

# Policy Summary

## THE PRECAUTIONARY PRINCIPLE AND THE NATURAL HERITAGE

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The precautionary principle is one of the key principles on which the concept of sustainable development is founded. SNH interprets the precautionary principle to mean that where there is uncertainty over the consequences of an activity, *'full scientific proof of a possible environmental impact is not required before action is taken to prevent that impact'*.

**SNH's view is that where there is a risk that proposed activities might have a significant and irreversible impact on important natural heritage resources, a precautionary approach should be applied. Potential impacts, alternative development options, and sources of uncertainty should be analysed. If the risk cannot be averted, the activity should only be allowed if it can be adapted if unacceptable impacts are detected.**

### Background

At the international level, Agenda 21 advocated that the precautionary principle should be adopted *'where there are threats of serious or irreversible damage'* and that lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

At the EU level, the Treaty of Maastricht (1992) stated that *'community policy on the environment.....shall be based on the precautionary principle'*. An EC Communication (2000) outlines the European Commission's approach.

At the UK level, the Government has adopted the precautionary principle within the UK Strategy for Sustainable Development. Legislation has also translated the principle into specific requirements such as those for integrated pollution control, for the regulation of genetically-modified organisms, and for consideration of potential development impacts on Natura 2000 sites.

In Scotland, NPPG 14 on the Natural Heritage states *'the Government is committed to the application of the precautionary principle where there are good scientific grounds for judging that a development could cause significant irreversible damage to our natural heritage.'* The NPPG recommends that the precautionary principle should be reflected in development plan policies relating to the protection of the natural heritage and biodiversity and should be applied in development control decisions, using an adaptive approach where possible.

## SNH's Position

SNH's aims include promoting the sustainable use of the natural heritage. In 'Sustainable Development and the Natural Heritage' (1993), SNH has developed five broad principles for applying the principles of sustainability to the natural heritage - covering the use of renewable and non-renewable resources, improving the quality of the natural heritage, distributing costs and benefits equitably, and the precautionary principle.

SNH's approach to the application of the precautionary principle recognises the need for good science in decision-making, but also that environmental complexity and associated uncertainty can limit the scope for obtaining scientific proof of impact within decision-making timescales. SNH recommends a step-by-step procedure to decide whether a precautionary approach should be taken, and if so what that would entail. A range of development options, and their environmental impacts, should always be considered at an early stage.

SNH considers that a precautionary approach should apply if:

- there are uncertainties, which cannot be resolved, about the impacts of an activity on the natural heritage;
- there is a risk of significant, widespread or irreversible damage;
- the natural heritage in question is important, for example of national or international significance;
- there are causal links between the proposed activity and perceived environmental damage.

In applying a precautionary approach, an **adaptive** approach is favoured if:

- a monitoring regime can be established which is legally guaranteed and has the full co-operation of the developers;
- the development can be adapted if impacts are shown to exceed agreed thresholds.
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If these requirements cannot be met, a **strict** precautionary approach is recommended in which the development does not take place.

SNH wishes to see the precautionary principle, alongside the other principles of sustainable development, applied to decisions affecting the natural heritage. It will help to ensure that the overall quality of Scotland's natural heritage is maintained in a way, which can meet society's long-term needs.

**References:**

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