

# *Remote Landscapes*



**Chapter No:**

**8**

- 59 - The John Muir Trust [Written Submissions]  
65 - Scottish Natural Heritage [Written Submissions]

## **BACKGROUND**

1. The separate document entitled “Wester Ross Background Maps” includes in its Introduction the following:

“The Wester Ross Local Plan requires that, in making and determining planning applications in Wester Ross, account must be taken of the level of sensitivity of the natural and cultural heritage features, particularly within the countryside areas, as well as any physical constraints. It is also important to check if the proposed development is within a defined consultation area.

The following maps indicate the general location of the individual features which must be considered...”

There follows a breakdown of these features under headings of “Countryside Area – High Sensitivity Features”, “– Medium Sensitivity Features” and “– Low Sensitivity Features” within boxes headed “Type”, “Background” and “Policy Framework”. In Chapter 6 above, it was recommended that these be altered to add the level of importance of the natural and cultural features they include (see paragraph 15(iii) of Chapter 6).

2. The objection relates to one of the types of countryside areas under the heading of “– Low Sensitivity Features” which is set out as follows:

<b>Type</b>	<b>Background</b>	<b>Policy Framework</b>
Remote Landscapes of Value for Recreation	Identified by the council to recognise that certain areas have value for more demanding forms of outdoor recreation by offering qualities of remoteness, a relative lack of evidence of human activity or change, a seeming high degree of naturalness, and a sense of enclosure or space.	National Planning Policy Guideline 11: Sport, Physical Recreation and Open Space (June 1996) and National Planning Policy Guideline 14: Natural Heritage (January 1999) (in the context of wild land) and structure plan Policy G2 and paragraph 2.5.22 (in the context of wild land).

3. In The Highland Structure Plan Written Statement, paragraph 2.5.22 falls under the heading of “Wild Land” and states,

“The qualities of wild land are a material consideration in evaluating development proposals on or affecting it. Further work on the identification and classification of these areas as part of a council review of landscape and coastal designations will be brought forward for inclusion in the structure plan.”

4. The Glossary contained in National Planning Policy Guideline 14: Natural Heritage describes “Wild Land” as,

“Uninhabited and often relatively inaccessible countryside where the influence of human activity on the character and quality of the environment has been minimal.”

## SUMMARY OF THE OBJECTIONS

5. One of the objectors considered that the council had sought to apply a wild land policy within a local context in the absence of the wider review of the identification and classification of wild land, to which the structure plan committed the council in its paragraph 2.5.22 (see above). The objector recommended that the review now be taken forward as a priority. In addition, the objector recommended that the council now take forward the Wester Ross National Scenic Area Management Strategy so that some of the outstanding issues relating to wild land could be progressed and so that the strategy could be used to underpin the local plan in respect of agreed and adopted aims, objectives and actions to safeguard the landscape qualities of the National Scenic Area.

6. Next, while the analysis of remote areas carried out by the council had identified areas which were broadly compatible with those of the objector's own policy statement on "Wildness in Scotland's Countryside", and while the background text referred to both National Planning Policy Guideline 14 and the structure plan in the context of wild land, nevertheless, the objector was concerned that the plan referred to 'remote landscapes of value for recreation' rather than as 'wild land' or 'areas with qualities of wildness'. Despite recent discussion between the objectors and the council, in order to avoid any ambiguity it was the objectors' preference for the local plan to support the terminology used in National Planning Policy Guideline 14 and reiterated in Scottish Natural Heritage's policy on "Wildness in Scotland's Countryside", and to refer to 'wild land' and to 'Areas with Qualities of Wildness'.

7. There was also concern to ensure that the plan accorded fully with National Planning Policy Guideline 14 and that the text to the Background Maps was re-worded to make the plan reflect the qualities, as well as the intrinsic value of these areas more in accordance with the description given in the Glossary to the National Planning Policy Guideline which defined this type of land.

8. Accordingly, the objection related to the current wording under the "Background" heading, together with a recommendation that it be re-worded as follows (altered text shown in *italics*):

Type	Background	Policy Framework
Remote Landscapes of Value for Recreation	Identified by the council <i>as areas</i> offering qualities of remoteness, a relative lack of evidence of human activity or change, a seemingly high degree of naturalness, and a sense of enclosure or space <i>which are valued for these intrinsic qualities and which provide opportunities</i> for more demanding forms of outdoor recreation.	National Planning Policy Guideline 11: Sport, Physical Recreation and Open Space (June 1996) and National Planning Policy Guideline 14: Natural Heritage (January 1999) (in the context of wild land) and structure plan Policy G2 and paragraph 2.5.22 (in the context of wild land).

9. Finally, both objectors were concerned that these remote areas had been placed in the low sensitivity category as a locally important feature. It was considered that this ran counter to statements in paragraph 16 of National Planning Policy Guideline 14 that such areas of wild land character were the "most sensitive" or "very sensitive" (for full text of this paragraph, see Appendix 3 to this report). In fact, the internationally acclaimed, remote landscapes of Wester Ross contributed to the area's local identity but it did not follow that they were therefore only of local

interest; they were extremely sensitive. While acknowledging the way in which the draft plan had been structured, which allowed for only international designations to be listed under “High Sensitivity”, nevertheless, the importance of these remote landscapes justified their representation as being at least of “Medium Sensitivity” and not merely placed within the “Low Sensitivity” box.

## SUMMARY OF THE COUNCIL’S RESPONSE

10. First, the council argued that the review of the identification and classification of wild land, to which the structure plan committed it in its paragraph 2.5.22, was not a matter for the local plan. In April 2003, it had also decided to defer adoption of the draft National Scenic Area Management Strategy pending consideration of the review of the local plan. In these terms, the objector’s recommendation was premature.

11. The council also considered that the current wording which described the remote landscapes as being ‘of value for recreation’, reflected the qualities for which these areas had been identified, the basis for the identification having emanated from the structure plan’s chapter on Sport and Recreation. Despite this, the council accepted that, although the primary purpose for identifying these areas related to their value for recreation, their remoteness was also important. Accordingly, it proposed a change to the text in the Background Maps to reflect this.

12. This section of the Background Maps document would therefore be modified to read as follows (altered text shown underlined):

Type	Background	Policy Framework
Remote Landscapes of Value for Recreation	Identified by the council to recognise that certain areas have value for more demanding forms of outdoor recreation. <u>These areas also offer</u> qualities of remoteness, a relative lack of evidence of human activity or change, a seeming high degree of naturalness, and a sense of enclosure or space.	National Planning Policy Guideline 11: Sport, Physical Recreation and Open Space (June 1996) and National Planning Policy Guideline 14: Natural Heritage (January 1999) (in the context of wild land) and structure plan Policy G2 and paragraph 2.5.22 (in the context of wild land).

13. The council rejected the suggestion that these remote landscapes be included as of Medium Sensitivity, as this description covered areas of national importance and were designated or identified by a national agency. By contrast, “Low Sensitivity” areas included natural and cultural heritage aspects which were of regional or local importance, and were designated or identified by the council. Paragraph 23 of National Planning Policy Guideline 6: Renewable Energy stated that outwith internationally and nationally designated areas, with appropriate justification, other areas might also be identified and protected in development plans. Although they might be important locally, the level of protection of these areas would not be as high as that afforded internationally or nationally.

14. Nevertheless, the council accepted that there might be merit in distinguishing between locally or regionally important areas which had a locally or regionally important feature attributed to them in Box 1, and those which had no designation but nevertheless might be of some importance. The perceived advantage of this lay in the clarification of relevant interests (as specified in Box 1) which might be affected by a development. It was therefore proposed that local/regional importance category be divided on such a basis, although, in taking such an approach and in order to maintain consistency, it would be necessary to re-categorise some of the existing

features under Medium Sensitivity (ie Archæological Heritage Areas and Isolated Coast) to features of local/regional importance; also to elevate one of the existing features under Low Sensitivity (Conservation Areas) to a feature of national importance.

15. In any case, the council pointed out that, with the exceptions of the Rhidorroch Forest-Cromalt Hills and the Western Fannich Hills, the land identified as being a Remote Landscape of Value for Recreation fell within the areas designated as National Scenic Areas and so would be covered by the National Importance category and Policy 2.2 would apply.

16. The council therefore proposed that Remote Landscapes of Value for Recreation be retained in Box 1 as of local or regional importance, but their status should be clarified by including them within “Local/Regional Importance – Local or Regionally Important Feature” as follows:

“1. In areas of local/regional importance with:

- no local designation, we will support proposals as long as they meet the structure plan Policy G2 Design for Sustainability, particularly where it can be shown that it will support communities in fragile areas who are having difficulty in keeping their population and services.
- locally or regionally important features, we will allow developments if we believe that they will not have an unreasonable impact on the amenity and heritage feature, particularly where it can be shown that it will support communities in fragile areas who are having difficulty in keeping their population and services.”

17. Also Box 1 would require to be amended to show Isolated Coast and Archæological Heritage Areas as locally/regionally important features, rather than of medium sensitivity; and Conservation Areas as nationally important features, rather than of low sensitivity.

## **CONCLUSIONS**

18. The first issue raised is the lack of any study to produce an identification and classification of wild land, to which the council is committed by paragraph 2.5.22 of the structure plan. The council has replied that this study is not a matter for the local plan, but I agree with the objector that local plan policies require to be based on an assured background, and it seems to me that the sooner such a study is produced, the better the basis that the council will have to support its wild land policies. The same applies to the National Scenic Area Management Study. It appears that this is already in draft, although its adoption presently stands deferred.

19. Although paragraph 61 of National Planning Policy Guideline 14: Natural Heritage states that planning authorities should avoid the unnecessary proliferation of local designations, and should where possible conform to the recognised nomenclature set out in its box, nevertheless, paragraph 62 is also clear that the level of protection accorded to local designations will be a matter for the planning authority (see full text of these paragraphs in Appendix 3 to this report). Nevertheless, I agree with the council that there is justification within this local plan area to include a designation for “Remote Landscapes”, although I do not agree that its reason – that it came from the structure plan’s chapter on ‘Sport and Recreation’ – is relevant. The chapter on sport and recreation in the structure plan is based on access; ‘Remote Landscapes’ is part of the ‘Hierarchy of Countryside Areas’, now altered (in Chapter 6 above) to ‘Hierarchy of Natural and Cultural Heritage Features’; whatever their purpose may be therefore, the designation is a description of a type of countryside or natural heritage feature. In these terms, I consider ‘sport and recreation’ to be a separate issue.

20. In any case, the objector concedes (in paragraph 8 above) that the descriptive box in the Background Maps document should include reference to the outdoor recreation potential of the remote landscapes and suggests a re-wording of the ‘Background’ box. As the ‘Type’ box will require to be amended to match the Box 1 description, an alteration such as is suggested seems appropriate to me. Accordingly, the relevant section of the Background Maps document should be altered to the following (text amended as per objector’s submission shown underlined):

Type	Background	Policy Framework
Remote Landscapes	Identified by the council <u>as areas</u> offering qualities of remoteness, a relative lack of evidence of human activity or change, a seemingly high degree of naturalness, and a sense of enclosure or space <u>which are valued for these intrinsic qualities and which provide opportunities for more demanding forms of outdoor recreation.</u>	National Planning Policy Guideline 11: Sport, Physical Recreation and Open Space (June 1996) and National Planning Policy Guideline 14: Natural Heritage (January 1999) (in the context of wild land) and structure plan Policy G2 and paragraph 2.5.22 (in the context of wild land).

21. I share the objector’s concern that the plan should accord fully with National Planning Policy Guideline 14. If the descriptions in the guideline such as “Wild Land” were to be adopted in place of ‘Remote Landscapes’, those referring to the two documents at the same time would find an affinity between them. However, apart from the entry in its glossary, even ‘wild land’ is not a designation recognised by the planning guideline itself and it is used in that document merely as a description of a certain land characteristic. In these terms, I accept that ‘remote landscapes’ is at least as good a designation as ‘wild land’, which describes and defines it satisfactorily.

22. The final objection in this regard raises the issue of whether these remote areas should be placed in a higher category than that of local/regional importance. The objector’s suggestion that they should be raised to ‘Medium Sensitivity’ has probably been overtaken by the amendment of the categories in earlier chapters of this report from ‘low’ and ‘medium’ sensitivity to ‘locally and regionally important’ and ‘nationally important’ natural and cultural heritage features. While there may be justification in identifying the remote landscapes of Wester Ross as being of national importance, nevertheless, I find the council’s explanation to be clear, that the category above it contains land types and features designated or identified by a national agency, and accordingly, I agree that remote landscapes should remain in the lowest of the three category boxes.

23. There remains the council’s suggested alterations. I agree with the adjustments to the positions of Isolated Coasts and Archaeological Heritage Areas within Box 1. I also agree that it would be of advantage to sub-divide the categories of low sensitivity in the policy as suggested. However, I consider that its proposed modification to Box 1 would be rather more appropriate to the relevant policy than to the box. Accordingly, Policy 2: Countryside (amended in Chapter 5 to become the initial section of Policy 1: Development) requires further adaptation as follows (council’s proposed text amendments shown underlined; my further amendments shown double underlined):

### Policy 1: Development

When making decisions on development proposals outwith Settlement Development Areas, we will take account of the level of sensitivity of, and the effect on the natural and cultural heritage (see Box 1 and Background Maps) and compatibility with structure plan Policy G2: Design for Sustainability.

1. In areas of **low** sensitivity (including Locally and Regionally Important Natural and Cultural Features), with:

- no local designation, we will support proposals where it can be shown that they will sustain communities in fragile areas which are having difficulties in keeping their population and services.

- locally or regionally important features, we will allow developments if we believe that they will not have an unreasonable impact on the amenity and heritage features, particularly where it can be shown that they will support communities in fragile areas which are having difficulties in keeping their population and services.

2. In areas of **medium** sensitivity (including Nationally Important Natural and Cultural Features), we will allow developments that can be shown not to compromise the amenity and heritage resource. For national designations, where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas which are having difficulties in keeping their population and services.

3. In areas of **high** sensitivity (including Internationally Important Natural and Cultural Features), we will only allow development where there is no alternative solution and there are imperative reasons for overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, prior consultation with the European Commission is required, unless the development is necessary for public health and safety reasons.

### RECOMMENDATION

24. I therefore recommend that:

- (i) in order to provide support and justification for its local plan policies, the council now treats as urgent the study it requires to produce to meet the commitment set out in paragraph 2.5.22 of the structure plan, in order to provide an identification and classification of wild land; similarly, that it now finalises, agrees and releases the National Scenic Area Management Study which is currently in draft;
- (ii) the wording of the entry “Remote Landscapes of Value for Recreation” in the Locally and Regionally Important Natural and Cultural Features (Low Sensitivity) section of both Box 1 and the Background Maps document be altered to “Remote Landscapes” and amended as shown in paragraph 20 above;
- (iii) Box 1 be altered to incorporate the amendments considered above in paragraph 23, so that it will read as follows (amendments from original as set out in Chapter 6 shown underlined; additional variations to original shown double underlined):

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

<p><b>Low Sensitivity</b> (including <u>Locally and Regionally Important Natural and Cultural Features</u>)</p>	<p>Areas of Great Landscape Value Category B and C Listed Buildings Sites and Monuments Record Archaeological Sites <u>Archaeological Heritage Areas</u> War Memorials Settlement Setting Semi-Natural Woodland Amenity Trees Views over Open Water <u>Isolated Coast</u> Remote Landscapes Locally Important Croft Land Sites of Local Nature Conservation Interest Geological Conservation Review Sites</p>
<p><b>Medium Sensitivity</b> (including <u>Nationally Important Natural and Cultural Features</u>)</p>	<p>Scheduled Ancient Monuments Category A Listed Buildings <u>Conservation Areas</u> National Nature Reserves Sites of Special Scientific Interest Inventoried Gardens and Designed Landscapes National Scenic Areas Ancient and Long-Established Woodland Tree Preservation Orders</p>
<p><b>High Sensitivity</b> (including <u>Internationally Important Natural and Cultural Features</u>)</p>	<p>Special Protection Areas Special Areas of Conservation (including Candidate) Ramsar Sites</p>

and

- (iv) Policy 2: Countryside, now amended to Policy 1: Development, be further altered to that set out in paragraph 23 above.