

THE HIGHLAND COUNCIL

PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE

25 May 2011

Agenda Item	18
Report No	PED 45/11

ASSESSMENT OF HIGHLAND SPECIAL LANDSCAPE AREAS (AHSLA)

Report by Director of Planning and Development

SUMMARY

This report sets out the results of recent consultation on the descriptions of Special Landscape Areas (formerly known as Areas of Great Landscape Value), identifies a response to points raised and recommends some amendments arising from the consultation. Members are asked to approve the finalised citations (Assessment of Highland Special Landscape Areas - AHSLA) as a background paper to the Highland wide Local Development Plan.

SLAs are referred to in policy contained within the Highland wide Local Development Plan (HwLDP). The level of policy protection of SLAs is an Examination issue for the HwLDP, and will be considered separately by the Reporter appointed for that purpose. Members are asked to note however that the AHSLA is a background paper to the HwLDP and is not subject to Examination.

The AHSLA contributes towards Strengthening the Highlands in terms of what The Council will do for the Environment. It also contributes to the Single Outcome Agreement through local outcome E, 'Our natural heritage is protected and enhanced enabling it to deliver economic, health and learning benefits.'

1. Background to the Assessment of Highland Special Landscape Areas (AHSLA)

1.1 Members will recall that Committee approved draft citations for the SLAs in August last year for consultation alongside the Proposed Highland-wide Local Development Plan. The Council received 25 responses on the draft AHSLA. Appendix 1 is a summary of these representations which indicates recommended responses and in some cases amendments to the AHSLA. A full version of the AHSLA showing the detail of the changes proposed is available to view on the Council web-site [here](#) or in hard copy in the Members' library. Full copies of all the representations made are also available in the Members' library.

1.2 Key issues arising from the consultation are highlighted in section 4 of this report.

2. Integration with the Highland wide Local Development Plan

2.1 There is a key link between the AHSLA and the interpretation of Policy 58 Natural, Built and Cultural Heritage contained within the Highland wide Local Development Plan. Within policy 58 Special Landscape Areas are identified as having local/regional importance and the Council will allow development if it is believed that it will not have an unacceptable impact on the amenity and heritage resource.

The AHSLA will assist in the determination of planning applications by helping determine what an unacceptable impact is. They do this by highlighting particular landscape qualities which should be safeguarded and how sensitive they are to change.

- 2.2 Representations were made to the policy protection in the Highland wide Local Development Plan as set out above, and to the assessment of Highland Special Landscape Areas. Those representations that have queried the designation itself and the procedures/criteria used to identify the SLAs have been dealt with in the relevant documentation (Schedule 4) for the HwLDP Examination, as approved at the March 2011 Planning Environment and Development Committee, and this will be for the Reporter to consider through the Examination process. This will provide an independent assessment of the Council's position.
- 2.3 In summary the Council's position is that the process and criteria used to identify the SLAs through the Highland Structure Plan 2001 was appropriate and there is a high degree of confidence in their integrity. Whilst some concerns have been raised regarding the scope of the AHSLA, the Council is of a view that it effectively provides guidance on the special qualities of the SLAs and on their sensitivity to change. Consultation responses also suggested boundary changes, but the Council's position remains that any changes to the boundaries should take place through the individual area Local Development Plans (e.g. the Inner Moray Firth Local Development Plan which is being commenced this year).

3. Key Issues relating to the AHSLA

- 3.1 As noted above, Appendix 1 provides Committee with a summary of all of the representations received and the proposed response to them. Members are asked to agree these responses in order that the AHSLA document can be finalised and used as a background document to the Highland wide Local Development Plan. Some of the key issues raised are set out below.

3.2 • Identifying matters beyond planning control

Of concern to some respondents is the fact that the AHSLA is not restricted to providing advice on sensitivities (development/ land uses) controlled through the planning system.

Proposed response: It is not considered that the AHSLA should be amended to exclude aspects outwith planning control as it considers the landscape holistically and aims also to inform/influence a wider audience. However the Council will not overreach its role and where the assessment concerns activities not covered by planning it is discretionary advice. This has been made clearer in the AHSLA with an amendment of the 'How to Use this Document' section to address this.

3.3 • Forestry

The Forestry Commission believes that references to trees and woodlands are inconsistent, sometimes negative and do not appear always to be aligned with the Highland Forest and Woodland Strategy or Scottish Government climate woodland expansion rationale (to extend woodland cover).

Proposed response: The references in the AHSLA to promote native planting

suggest the landscape benefit they would bring usually in relation to a particular landscape feature such as a loch shore, to link up fragmented areas of native woodland, or to provide a mix within a coniferous forest. The Forestry Commission are correct to state that within SLAs there are areas identified within the Highland Forest and Woodland Strategy as suitable for mixed or coniferous planting subject to local circumstances and meeting Forestry Commission design standards. Some coniferous/mixed planting can be considered acceptable within SLAs although this is not specifically identified as a measure for landscape enhancement. The Council does not agree that this is a direct conflict as although this section provides advice on landscape enhancement it is not identifying every type of landuse that could be acceptable in the right location or circumstance.

3.4 • Archaeological references (Scottish Natural Heritage)

For some of the SLAs, archaeological information is included within the 'Other designations/ interests' section of the citations and SNH consider this is where it is best suited. In contrast, they feel that it does not fit well within the section on 'Special Qualities' since the presence of these features does not necessarily mean that they are experienced as 'Special Qualities'.

Proposed response: Effort was made to integrate the archaeological aspects into the relevant section/s of the citations but it is recognised that they have not always ended up in the most appropriate section. Nevertheless it is felt that in many instances the particular cultural/archaeological aspect mentioned is a special quality of the SLA. Backing this up, Guidance on Local Landscape Designations (2004) produced by SNH and Historic Scotland identifies that the cultural and historic character of the landscape can be a landscape quality. Therefore cultural/archaeological references have been reconsidered but only some have been moved from the Special Qualities section.

3.5 • Drynachan, Lochindorb and Dava Moors SLA - Key Landscape and Visual Characteristics

The representations on this area have raised the issue that the citation makes no substantial reference to the existing forestry blocks that increasingly characterise parts of the area. They also state that it does not record the fact that clear visibility of existing wind farms occurs from within the proposed SLA area, most notably of Farr wind farm and Paul's Hill, and this is considered to be an important omission from the Key Landscape and Visual Characteristics.

Proposed response: Whilst the Paul's Hill and Farr windfarms are visible from points within the SLA they are not situated in the SLA itself, and are not considered to be a key visual characteristic. This section of the citation is not intended to categorise every feature visible from within the SLA (as acknowledged in the 'How to Use this Document' section). Paul's Hill windfarm is appropriately mentioned within the 'Other designations/ Interests' section of the citation and Farr windfarm should be added here. Although it is recognised that there are some areas of forest within the SLA (as well as just outwith), again these are not considered to be significant enough in their contribution to this SLA to merit inclusion within the Key Landscape or Visual Characteristics section.

4. **Gaelic Language**

- 4.1 We provide Gaelic translation of headings and sub-headings in the publications that we produce.

5. Implications

- 5.1 There are no direct resource implications arising from this report. There are also no direct Equality, Climate Change, or Legal implications arising from this report.
- 5.2 In terms of risk the Examination of the HwLDP could have implications for the AHSLA if the Reporter's findings provide for changes to the policy or composition of Highland SLAs. If such changes are recommended by the Reporter, the AHSLA document will require to be considered again by the Committee.

6. Conclusion

- 6.1 The Council has worked closely with SNH to ensure that the citations identify the key qualities of Highland's Special Landscape Areas as well as set out how they can be protected and where possible enhanced. The consultation has identified some suitable refinements to these citations and Committee is asked to agree the suggested changes detailed in Appendix 1.

RECOMMENDATION

Committee is asked to consider the representations received and agree the finalised Assessment of Highland Special Landscape Areas to be published on the website as a background paper to the Highland wide Local Development Plan.

Signature:

Designation: Director of Planning and Development

Date: 11 May 2011

Author: Katie Briggs, Planner (Ext. 2271)

Background Papers:

[Draft Assessment of Highland Special Landscape Areas](#)

Full Representations made to the draft Assessment of Highland Special Landscape Areas

Appendix 1: Summary of representations with recommended responses

Assessment of Highland Special Landscape Areas (AHSLA)
Body or person(s) submitting a representation
Save our Dava (68), Forestry Commission (116), Scottish Natural Heritage (SNH) (118), Trustees of Cawdor Marriage Settlement Trust (124), Grantown Community Council (192), Carbon Free Developments (379), Scotways (387) The Ossian Trust (421), PI Renewables (454), Jones Lang LaSalle for Nanclach Ltd (457), R Hoskins on behalf of Lethen Estate (463), R M Hoskin for Sarah Brodie Woodland (464), Scottish Rural Property and Business Association (SRPBA) (468) Ardtornish Estate (469), CKD Galbraith for Ardverikie Estate (478), Strutt and Parker for AWG Laing (480), Strutt and Parker for General & Mrs Balfour (481), Tom Chetwynd (483), E Cawdor (485), Strutt and Parker for Glenbanchor Estate (489), Strathdearn Against Windfarm Development (SAWD) (496), William McKenise Grant (522), CKD Galbraith for Wyvis Estate (523), Strutt and Parker for A G Laing (524)
Summary of the representation(s):
<p>Where the representations have already been summarised and dealt with in the documentation (schedule 4) for Examination of the Highland wide Local Development Plan the text is italicised, where this committee still has to consider and determine its response the text is non - italicised.</p> <p><u>Identification of SLAs</u></p> <p><i>Concerns were expressed about the identification of the AGLVs in the Highland Structure Plan (HSP) and the lack of a review of these areas when taken forward in the HwLDP. Some consider that the Council could have used methodology identified in SNH Guidance on Local Landscape Designations and reviewed the areas to be identified as SLA's.</i></p> <p><u>Status of the SLAs</u></p> <p><i>Some have said that certain SLAs should be proposed SLAs in the HwLDP awaiting confirmation through an Area Local Development Plan. They argue this because the SLA has not been through an Area Local Development Plan since being identified in the Highland Structure Plan.</i></p> <p><u>Boundaries of SLAs</u></p> <p><i>Some have made representations on the boundaries of the SLAs seeking changes to include or exclude certain areas.</i></p> <p><u>Status of the AHSLA</u></p> <p><i>Referring to SPP (2010): they consider that the scope of the AHSLA is insufficient to be included in the HwLDP, and that the AHSLA should be included as Supplementary Guidance. Some consider that this would have helped the public understand the role of the assessment in the plan preparation process.</i></p> <p><u>Consultation process</u></p> <p><i>Some feel that there has been insufficient consultation on the identification of the SLAs/AHSLA.</i></p>

Policy implications of the Assessment of Highland Special Landscape Areas

Some point out that certain SLAs suggest that they could be adversely affected by the introduction of further buildings or structures. They consider that such restriction may limit ability to manage agricultural, forestry and sporting activities in the future. They think that the social and economic impact of the AHSLA has not been considered. One representation seeks clarification on the advantages and disadvantages of the SLA designation as they would like to assess the implications.

Existing buildings are essential for the management of the landscape and these will need replaced over time. The citation is considered an unnecessary impediment to this form of development. (481, 523) They feel that the citation should not preclude restoration of existing buildings or development of renewable energy opportunities as this would be at odds with National policy. (523)

The Ossian Trust: (specifically Inninmore Bay and Garbh Shlios Special Landscape Area) are working with Scotland's leading classical sculptor, Alexander Stoddart (Her Majesty's Sculptor in Ordinary in Scotland), to commemorate Ossian with a very large monumental sculpture. The favoured site, on which they are conducting further investigations in conjunction with the landowner, Ardtornish Estate, is the headland above the point Rubha an Ridire. They have held preliminary discussions with representatives of both Highland Council and Scottish Natural Heritage, and envisage pursuing these more actively shortly. The sculpture would be recessed into the landscape but would require access both for works and for visitors from the coast. They are very strongly interested in avoiding any designation on Rubha an Ridire which could inhibit them obtaining the necessary consents to construct the monument. (421)

Identifying matters beyond planning control

The Citation suggests rationalisation or restoration of hill access tracks and the Estate are concerned about the affect of this on their operation of this land for sheep farming unit and grouse moor. (468)

They feel that it is not appropriate for this document to provide guidance on land uses which do not fall within the scope of the development management process. (480, 481, 489, 524)

The citation makes reference to forestry matters, but since the Estate has an approved Forest Plan agreed with FCS after consultation with statutory consultees (including Highland Council), and landscape matters are an important consideration when developing the plan, it is hard to see how the SLA designation will improve the process or outcome. (478)

Forestry Commission comments

Forestry Commission: have a number of comments on the assessment of SLAs. They believe that the references to trees and woodlands are inconsistent, sometimes negative and do not appear always to be aligned with the Highland Forest and Woodland Strategy or Scottish Government climate woodland expansion rationale.

They feel that the expansion of appropriately designed woodlands, including productive conifers/mixed woodlands where this is indicated in the Highland Forest and Woodland Strategy, should be seen in a more positive light. The statements in the SLAs tend to only support expansion of native woodlands. e.g. 23 Ben Alder, Laggan and Glen Banchor "Promote natural regeneration of native broadleaf within the straths while ensuring that key views to historical buildings and features are retained or enhanced." This issue could be addressed by more direct reference to the Forest and Woodland Strategy.

Whilst recognising that specific existing woodlands within some SLAs need to be improved in terms of design there seems to be a generally dim view expressed on conifers. Terminology such as "Regrettably coniferous plantations appear as stark, angular, dark blocks which contrast with the muted colours, textures and sinuous patterns of the moorland vegetation.

and "Restructure forestry plantations and restock to include native broadleaf species or remove altogether, including associated tracks and fences....." reflects this. They would propose a more consistent approach would be that restructuring of existing woodlands should be to the UK Forestry Standard and in SLAs specifically seek to enhance their integration with surrounding landscape using good design, rather than remove them or replace them with native woodlands. This is also in line with the Scottish Government's policy on woodland removal. Conifers can play a positive part in the landscape and are important to sustaining the economic and climate change benefits of forestry to Highland.

Some SLA statements point towards this approach eg. 17 Ben Wyvis "Outwith the SLA boundary, the harvesting of the existing coniferous forests on its western, southern and eastern fringes, brings the opportunity for creating a richer woodland mosaic and opening up pathways and views through the forest area. Restocking selected areas with high or higher proportions of native broadleaved trees, and the application of current best forest design practice, would create a better setting to the open grass slopes of Ben Wyvis." and 24 Moidart, Morar and Glenshiel "Restructuring of existing forest areas and restocking with native broadleaf and coniferous species to eliminate geometric plantations with inappropriate straight boundaries" but this is not used consistently in other SLAs. (116)

SNH comments

Photographs - some of the photographs inserted for the SLAs are considered not to be clear and their range is not always useful in representing the key characteristics and special qualities. They recommend a review of the purpose behind using these photographs, leading to careful selection of those that will be most relevant. It will be important to select photographs that show the landscape in a range of season and weather conditions.

Format – they consider the format of the report to be fairly clear and the insertion of the SLA maps is very useful. However they recommend that some of the text may be 'rolled-over' onto subsequent pages to reduce the report length.

Archaeology - they welcome the addition of information on historic landscape features added by Highland Council archaeologists. For some of the SLAs, archaeological information is included within the 'Other designations/interests' section of the citations and they consider this is where it is best suited. In contrast, they feel that it does not fit well within the section on 'Special Qualities' since the presence of these features does not necessarily mean that they are experienced as 'Special Qualities'.

Mapping - they feel that the maps of the individual SLAs are generally clear and useful. However, as agreed during Steering Group meetings for the project, these should also show the boundaries of National Scenic Areas, National Parks and other SLAs where these occur within the map limits. In addition, it would be useful to add north arrows to these maps to highlight that some are tilted to fit the page size.

Terminology - there is a need to review some of the terms used within the report. Some are used inconsistently within the report, e.g. 'coires'/ 'corries' and 'plateau'/ 'plateaux', or inconsistently with their use elsewhere within the HwLDP and other supplementary guidance (e.g. 'remoteness and solitude' often used to reflect 'wildness' and 'wild land'). In addition, some English terms such as 'valley' seem inappropriate where 'glen' and 'strath' are more familiar within the Highlands.

Minor changes – there are minor changes proposed within a tracked changes version of the draft AHSLA for consideration.

General points - additional reference may be useful to characteristics and qualities that exist outside the SLA boundary but nevertheless contribute to these areas. Similarly, it will often be important to highlight that changes outwith the SLAs may affect the characteristics and qualities within these areas and vice versa.

Also there is no discussion here – nor in the Proposed Plan – of how the suite of SLAs will be taken forward within the three Area LDPs, particularly to enable the boundaries to be reviewed. (118)

Drynachan, Lochindorb and Dava Moors Special Landscape Area

Carn nan Tri – tighearnan

Considers that the citation does not represent the western edge including Carn nan Tri-tighearnan which falls within a different landscape character type (rolling hills) than the majority of the SLA. (379)

Key Landscape and Visual Characteristics

Within the section titled 'Key Landscape and Visual Characteristics' they consider that there is inadequate reference to the fact that the area was previously characterised by forest cover and that the moorland is a consequence of this. The citation also does not adequately refer to the presence of a large area of pine forest plantation close to the B9007, to the west of Lochindorb, which will have a material effect on the perception of the area as seen from one of the two roads that cross through it, as it matures, restoring some of the previous character that the area had. The likely changes

envisaged within this area are acknowledged in SNH's Moray and Nairn Landscape Character Assessment (LCA) 1998. These changes in the landscape are not clearly reflected in the draft citation for the SLA, although the document does acknowledge that changes in land cover patterns may affect the sensitivity of the area to change, specifically noting that 'The introduction of further woodland or forest development in areas of open moorland, remote from watercourses, which would break up the continuity of land cover and interrupt or obstruct views.' The citation makes no substantial reference to the existing forestry blocks that increasingly characterise parts of the area. (457)

The citation does not record the fact that clear visibility of existing wind farms occurs from within the proposed SLA area, most notably of Farr wind farm and Paul's Hill windfarm, and this is regarded to be an important omission in its key characteristics. These omissions are continued into the section that describes the Special Qualities. Under the section titled '*Sensitivity to change*' the appearance of existing wind farms in views from within and across the SLA requires to be acknowledged. (457)

Visibility of several windfarms from within the DLD SLA should be mentioned. (124)

Narrow Wooded Valley landscape character type

Considers that the citation does not mention the Narrow Wooded Valleys area or explain why it is an integral part of the area. The Moray & Nairn Landscape Character Assessment (M&NLCA) identifies the area as one 'experiencing considerable landscape change as natural regeneration of woodlands occurs'. It also identifies the native pine forests in the area, such as the one to the north of Lochindorb in the centre of the DLD SLA, as 'gradually affecting the openness of the heather moor'. They consider that this contrasts starkly with the purpose of an SLA which is to conserve landscape features. This changing landscape is for some reason not referred to in the AHSLA. (124)

Preserving wild qualities

Considers that the Streens is a spectacular gorge channelling the equally renowned River Findhorn through wild country. This is a landmark referred to by many writers and travellers through the centuries and now forms part of the Scotways Scottish Hill Track 202. Users of the A9(T), the U346, Sustrans Route 7 and the Perth-Inverness railway near Tomatin get dramatic views of the strath, the rolling hills and uninterrupted skyline as the River Findhorn flows towards the Streens. The area is identified in the Highland Forest and Woodland Strategy as a key area of open landscape and habitat and its protection is justified on these grounds alone. The eastern side of the SLA is equally important for its wild, expansive moorland views and for Lochindorb. Robust protection from man-made development is of paramount importance. (387, 496)

The area has not changed much over hundreds of years and forestry or new builds should not be permitted. The openness of this area gives panoramic views not witnessed in many other areas. (522)

Wish to comment on the Dava Moor part of the Grantown-on-Spey & Vicinity Community Council area regarding Special Landscape Area Designation and Forestry & Woodland. They consider it vital that the unique environment, amenity and landscape quality of Dava, and in particular the historical Lochindorb section, is protected by continued designation as Special Landscape Area, to exclude it from consideration for windfarm and other modern developments such as commercial forestry planting. This applies not just to the immediate site but also to adjacent land clearly visible from Lochindorb and Dava. They consider that Windfarms should be located in areas which have been developed in the past, not on wild land, and should not be decided purely on artificial and unrealistic Renewable Energy targets irrespective of environmental considerations. Forestry schemes in such areas should be appropriate to the setting, ranging from planting through natural regeneration to no planting if detrimental to amenity and wildlife. (192)

Although this area may have the appearance and 'feeling of wildness' (SNH Review No. 101) they consider this to only be a reflection of its land use. (485)

In the overview the citation describes 'sparse human presence' as one of the key characteristics of the SLA. It then describes those elements of human intervention that are evident in the landscape, with reference to tracks, fences, muirburn patterns and fencing and considers that this experience is emphasised by 'an almost complete absence of built structures'.

Lochindorb Castle and the extent of the loch

Would like more emphasis and information included on Lochindorb Castle which has played a very important part in Scottish History. Lochindorb is the largest area of water in Grampian and East Highland – feels that this information is worth including. (522)

Save our Dava comments

1. Location and Extent: comprehensively covered.

2. Overview - As above, but suggest the addition at the end of the first paragraph 'The dramatic passage of the undeveloped River Findhorn valley through the SLA accentuates the high tableland effect of the surrounding uplands, and presents striking visual diversity in its juxtaposition with them.'

This addition would link with the final sentence in the preceding section, further highlighting the singularity of this feature to this SLA.

3. Landscape and Visual Characteristics: Bullet 3 - suggest the addition 'this direct visual connectivity between contrasting landscape types i.e. mountain ranges and broad tableland, accentuates their distinctly separate qualities.' Travelling south on either of the two public roads crossing the SLA provide the best singular views available of the scale of the Cairngorms massif rising immediately to the south.

Bullet 8 - add the omission 'of' after the word 'consistency' in sentence 2.

Bullet 10 - suggest the addition 'Its area presents the largest surface body of fresh water in Highland Region east of Inverness, plus the whole of Grampian Region.'

* Loch Muick, the largest loch in Grampian, is marginally smaller than Lochindorb.

Special Qualities: Sense of Solitude etc.- Bullet 5 - suggest the additional sentences - "their largely ruined and abandoned states, plus their isolation, engender a strong feeling of 'genius loci.' This in turn arouses contemplative emotions of past human endeavour and hardship now lost to history."

This links in to the ethereal and historical tone of preceding bullet 4.

Sensitivity to Change: Bullet 2 - suggest the additional sentence - The non-presence of any modern housing development with its associated infrastructure such as accessing and utilities servicing is becoming increasingly rare in Highland Region's quality landscapes.

Bullet 4 - omit the word "which" to read in context with heading.

Potential for Landscape Enhancement: Suggest addition of third bullet point - reduce level of muirburning frequency, plus burning felling of native tree natural regeneration, to levels in keeping with those of local gamebird population trends.

Red grouse numbers particularly are decreasing annually within the SLA at present.

Other Designations/ interests: Bullet 1 - suggest the addition of nationally designated sites' areas to place these within perspective of whole SLA (applies to full SLA suite) SLA 22 has 18% of its total area so covered, as follows:- Carn nan tri Tichearnan SAC/SSSI - 4109ha.

Add omission of Moidach More SAC/SSSI (part) - ca240ha. (S.E. section lies within SLA 22 area). Add 3 SSSIs omitted - Alit a'Choire SSSI -55ha. Findhorn Terraces SSSI -56ha. Alit na Feithe Sheilich SSSI - 42ha.

Bullet 2 - Suggest the addition of sentence - "Consequently, no commercial plantations of exotic conifers exist within the SLA area."

Bullet 7 - add - as does the approved Berry Burn wind farm planning application.

Extra Bullet 11 - The organisation 'Scotways' (formerly the Rights of Way Society) regard the Ruthven-Drynachan pathway through the Streens valley as one of the best in Scotland. 'They quote SLA 22 as being 'a hidden gem'.

Extra Bullet 12 - The Dava Way, a formal pathway following the route of the former railway line across Dava Moor, traverses the eastern SLA and is widely utilised as a leisure facility for Cairngorms National Park users.

(68)

Fannichs, Beinn Dearg and Glencalvie Special Landscape Area

Considers that the statement that Alladale and Amat are the largest expanse of Caledonian pinewood in Scotland is incorrect.

Inninmore Bay and Garbh Shlios Special Landscape Area

Ardtornish Estate would like to make the following points, some in correction to their perceived inaccuracies in the draft:

- the western part of the land in question is accessible by a perfectly servicable farm track
- there are four habitable houses in the land in question, and while none is inhabited full-time, all are in very regular use; and the Estate are intending to develop further habitable dwelling(s) in the area
- the Old Ardtornish Farm steading is in almost daily use and economically vital to the farming operations that cover a substantial part of the land in question
- the land around Ardtornish point is among the best improved farmland in Morvern
- the woodland located on the east side of Ardtornish Point is not native woodland and includes both the non native broadleaf beech and exotic conifers which were part of the designed landscape surrounding a now ruined property, Old Ardtornish House (built c. 1755 dem. 1907 ref. Gaskell 'Morvern Transformed')
- significant parts of the area covered are fenced, including by modern (of early C21st construction) deer fencing and by older largely dilapidated Victorian post and wire fences. There are several fields around Old Ardtornish Steading with deer fencing enclosing farm livestock.
- regarding the scenic value of the area, specifically panoramic exposure and seclusion, the approach to Ardtornish Bay is made via the well maintained private road mentioned above. Although allowing for panoramic views, this walk in is punctuated by evidence of a busy working estate, with a ferry terminal in clear sight, and Lochaline village in the background. This is an active, managed landscape rather than an isolated wilderness. (469)

Summary of responses (including reasons):

The commended revised Assessment of Highland Special Landscape Areas is Appendix 2 to the committee report and all amendments can be seen on this as tracked changes. This is made available on our website [here](#) and in the Member lounge.

Many representations were made (sometimes not explicitly) to both this Assessment of Highland Special Landscape Areas and to the Highland wide Local Development Plan where policy protection of SLA's is provided. Where brief responses are *italicised* the schedule 4 for policy 58 of the HwLDP gives a more detailed response [here](#). The Council position was established on these matters at 16 March 2011 PED committee. The Reporter will give an independent assessment of these and will come back with recommendations hopefully by the end of this year.

Identification of SLAs

In summary the Council's position is that the process and criteria used to identify the AGLVs (now SLA's) through the Highland Structure Plan 2001 is appropriate and we are confident about their integrity. When identifying the AGLVs the Council used the Government Guidance available at the time. With confidence in the areas identified as SLAs the Council and SNH have

instead chosen to direct resources towards better understanding the qualities of these SLAs and how they may be sensitive to change.

Status of the SLAs

In summary the Council's position is that of our suite of Local Plans only the Nairn Local Plan is older than the HSP (2001). Therefore the status of the SLA for Drynachan, Lochindorb and Dava Moors is that its western edge is included within the Inverness Local Plan but its entirety has not been subsequently included in a Local Plan. The Caithness Local Plan 2002 was adopted after the HSP (2001). However it was progressed alongside the HSP (2001) and the SLAs are therefore referred to as Regional Scenic Areas and Local Recreational Management Areas. The Council is confident about the integrity of all the SLA's (including proposed AGLV's) from the HSP (2001). The Council seeks to continue their designation as SLA's in the HwLDP.

Boundaries of SLAs

In summary the Council's position is that although we are confident about the integrity of the SLA's (proposed AGLV's) from the HSP (2001) we will welcome the opportunity as we did with the others to consider the boundaries through the Area Local Development Plan (on a more detailed map base than the large scale map base used to identify the areas).

Status of the AHSLA

In summary the Council's position is that the SLA citations themselves do not provide resolution with social or economic considerations by suggesting where these may outweigh the landscape impact. They are instead an important tool/ material consideration to understanding and assessing any impact on the landscape. Development plan regulations 2008 say that Supplementary Guidance may only deal with the provision of further information or detail in respect of the policies or proposals set out in that plan. The Council do not consider the AHSLA to be further information/detail on HwLDP policy 58.

Consultation

In summary the Council's position is that consultation on the SLAs started when they were identified in the Highland Structure Plan in 2001 and has continued as we have continued these areas through into the Area Local Plans. The consultation on the AHSLA has been advertised in the press, through the Highland Council website, and through the proposed HwLDP mailshot, and is considered to be fit for purpose.

Policy implications of the Assessment of Highland Special Landscape Areas

The AHSLA provides guidance on the special qualities of the SLA's and on its sensitivities to change. It is considered an appropriate tool to understand and consider potential landscape impacts. As a comparison the SSSI citations have a similar role, not policy in themselves but assisting the Council to determine whether there is a significant impact on the resource. Policy 58 of the HwLDP is the relevant policy test and the social and economic context and whether the area is within a fragile area forms part of the consideration here.

With regard to concern about the implications for renewal of existing buildings the AHSLA does not identify renewal of existing buildings as a sensitivity within any of the citations, and the Council's planning policies are supportive of redevelopment of existing buildings. Any additional buildings proposed within areas with identified wild qualities are identified as sensitive within the AHSLA however buildings proposed close to existing buildings could have less impact on this sensitivity. It will be considered on an individual basis whether any proposal represents an unacceptable impact. Policy 58 and the social and economic context of the proposal will be considered before any recommendation/decision is made by the planner/committee. In terms of Onshore Wind Energy Proposals there will be separate policy provided through the Supplementary Guidance which takes account of the SLA designation. A draft of this is currently on consultation and can be viewed [here](#).

With regard to the Ossian Trusts proposals for a monument at Rubha an Ridire it is recognised through the AHSLA, "that development across the cliff faces or slopes could be highly visible from the sea and the opposite shore." This is a sensitivity which will have a bearing on the acceptability of development proposals in this location. However because any development would be highly visible does not mean that any development will be considered inappropriate as some developments could be considered to positively contribute. Given the nature of the proposal it is recommended that the Ossian Trust should continue to develop their proposal in consultation with SNH and the Council.

Identifying matters beyond planning control

It is not considered that the AHSLA should be amended to exclude aspects outwith planning control as it considers the landscape holistically and aims also to inform/influence a wider audience. However the Council will not overreach its role and where the assessment concerns activities not covered by planning it is discretionary advice. This has been made clearer in the AHSLA with an amendment of the 'How to Use this Document' section to address this.

How the SLA deals with woodland/forestry

The references to promote native planting suggest the landscape benefit they would bring usually in relation to a particular landscape feature such as a loch shore, to link up fragmented areas of native woodland, or to provide a mix within a coniferous forest. The Forestry Commission are correct to state that within SLAs there are areas identified within the Highland Forest and Woodland strategy as suitable for mixed or coniferous planting subject to local circumstances and meeting Forestry Commission design standards. However whilst some coniferous/mixed planting can be considered acceptable within SLA's this is not identified as a measure for landscape enhancement. This presents no direct conflict as this section provides advice on landscape enhancement, it is not telling us every type of landuse that could be acceptable in the right location/circumstances.

Although the Forestry Commission have expressed some concern the references to existing conifer forestry they are not considered to be unduly or

particularly negative. In the AHSLA for every citation affected there is always an acknowledgment that restructuring/ restocking parts with native woodland/ redesign of boundaries can mitigate where there are existing negative impacts. It is felt that if the citations were less specific and focussed on conformity with other plans then this would weaken their local detail and their ability to inform other plans.

SNH comment

Photographs - Unfortunately although there is merit in the suggestion the council does not have the resources for the scope of the work suggested. The photographs are intended as a limited selection. It is recognised that they are not comprehensive in capturing key characteristics or special qualities and do not capture them in different seasons. Therefore a change will be made to make clear their role and limitations in the section on How to Use this Document.

Format – Agree change to format to help reduce the length of the document.

Archaeology - Effort was made to integrate the archaeological aspects into the relevant section/s of the citations but it is recognised that they have not always ended up in the most appropriate section. Nevertheless it is felt that in many instances the cultural/archaeology aspect mentioned is a special quality of the SLA. Backing this up Guidance on Local Landscape Designations (2004) produced by SNH and Historic Scotland identifies that the cultural and historic character of the landscape can be a landscape quality. Therefore cultural/ archaeological references have been reconsidered but only some have been moved from the Special Qualities section.

Maps - Agree mapping changes to the individual maps. This is provided in overview location plan, but agreed that this would be helpful on the individual maps as well.

Terminology - Agree changes.

Minor changes – Consider each proposed change on its merit and agree where they are considered appropriate.

General - The potential for impacts outwith to impact on the SLA itself is something which is adequately dealt with by the HwLDP Policy 58.

With regards to how the suite of SLA's will be taken forward, they will be taken through the Area Local Development Plans and the need for any minor boundary changes will be considered here on smaller scale mapping. It is recommended that the Executive Summary of the AHSLA should be amended to acknowledge this.

Drynachan, Lochindorb and Dava Moors SLA

Carn nan Tri – tighearnan

It is considered that this area and the rolling hills landscape character type are adequately covered by this citation. Whilst the overview does mention one attribute which is not as applicable for this part of the SLA 'easily

accessible via several roads' there is mention of characteristics within the overview which equally apply to the rolling hills landscape character type, 'homogeneity' 'sense of spaciousness, wide views and sparse human presence'. Elsewhere within the Key Landscape and Visual Characteristics and Special Qualities sections there is also mention of aspects which are specific to this landscape character type. It is therefore considered that this area is adequately reflected within the citation. It should be noted that the SLAs are not intended to be restricted to one landscape character type the HSP recognises as one of its criteria for their selection, ' combinations of land character types which provide attractive or unusual scenery.'

Key landscape and Visual Characteristics

Whilst the Paul's Hill and Farr windfarms are visible from points within the SLA they are not within the SLA and are not considered to be a key visual characteristic. This section is not intended to categorise every feature visible from within the SLA as acknowledged in the How to Use this Document section. Paul's Hill windfarm is appropriately mentioned within the Other designations/ Interests section of the citation and Farr windfarm should be added here.

Also although it is recognised that there are some areas of forest within the SLA (as well as just outwith), again these are not considered to be significant enough in their contribution to this SLA to merit inclusion within the Key Landscape or Visual Characteristics section. The area covered by the SLA, however, is shown on the Key Themes Map of the Highland Forest and Woodland Strategy as 'Key areas of open landscape and habitat'. Further, the Policy Map shows the area as mostly: D - limited potential for sensitive woodland development, with preference for retention of large scale open space ,or shaded grey and marked 'Unsuitable for trees' with a very small peripheral area designated 'C - planting primarily for nature conservation and/or amenity'.

Narrow Wooded Valley landscape character type

Although there is concern about lack of mention to this area and character type there are several references. One is made to the pine birch woodland, 'which does to some extent affect the openness of the area but 'serves (by contrast) to empathise the dominance of the horizontal dimension and unbroken skylines that predominate across the open landscape.' Also mention is made of the narrow wooded valley section within the Key Landscape and Visual characteristics, 'the moorland is dissected by a series of river valleys....the more steep-sided valleys, such as that of the River Findhorn at Drynachan, offer enclosed and intimate relief from the surrounding expansive moorland.' Also mention is made of this area within the Special Qualities section, 'A narrow deep section of the Findhorn valley at Streens offers enclosed and intimate relief in contrast to the elevated and exposed moorland.'

It is considered that the AHSLA purpose is not focussed on conservation; it identifies potential landscape enhancements and sensitivities where qualities could be affected by development. The AHSLA does not consider any change inappropriate. Therefore no amendment is considered necessary.

Preserving wild qualities

Within the 'sensitivity to change section' the extensive panoramas and impression of wildness and its sensitivity to further buildings or structures is identified. This is considered to give appropriate protection to this feature. However the Council will need to consider whether the proposal impacts on wildness and whether the proposal represents an unacceptable impact. Through Policy 58 the social and economic context will also be considered before any recommendation/decision is made by the planner/committee. In terms of Onshore Wind Energy Proposals there will be separate policy provided through the Supplementary Guidance which takes account of the SLA designation. A draft of this is currently on consultation and can be viewed [here](#). In terms of the Scotways hill track mentioned, the 'other designations and interests' section should be supplemented to cover this.

Lochindorb Castle, and the extent of the loch.

It is considered that the citation should be amended to provide a bit more historical context on Lochindorb castle. The extent of the loch should also be mentioned.

Save our Dava comments

2. Overview – this suggestion proposed is covered in key landscape characteristics and in special qualities, the overview is not the place for detail of individual landscape features.

3. Landscape and Visual Characteristics

Bullet 3 - This suggestion strays into the qualities rather than focussing on description as is necessary in this part of the citation. This aspect is considered to be already adequately covered in the special quality 'A narrow deep section of the Findhorn river valley at Streens offers enclosed and intimate relief in contrast to the elevated and exposed moorland'.

Bullet 8 - Agree minor grammatical wording change

Bullet 9 - Agree to accept this change within brackets as it adds useful detail.

4. Special Qualities

Bullet 5 - Accept but reword 'These engender a strong atmosphere which can arouse contemplative emotions of past human endeavour and hardship.'

5. Sensitivity to change

Bullet 2 - This part of the citation needs to focus on the sensitivity rather than the description which is considered to be adequately covered in the Key Landscape and Visual Characteristics section 'The limited network of public roads through the area, lack of habitation and other built features and open space convey a sense of remoteness and isolation.....'

Bullet 4 - Accept minor grammatical wording change.

Potential for Landscape Enhancement

Bullet 3 - It is considered that this section should continue to refrain from giving general advice which is not specific to the special qualities or key landscape and visual characteristics of the SLA.

Other Designations/interests:

Bullet 1 - The change proposed is not considered necessary. For consistency if this were to be accepted it should be done throughout the AHSLA. It is suggested that this proposed change should not be made.

Do not accept addition of reference to additional SSSI/SAC. As per 'How to Use this Document' section these should only be mentioned where have a bearing on key characteristics or special qualities, where these are not identified elsewhere in the citation.

Bullet 2 - Addition suggested considered unnecessary.

Bullet 7 - Accept reference to Berry Burn wind farm

Bullet 11 and 12 - Accept bullets which alert readers to important pathways within this SLA.

Fannichs, Beinn Dearg and Glencalvie Special Landscape Area

Accept and amend the inaccurate reference.

Inninmore Bay and Garbh Shlios Special Landscape Area

It is recognised within this citation that there are 'isolated dwellings' acknowledging that there is limited habitation. With regards to future plans for additional development the sensitivity for change acknowledges that, 'increased activity or development within the area could compromise the sense of tranquillity and wildness, while the introduction of new manmade features, such as buildings, tracks, fences, or surface installations in coastal waters adjacent, could seem incongruous to the openness of the landscape and compromise its unspoilt character'. This does not mean that any development proposals will be considered an unacceptable landscape impact as it considers development 'could compromise' this means there is a need to consider any proposals the impact on the open areas and the sense of wildness to determine whether it would compromise this quality. Furthermore Policy 58 of the HwLDP is the relevant policy test and the social and economic context and whether the area is within a fragile area forms part of the consideration here. HwLDP policy 58 will be considered before any recommendation/decision is made by the planner/committee.

Although there is a private access road this does not constitute a 'public access road' therefore the citation does not need to be amended in this regard. Other points made regarding the farm and the woodland are acknowledged but it is not considered that they require any change to the citation.

The point about the older post and wire fencing is well made and it is considered appropriate to amend the potential for landscape enhancement 'reinstate areas of post and wire fencing with traditional stone walls and repair walls where dilapidated' to include the qualifier 'where good evidence exists for the existence of walls historically'. For consistency his change should be carried out to the other citations where this potential landscape enhancement exists.

