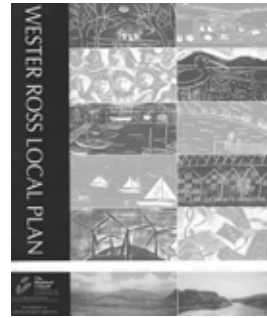


# ***Identified Levels of Sensitivity in Countryside Areas***



**Chapter No:**

# **6**

65 - Scottish Natural Heritage [Written Submissions]

## **BACKGROUND**

1. National Planning Policy Guideline 13: Coastal Planning sets out how the need to protect the current and future well-being of the coast cannot be overstated; nor can its cultural, even spiritual significance be ignored. In paragraph 1, its Introduction, the guideline states that it takes account of recent and likely development pressures on the coast, new nature conservation designations, and the government's commitment to sustainable development and other relevant government policies.

2. The deposit draft Wester Ross Local Plan, in its paragraph 7.11, also makes reference to National Planning Policy Guidelines 5: Archaeology and Planning, and 14: Natural Heritage (see Appendix 1 to this report).

## **SUMMARY OF THE OBJECTIONS**

3. The objector pointed out that paragraph 7.11 omitted any reference to National Planning Policy Guideline 13: Coastal Planning, and recommended that it should be altered to include reference to this guideline as well.

4. The objector was also concerned that this paragraph was a coarse sieve which set out designations as impediments to development, rather than as assets to be valued. Such an approach did not recognise that appropriate, well located and well designed development could have little adverse impact and could contribute positively to the natural heritage. In addition, the approach set out in paragraph 7.11 omitted any recognition that different features (even within the same category of sensitivity) would differ in their degree of sensitivity to development; and while some would be sensitive even to very limited development, some would be sensitive to certain types of development but not to others. There was limited information within the plan to inform developers of these differences and therefore to encourage them to direct development to appropriate locations.

5. It was therefore recommended that, in order to ensure that development was appropriate, well located and well designed, that supplementary planning guidance should be prepared.

## SUMMARY OF THE COUNCIL'S RESPONSE

6. In the first place, the council accepted that reference should also be made to National Planning Policy Guideline 13, given that one of the sensitivity features was “isolated coast”, which was referred to in this guideline. It therefore agreed to amend the levels of sensitivity set out in paragraph 7.11 from low, medium and high sensitivity to those of local/regional, national and international importance.

7. On the other hand, the council opposed the suggestion that supplementary guidance would help to ensure that development would be appropriate, well located and well designed. Much of this would be covered by the forthcoming Development Plan Policy Guideline: Design for Sustainability, the Scottish Executive Planning Advice Notes and the objector's own guidance notes (for example, those on hydro and wind energy) could also be referred to.

8. The council therefore proposed that paragraph 7.11 be amended as follows (altered text shown underlined):

7.11 ‘Locally and regionally important features are mostly identified by us, and contribute to the identity of Wester Ross. Nationally important natural and cultural heritage features are identified by national organisations, or by us under national legislation in line with National Planning Policy Guidelines 5, 13 and 14. Internationally important natural and cultural heritage features are identified under government directives and conventions. How sensitive these features are to development depends upon their level of importance, the nature and scale of development, and the likely effect on the feature in question. Only the most important feature is shown on the Proposals Map, and lower levels may exist beneath these. All natural and cultural heritage features must be considered when formulating and assessing development proposals.’

9. On the basis that the plan would be altered in this respect, the objector withdrew the objection.

## CONCLUSIONS

10. While the first objection (that of including reference to government advice on coastal planning) can be, and has been satisfied readily by incorporating reference to National Planning Policy Guideline 13 into the paragraph – and this seems to me to be a sensible addition, alterations to paragraph 7.11 to accommodate the second objection appear to me to leave the plan in somewhat of a mess.

11. First, although the amendments to the paragraph in question appear to have satisfied the objector, they have not incorporated the council's suggestions made in paragraph 7 above (that additional references to government guidance or to the objectors own notes be made within the paragraph as a substitute for the objector's request for the preparation of additional guidance notes by the council). Also, the amended text contains no reference to the forthcoming Development Plan Policy Guideline: Design for Sustainability, as suggested.

12. Second, as it stands in the deposit draft version of the plan, paragraph 7.11 is the paragraph of justification and explanation for Policy 2: Economic Development Countryside (for text, see Appendix 1 to this report; and as amended to form part of Policy 1, see previous Chapter 5 or Appendix 2). By altering the paragraph to refer to ‘Locally and Regionally Important Features’

instead of ‘Low-Sensitivity Areas’; to ‘Nationally Important Features’ instead of ‘Medium-Sensitivity Areas’; and to ‘Internationally Important Features’ instead of ‘High-Sensitivity Areas’, it no longer explains, justifies or even appears to relate to Policy 2 (now Policy 1). The choice follows of either altering the terminology of this policy and all the Inset Maps to refer to the new designations; or of retaining the original terminology and equating it to the new designations.

13. I consider that the former course would not introduce clarity, in particular because the coloured areas of the Inset Maps, instead of identifying areas of low, medium or high sensitivity, would identify “Locally and Regionally Important Features” which clearly they do not at present, although in Chapter 5 (above), I have recommended that they should. (A colour wash identifies an entire area which might include such features, but would include other areas as well). The only course I can see as modifying the plan in the ways sought, but keeping further confusion to a minimum, would be to alter paragraph 7.11 further, as follows (additional text alterations shown double underlined):

“7.11 Locally and regionally important natural and cultural features (referred to in Policy 1: Development; Box 1: Hierarchy of Natural and Cultural Heritage Features\*); and on the Background Maps as areas of ‘Low Sensitivity’) are mostly identified by us, and contribute to the identity of Wester Ross. Nationally important natural and cultural heritage features (referred to as areas of ‘Medium Sensitivity’) are identified by national organisations, or by us under national legislation in line with National Planning Policy Guidelines 5, 13 and 14. <sup>⊗</sup> Internationally important natural and cultural heritage features (referred to as areas of ‘High Sensitivity’) are identified under government directives and conventions. How sensitive these features are to development depends upon their level of importance, the nature and scale of development, and the likely effect on the feature in question. Only the most important feature is shown on the Proposals Map, and lower levels may exist beneath these. All natural and cultural heritage features must be considered when formulating and assessing development proposals.”

14. I consider that it would assist in clarifying matters if Box 1 were to have its new categories included as a sub-heading (amendments from Chapter 5 and as suggested above, shown underlined):

**Box 1: Hierarchy of Natural and Cultural Heritage Features**

|  |  |
|--|--|
| <p><b>Low Sensitivity</b><br/> <u>(including Locally and Regionally Important Natural and Cultural Features)</u></p> | <p>Areas of Great Landscape Value<br/>           Category B and C Listed Buildings<br/>           Conservation Areas<br/>           Sites and Monuments Record Archaeological Sites<br/>           War Memorials<br/>           Settlement Setting<br/> <u>Inventoried</u> Semi-Natural Woodland<br/>           Amenity Trees<br/>           Views over Open Water<br/>           Remote Landscapes [of Value for Recreation<sup>∇</sup>]<br/>           Locally Important Croft Land<br/>           Sites of Local Nature Conservation Interest<br/>           Geological Conservation Review Sites</p> |
| <p><b>Medium Sensitivity/</b></p>  |  |

\* - altered from Hierarchy of Countryside Areas to Hierarchy of Natural and Cultural Heritage Features in recommendations on Chapter 5

⊗ - insert additional references here (see recommendation 15(i) below)

∇ - words in brackets deleted in Chapter 8 below

|   |   |
|---|---|
| <b>Medium Sensitivity</b><br><u>(including Nationally Important Natural and Cultural Features)</u>    | Scheduled Ancient Monuments<br>Category A Listed Buildings<br>National Nature Reserves<br>Sites of Special Scientific Interest<br>Inventoried Gardens and Designed Landscapes<br>National Scenic Areas<br>Isolated Coast<br><u>Inventoried</u> Ancient and Long-Established Woodland<br>Tree Preservation Orders<br>Archaeological Heritage Areas |
| <b>High Sensitivity</b><br><u>(including Internationally Important Natural and Cultural Features)</u> | Special Protection Areas<br>Special Areas of Conservation (including Candidate)<br>Ramsar Sites   |

## RECOMMENDATION

15. I therefore recommend that,

- (i) a reference should be included in the amended text of paragraph 7.11 to the forthcoming Development Plan Policy Guideline: Design for Sustainability, the Scottish Executive Planning Advice Notes and the objector's own guidance notes (for example, those on hydro and wind energy). The logical place would be at ⊗ - see recommended further text alterations to paragraph 7.11 shown at paragraph 13 above);
- (ii) the further amendments to paragraph 7.11 as set out at paragraph 13 and to Box 1 as shown in paragraph 14 above be incorporated into the plan when adopted; and
- (iii) the third paragraph of the Introduction to the Background Maps document be altered to read as follows (amended text shown underlined):

“This booklet explains the policy justification for the countryside area sensitivities (see Policy 1: The Planning System Development) and provides the following sets of maps:

1. High Sensitivity – including Internationally Important Natural and Cultural Features
2. Medium Sensitivity – including Nationally Important Natural and Cultural Features
3. Low Sensitivity – including Locally and Regionally Important Natural and Cultural Features
4. Physical Constraints
5. Consultation Areas
6. Article 4 Directions”

The headings to the section on the feature boxes and to the maps themselves will also require to be altered accordingly.