restoration can be delivered, and should not be regarded as a reason for supporting proposals for development that would not be acceptable in terms of impact on OUV and the Site's integrity.

- 2.6. **Site** – means The Flow Country World Heritage Site, inscribed by UNESCO on 26 July 2024, as shown on the maps of the inscribed property (<https://whc.unesco.org/en/list/1722/maps/>).

A note on The World Heritage Site Boundary: The boundary of the property has been defined so as to contain areas of the Flow Country blanket bog landscape that are in the most natural condition, the majority of which is contained within Sites of Special Scientific Interest (SSSI) and other designations. Areas adjacent to the blanket bog landscape that are functionally important as hydrological units and provide protection to the property's values are also included, as are areas

that are otherwise surrounded by blanket bog and form part of the wider blanket bog landscape. Areas that are under restoration (from historical drainage or forestry), or with potential to be restored, are also included as there is sufficient evidence to suggest that well managed restoration will lead to the reinstatement of functional blanket bog. As currently drawn, the area of the property is 187,026 hectares. Where the exact line of the Flow Country WHS boundary is unclear due to the resolution at which it was drawn for the nomination, either the boundary of the Caithness and Sutherland Peatlands Special Area of Conservation should be used (where the boundary follows the designated site boundary), or the principles of the boundary as set out in the Nomination Dossier and summarised above will be applied in order to confirm the extent of the property. A higher resolution boundary is being prepared and when available it will be published.

2.7. **Zone of Influence** – this is the area surrounding the Site where hydrological disturbance may impact the habitats within the site that are attributes of the OUV may be impacted by development. [This is distinguished from ‘Area of Influence’ defined in the UNESCO Guidance and Toolkit from the perspective of the proposed development: *“The area of influence of a proposed action is the geographical area in which direct, indirect and cumulative impacts may occur”*.]

2.8. **Buffer** – The Flow Country World Heritage Site does not have a buffer but rather, much as with Special Area of Conservation (SAC) and Special Protection Area (SPA) designations, any activity outwith the Site that impacts the OUV within the boundary would be considered to impact the OUV and should be included within assessment at proposal stage.

2.9. **Setting** – means the area around the Site and, as explained by UNESCO in the Operational Guidelines, the setting of a World Heritage Site:

“.....may relate to the property’s topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the wider setting is related to its role in supporting the Outstanding Universal Value. Its effective management may also contribute to sustainable development, through harnessing the reciprocal benefits for heritage and society”.

Work is underway to define ‘setting’ for The Flow Country World Heritage Site specifically and to provide guidance on the consideration of setting for the Site. The role of the setting in supporting OUV of the Site is key to its consideration as part of protection and management. Change in the setting is only relevant in a World Heritage context when it specifically affects OUV. Broadly, setting includes both functional and experiential. Functional setting identifies the parts of the Site’s surroundings which contain the attributes of OUV, whilst experiential setting identifies the parts of the Site’s surroundings through which OUV can be experienced and appreciated. The former (functional setting) is anticipated to be generally the leading concern for setting of this Site.

2.10. **Development** – as set out in The Town and Country Planning (Scotland) Act 1997 as amended, means: construction, engineering, mining or other operations, or the making of any material change in the use of any buildings or other land.

2.11. **Management Plan** – means the Management Plan prepared for the Site. [Note: a draft Management Plan was prepared in the context of the two criteria for which the site was nominated and prior to the release of NPF4; it is being updated, including to reflect the one criterion for which the Site is inscribed, and will be published and consulted on further in due course].

3. Background and national policy context

- 3.1. The Flow Country was inscribed as a World Heritage Site on 26th July 2024. Specific articles of the World Heritage Convention now apply and, as a signatory to the Convention, the UK Government has ongoing international obligations in respect of the inscribed Site.
- 3.2. The only effective and appropriate means of seeking to avoid adverse outcomes for the Site is to fully assess the effects of proposed development and act on the findings of such assessment, including by application of the mitigation hierarchy. The appropriate means of doing so is on the basis of the Statement of OUV for the property, using in particular the relevant national planning policy content in NPF4 and a suitable method for specific assessment of impacts on World Heritage, with UNESCO's Guidance and Toolkit for Impact Assessments in a World Heritage Context recommended (<https://whc.unesco.org/en/guidance-toolkit-impact-assessments/>). This is within the context of the Convention and the Operational Guidelines.
- 3.3. The values that make the Site so special and important are expressed as criteria and attributes in the table below. Protecting and preserving the wholeness of the Site is important from the point of view of it retaining its integrity. The documentation for The Flow Country WHS on the UNESCO website includes the full Statement of OUV for the Site and provides related background evidence. National Planning Framework 4 (NPF4) (which became part of the Development Plan upon its adoption and publication by Scottish Ministers on 13 February 2023) acknowledged that the Site is internationally recognised as accounting for a significant proportion of the world's blanket bog habitat and noted the then proposal for World Heritage status (since which the proposal has succeeded, with the Site being inscribed).
- 3.4. NPF4 states that it should be read as a whole. NPF4's Policy 1 (Tackling the climate and nature crises), Policy 3 (Biodiversity), Policy 4 (Natural places), Policy 5 (Soils) and Policy 7 (Historic assets and places) accompanied by the definition given for World Heritage Sites in Annex F – together with a range of policies and other provisions of the Highland-wide Local Development Plan, Caithness and Sutherland Local Development Plan and associated Supplementary Guidance documents – provide strong policy context for considering potential effects on the natural resources to be found in the Site and for seeking to safeguard and bolster their value.
- 3.5. It is important to understand the OUV and the integrity of the Site before outlining how these will be protected from inappropriate Development.

4. Site values

- 4.1. As previously mentioned, the Statement of Outstanding Universal Value (SOUV) for the Site is the key reference setting out, in brief, the basis for the inscription of The Flow Country on the World Heritage List. It and other key documents (including background information such as the original nomination) can be accessed on the UNESCO webpage for the Site (<https://whc.unesco.org/en/list/1722>).

Outstanding Universal Value (OUV)

- 4.2. OUV is based on three pillars: the criteria, setting out the values that make the property (place) so important; the integrity that defines how complete or whole the values are within the defined area; and the protection and management arrangements, particularly the legal and policy framework that protects the Site. In terms of this position statement, the criteria, and the attributes that the values can be broken down into, and integrity are the most important factors.

Criteria

- 4.3. The Flow Country has been inscribed on the basis of criterion ix:

“ix) to be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals”.

- 4.4. The Flow Country World Heritage Site is described in summary on the UNESCO website as meeting criterion ix as, globally, it is:

“considered the most outstanding example of an actively accumulating blanket bog landscape. This peatland ecosystem, which has been accumulating for the past 9,000 years, provides a diversity of habitats home to a distinct combination of bird species and displays a remarkable diversity of features not found anywhere else on Earth. Peatlands play an important role in storing carbon and the property’s ongoing peat-forming ecological processes continue to sequester carbon on a very large scale, representing a significant research and educational resource.”

This is described in more detail within the ‘Brief synthesis’ provided within the SOUV.

- 4.5. Documentation for the Site then usefully breaks this down into attributes, for each of which there is a description, allowing a greater understanding of what makes up the OUV. Both positive and negative effects of a development proposal on any one or more of these attributes would need to be understood, in order to understand the nature and extent of any impacts on OUV. The attributes and associated descriptions are outlined in the table on the following page.

Attributes of The Flow Country Property (the Site)

Criterion ix. - Outstanding example representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals	
Attribute	Description
a) most extensive near continuous example of natural, actively accumulating, blanket bog ecosystem found globally	Persistent rain fed wetness and low rates of evaporation across The Flow Country lead to widespread, year round waterlogged ground conditions which are ideal for the growth and preservation of peat forming plants. This ongoing process (paludification) began around 9,000 years ago and is key in the formation of blanket bog. Unlike other bog types, which are confined by topography, this allows blanket bog to mantle entire landscapes. The Flow Country is one of only a few locations globally where conditions exist that are conducive to blanket bog formation, and combines a quality, extent and connectivity of this habitat exceeding that of any other known blanket bog.
b) climatic, topographic gradients and geological diversity: bog macroform diversity	The scale of the site, alongside the gradients in climate and topography, and the diversity of the underlying geology, provide the setting for subtle variations in processes which result in a huge diversity in the character of the blanket bog. These factors control the development of complex systems of hummocks, moss lawns, hollows and pools, and the associated plant species, which produce surface patterning that has been classified into 15 site-types. No other blanket bog in the world contains such a diverse collection of surface patterning within a single area.
c) archive it stores (4 th dimension)	Delving deeper, the peat, which has been forming for over 9,000 years, reaches thicknesses of over 8 m, providing an exceptional archive and a 4 th dimension to The Flow Country blanket bog. The processes responsible for the development of the blanket bog system and the ecosystems it supports can be scrutinised back through time across the vast area it covers using pollen records; plant sub-fossils (e.g. hazelnuts, pine cones, pine stumps); lake sediment records (midge and diatom (alga) remains); tephra (ash) layers blown south from Icelandic volcanoes; charcoal (indicating in situ burning).
d) natural laboratory – ongoing scientific and educational use	The exceptional nature of The Flow Country makes it the ‘type site’ for blanket bog study and it continues to be used as a ‘test bed’ for peatland research globally. The diversity of features related to altitudinal and climatic gradients across the region and the depth of archive provides a huge scope for research. Furthermore, the breadth of existing studies provides a fantastic foundation for future research.
e) carbon sequestration and storage	Globally peatlands are the largest natural terrestrial carbon store. Covering only 3% of the world’s land area, they hold nearly 30% of all the carbon stored on land. In blanket bog, year-round waterlogged conditions slow the process of plant decomposition such that the dead plants accumulate to form peat, and thereby sequester carbon from the atmosphere. Over thousands of years this plant material builds up and becomes several metres thick producing a valuable carbon store. The Flow Country provides a superb example of ongoing sequestration, alongside carbon storage demonstrated by peat thicknesses which reach over 8 meters.
f) water filtration and the impact on the water quality of associated riverine habitats	The catchments draining The Flow Country sustain exceptional water quality, resulting from the natural filtration of rainwater as it slowly seeps through these vast peatlands. The superb water quality is critically important in sustaining globally important populations of the freshwater pearl mussel in rivers which drain from The Flow Country. European eel (classed by the IUCN as Critically Endangered) are also recorded from these catchments. Furthermore, the rivers of The Flow Country are maintaining strong populations of Atlantic salmon which are in global decline.

Integrity

- 4.6. The SOUV includes the following on ‘integrity’:

“The Flow Country property comprises seven discrete but adjacent areas totalling nearly 190,000 ha, which encompasses a large expanse of actively accumulating blanket bog ecosystem. The overwhelming majority of the blanket bog within the property boundary is in near-natural condition. The remainder includes areas of blanket bog that are undergoing restoration, and areas that are expected to be restored in the near future.

The property is of sufficient size to contain all of the elements of Outstanding Universal Value needed to demonstrate the ecological and biological processes, and the biodiversity that comprises this globally significant ecosystem. These include the blanket bog itself, the wider peatland landscape complex in which it lies and the finer elements, including pool systems, diverse surface patterning, fens, and the range of flora and fauna that all of these systems support. The climatic, altitudinal, geological and geomorphological gradients that occur across the Flow Country all contribute to ensuring that the variety of features that make up blanket bogs are represented. Furthermore, the boundaries of the property are largely defined on the basis of the hydrological elements that comprise the blanket bog, and therefore ensure ecosystem integrity and coherence.

Areas of the property have suffered from poor historical management decisions such as drainage and woodland creation, but the boundary has been chosen to include only those areas of deep peat which are in good condition or have the ability to return to a near-natural state within the next 10-25 years. It is expected that in time, it will be possible to integrate some of the bog of the wider Flow Country into the property. The construction of wind turbines represents a more recent threat to the property through supporting infrastructure and through negative impacts on the avian fauna, which constitutes an integral part of the blanket bog ecosystem.”

- 4.7. Not all of the Flow Country’s peatland is in pristine condition, but where such non-pristine areas have been included within the Site boundary that is intentional based on their condition, potential and/or role supporting integrity. Such areas are therefore protected as part of the Site.

5. Proposed new development in and outwith the Site

Policy Provisions

- 5.1. What is laid out above provides a framework for understanding the key elements of The Flow Country World Heritage Site. The following provisions within the development plan provide strong policy context for considering potential effects on the natural resources to be found in the Site and for seeking to safeguard and bolster their value (depending on the type of development proposed, other policies will also apply – and in any case the development plan needs to be read as a whole and applied accordingly).

National Planning Framework 4 (NPF4) 2023:

- 5.2. Policy 1 (Tackling the climate and nature crises), Policy 3(Biodiversity) and Policy 5 (Soils).
- 5.3. Policy 4 (Natural places). In particular, Policy 4 part a) sets out that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported – whilst Annex F of NPF4 acknowledges that World Heritage Sites are internationally important and states that the impact of proposed development upon the outstanding universal value, including its authenticity and integrity of a World Heritage Site and its setting, is a material consideration in determining planning applications. Taken together, where relevant these provisions point to World Heritage as a significant material consideration for development proposals. Policy 4 includes other parts that include provisions for various statutory designations (including Sites of Special Scientific Interest, Special Areas of Conservation and others), several of which apply within much of The Flow Country World Heritage Site.
- 5.4. Policy 7 part I) of NPF4 sets out: *“Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved”*.

The Council’s position is that the provisions of Policy 7 part I) are appropriate to, and are to be applied to, ‘natural’ World Heritage Sites as well as ‘cultural’ ones.

Highland-wide Local Development Plan (HwLDP) 2012:

- 5.5. Vision for Caithness and Sutherland area that by 2030 it will be a place of outstanding heritage: safe in the custody of local people, including The Flow Country having been inscribed on the World Heritage Site list and enjoying the support of local communities, land managers and visitors alike. Policy 28 Sustainable Design; Policy 36 Development in the Wider Countryside; Policy 55 Peat and Soils; Policy 57 Natural, Built and Cultural Heritage; Policy 58 Protected Species; Policy 59 Other Important Species; Policy 60 Other Important Habitats and Article 10 Features; Policy 63 Water Environment; Policy 67 Renewable Energy Developments; Policy 69 Electricity Transmission Infrastructure; Policy 72 Pollution.

Caithness and Sutherland Local Development Plan (CaSPlan) 2018:

- 5.6. Vision for Caithness and Sutherland including the outcome by 2035 for Environment and Heritage: High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded. Elements of the accompanying strategy acknowledging the Flow Country, seeking to protect and enhance the unique natural environment

and recognising the international importance of Caithness and Sutherland's peatland resource and that it is a vital carbon store, with signposting of the HwLDP policies that provide safeguard for these features and resources.

Supplementary Guidance (SG) documents:

- 5.7. Historic Environment Strategy SG; Onshore Wind Energy SG; Highland's Statutorily Protected Species SG; Sustainable Design SG.

Towards a new Highland Local Development Plan (HLDP):

- 5.8. Evidence gathering is in progress towards the preparation of a new, single HLDP which will, when adopted, replace the HwLDP 2012 and the CaSPlan 2018 (together with review and repackaging of content from the SGs). The HLDP will be used alongside NPF4. Preparation of the HLDP will provide opportunity to consider developing local policy for The Flow Country WHS, for inclusion in the development plan. A proposed plan is anticipated towards the end of 2026-27 and plan adoption is anticipated around mid 2028.

Assessment of Proposals

- 5.9. In order to address Policy 7 part I) and Policy 4 part a) for The Flow Country WHS, any Development must therefore consider if the actions involved would result in any aspect of the OUV being impacted, notably the attributes and integrity. To facilitate this process of consideration, assessment of proposals is needed and applicants are strongly encouraged to refer to UNESCO's Guidance and Toolkit for Impact Assessments in a World Heritage Context (<https://whc.unesco.org/en/guidance-toolkit-impact-assessments/>). To further aid the assessment of the impact of developments on the Flow Country World Heritage Site, the Council has produced a Flow Country specific Heritage Impact Assessment (HIA) toolkit (https://www.highland.gov.uk/downloads/file/28012/flow_country_world_heritage_site_impact_assessment_toolkit), tailored from the UNESCO Guidance and Toolkit. Originally made available alongside the earlier version of the Planning Position Statement when the Site was a candidate, the Council's toolkit has been updated to Version 2 to reflect inscription of the site.
- 5.10. If there is any doubt as to the potential for a development to impact the Site, an HIA screening should be carried out at an early stage and prospective developers are encouraged to seek preapplication advice, which can help to ensure that any further assessment is only undertaken where needed and is only as wide and detailed as is required. Such further assessment, where needed, may be presented as a standalone document or as an integral part of a wider impact assessment, such as Environmental Impact Assessment. However, if the latter approach is taken then the assessment, results and consideration of impacts on the World Heritage Site specifically need to be able to be distinguished from other content.
- 5.11. The UNESCO Guidance and Toolkit, section 6.9 states that by definition, World Heritage properties are sensitive and internationally important, so even a small change may have a significant impact. It should be noted that Tool 3 'Evaluating Potential Impacts' in the UNESCO Guidance and Toolkit, and in particular Step provides a final evaluation of each identified impact which, the UNESCO Guidance and Toolkit says, should reflect the description of the impact, as well as the characteristics of both the action and the changes to the attribute defined in previous steps.

It goes on to explain:

“The following categories of impact can be either negative or positive:

- *Neutral: Research into the potential impact reveals that no change would occur to the attribute.*
- *Minor: Research into the potential impact shows that the change would be negligible.*
- *Moderate: Research into the potential impact shows that there would be some change to the attribute.*
- *Major: Research into the potential impact shows that there would be large change to the attribute.”*

5.12. Therefore, only negligible change is regarded as a minor impact, whereas some change is regarded as a moderate impact, whilst large change is regarded as a major impact.

5.13. This Position Statement may be supplemented in due course with additional guidance on more specific matters for assessments in respect of The Flow Country World Heritage Site.

Development within or outwith the Site

5.14. It is important to note that World Heritage inscription for The Flow Country does not present a ban or moratorium on development. Each planning proposal that comes forward will be assessed and considered on its merits. The assessment needs to be sufficiently comprehensive to enable the types and degrees of impacts to be identified and understood. In seeking to fulfil the international obligations for protection and management of the Site, which it can be anticipated will carry significant weight in decisions, the concern will generally be with significant adverse impacts on OUV, noting that even a small change could be significant.

5.15. Whilst valued soils including peat are subject of some safeguarding consideration through policy, that does not in itself prevent change and. In a general context then mitigation including offsetting could be acceptable. However, in the context of the World Heritage Site, it is the OUV of the Site itself that is to be protected, therefore a more stringent and specific protection is to be given to it, than the approach taken for safeguarding the wider peatland resource across the region or nationally.

5.16. The [draft Management Plan](#) for the Site (which contains draft policies including some related to development issues or development mitigation measures) is being revised. The most up-to-date version available at any time will be made available on the UNESCO website. It should be referred to and may be a material consideration.

Development within the Site

5.17. Significant damage as a result of a Development to active blanket bog and the associated peat soil within the Site would negatively impact the attributes of the OUV. Whilst ‘significant’ is subjective, factors of scale, permanence, frequency and degree of impact and other factors must be considered. If a proposed Development would cause a significant negative impact to any of the attributes, that could not be avoided or mitigated, then that would be considered a negative impact on OUV and, in line with protection of the Site, should not proceed.

5.18. Moreover, because OUV is a ‘whole Site’ concept, damage to one part of the Site is considered as damage to the whole. Paragraph 4 of the Operational Guidelines includes the basic premise of the irreplaceability of World Heritage. The site is inscribed as an entity. In this case, the

entity is The Flow Country, which happens to be an extensive, serial Site ('serial' because it comprises not just one but a number of areas, in this case seven discrete but adjacent areas). If there is harm done to an area of the Site, the Site is harmed. The Site is therefore to be protected as an entity.

- 5.19. A further consideration is that the *scale* of the habitat encompassed within the Site also forms an important element of the OUV, and relates to the concept of integrity, as set out above. As such, Developments proposed within the Site boundary that would impact any other elements of the OUV would also lead to an irreversible degradation of the scale of the high-quality peatland within the Site. Although mitigation can be considered, offsetting is not considered permissible by UNESCO (see UNESCO's Guidance and Toolkit for Impact Assessments in a World Heritage Context), and in any case involving a reduction of scale of the Site, mitigation would be challenging. Specific policies laid out in the [draft Management Plan](#) reflect this.
- 5.20. This does not mean that Development cannot be permitted within the Site. There are areas included within the Site that do not express the values of the blanket bog attributes and whilst these areas are often small (e.g. along the floors of lesser valleys or around isolated building) and disconnected from infrastructure, they may be suitable for some Development. More generally, Developments that are assessed not to pose a risk to the OUV could be accommodated.
- 5.21. Within the Scottish planning system, extensive Permitted Development Rights (PDR) exist, as defined under 'classes' within [The Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992, as amended](#). The Highland Council is preparing an Article 4 Direction under the Order, to restrict certain PDR within some or all of the Site, the effect being that a planning application would be required. This would ensure a more consistent approach to the management of the Site across its entirety, thereby removing ambiguity and stakeholder uncertainty. Without such a Direction, whilst parts of the Site that are covered by statutory natural heritage designations (such as Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area) are generally well safeguarded, other parts of the Site are currently subject to less planning control. In considering which Classes of PDR an Article 4 Direction should focus on, the Council has taken into account the nature of their potential interaction with the Site, bearing in mind its attributes and OUV. On this basis, the Direction being prepared will address classes 8, 18A, 19, 20, 40, 53, and 67.
- 5.22. Further to local considerations, UNESCO asks State Parties to the World Heritage Convention (in our case the UK Government's Department for Culture, Media and Sport) to "*inform the World Heritage Committee of their intention to undertake or to authorize in an area protected under the Convention, major restorations or new constructions which may affect the Outstanding Universal Value of the property*"¹. They also ask that "*Notice should be given as soon as possible (for instance, before drafting basic documents for specific projects) and before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the Outstanding Universal Value of the property is fully preserved*". Such a commitment clearly demonstrates the importance with which the OUV of a Site should be considered prior to the submission of a planning application or other application for consent (and highlights the value of following UNESCO's impact assessment process set out in their Guidance and Toolkit, particularly for major proposals).

¹ paragraph 172 of the Operational Guidelines for the Implementation of the World Heritage Convention, 2024

Development outwith the Site

- 5.23. Consideration must be given to development outwith the Site that could impact the OUV. The SOUV specifically explains that the boundaries of the property are largely defined on the basis of the hydrological elements that comprise the blanket bog, and therefore ensure ecosystem integrity and coherence. Development close to the Site boundary has the potential to alter the hydrology within the Site and result in the degradation of the habitats and ecosystem services.
- 5.24. Any developments within the zone of influence must be assessed for impacts on the Site's OUV, with use of the UNESCO Guidance and Toolkit recommended..
- 5.25. As explained earlier in this Statement within the definition for 'Setting', work is underway to define 'setting' for The Flow Country World Heritage Site specifically (beyond UNESCO's broad World Heritage 'setting' explanation) and to provide guidance on the consideration of setting for the Site. The role of the setting in supporting OUV of the Site is key to its consideration as part of protection and management. Broadly, it includes both the functional setting and the experiential setting, with the former anticipated to be generally the leading consideration for setting of this Site. The Zone of Influence is also relevant and can assist understanding of the role and extent of setting.

Consultation with NatureScot on development proposals and notification of NatureScot objections

- 5.26. The Highland Council as planning authority will consult NatureScot on all planning applications and developments that may affect The Flow Country World Heritage Site's OUV. NatureScot strongly encourages early consultation on any developments that could adversely affect the OUV of the Site. If NatureScot lodges objection to development proposals on the grounds of impacts on the OUV of the Site, the Council will notify Scottish Ministers

6. Summary

- 6.1. Anyone planning to undertake development within The Flow Country World Heritage Site, its zone of influence or its setting should check what planning applications and other applications for consent (such as under Section 36 or 37 of the Electricity Act 1989) are required. If there is any doubt as to the potential for a development to impact the Site, a Heritage Impact Assessment screening should be carried out at an early stage, with reference to the Statement of Outstanding Universal Value and the prospective developer is encouraged to seek pre-application advice. This can help ensure that the development management process remains proportionate. Where appropriate a full impact assessment should be undertaken and adherence to UNESCO's Guidance and Toolkit for Impact Assessments in a World Heritage Context is recommended, with the assessment either standalone or as a distinct part of a wider assessment.
- 6.2. World Heritage inscription for The Flow Country does not present a ban or moratorium on development. Each planning proposal that comes forward will be assessed and considered on its merits. In seeking to fulfil the international obligations for protection and management of the Site, which it can be anticipated will carry significant weight in decisions, the focus will be on seeking to protect the Site's Outstanding Universal Value. This will include taking into account Site integrity, including its wholeness, and setting. Positive and negative, individual and cumulative effects will be taken into account, together with appropriate mitigation proposals in a World Heritage context.
- 6.3. For further information:

National Planning Framework 4 - <https://www.gov.scot/publications/national-planning-framework-4/>

The Highland Council: Development Plans home page - https://www.highland.gov.uk/info/178/development_plans

The Highland Council: The Flow Country World Heritage Site: Planning Position Statement (*also* Heritage Impact Assessment Toolkit) - https://www.highland.gov.uk/directory_record/1979671/flow_country_world_heritage_site_planning_position_statement

UNESCO Operational Guidelines for the Implementation of the World Heritage Convention - <https://whc.unesco.org/en/guidelines/>

UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context - <https://whc.unesco.org/en/guidance-toolkit-impact-assessments/>

The Flow Country World Heritage Site: home page (including Description and Statement of Outstanding Universal Value) - <https://whc.unesco.org/en/list/1722/>

The Flow Country World Heritage Site: documents page - <https://whc.unesco.org/en/list/1722/documents/>

The Flow Country World Heritage Site: Draft Management Plan - <https://whc.unesco.org/document/200762>



