



Todrig Judicial Review - Progress Update (June 2026)

A landmark legal victory for nature

In March 2026, Restore Nature Ltd secured a **significant win in the Court of Session**, successfully challenging Scottish Forestry's decision to allow a large-scale Sitka spruce plantation at Todrig in the Scottish Borders **without an Environmental Impact Assessment (EIA)**.

The Court ruled that Scottish Forestry had acted **unlawfully**, relying on a flawed approach to **assessing landscape impacts** and failing to properly consider risks to the **Northern Brown Argus butterfly**, a protected biodiversity species.

As a result, the original decision has been **legally cancelled** and must now be reconsidered.

Why this case matters

This case goes beyond a single site.

The Court rejected a method used by Scottish Forestry that assessed landscape impacts by simply calculating what **percentage of a wider landscape area** would be affected. This approach allowed even large developments to be dismissed as having "no significant effect."

The ruling confirms that:

- Impacts must be assessed **on the site itself**, not diluted across a wider area
- Landscape character must be **properly evaluated**, not reduced to a calculation
- Biodiversity impacts – including on species like the Northern Brown Argus – must be **fully investigated before decisions are made**

Without this challenge, developments could have continued to **incrementally erode entire landscapes** without proper scrutiny.

What happens next

Scottish Forestry must now make a **new, lawful decision**.

This creates a critical opportunity to:

- Secure a **full Environmental Impact Assessment (EIA)**
- Ensure **local communities and conservation bodies are properly consulted**
- Properly assess impacts on **landscape, habitats and species**

Restore Nature will continue working to ensure that this process is carried out **rigorously and transparently**, and that the Todrig site is protected from inappropriate development.

A wider impact across Scotland

This case has implications far beyond Todrig.

Between 2015 and 2023, Scottish Forestry required EIAs for **just 4 out of 729 woodland creation applications**.

This ruling has the potential to reshape how such decisions are made, ensuring that **future forestry developments are subject to proper environmental scrutiny**.

The challenge of defending nature

Bringing this case has required significant time, expertise and financial resources. Despite winning in court, Restore Nature continues to face **substantial legal costs** and must remain engaged to ensure the next decision is lawful and robust.

As a grassroots organisation, this work has only been possible through **public support and crowdfunding**.

How you can help

This case has already delivered real change — but the outcome is not yet secured.

With your support, we can:

- Ensure a full Environmental Impact Assessment takes place
- Continue legal and expert oversight of the process
- Help set a lasting precedent for environmental protection in Scotland

Many people have already helped bring this case this far — your support now can help finish the job.

<https://www.crowdfunder.co.uk/p/save-todrig-from-sitka-spruce-plantation-1>

Contact

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