

Assessing impacts on Wild Land Areas – technical guidance – consultation

Page 2: RESPONDENT INFORMATION FORM

Q1. Are you responding as an individual or an organisation?

Organisation

Q2. Your name or your organisation/ group name

Name Optimised Environments Ltd on behalf of Infinergy Limited

Q3. email

Email

Q4. How do you wish your response to be treated?

Publish response with name.

Q5. If required, may we contact you regarding your response?

Yes

Page 3: CONSULTATION QUESTIONS

Q6. 1) Does the 2017 draft guidance provide a clear explanation of the methodology and general principles for assessing the impact of development proposals on Wild Land Areas

Some sections

Comments/explanations:

The 2017 WLA guidance is not as prescriptive or as detailed in its approach as was the 2007 SNH 'Assessing effects on Wild Land -Interim guidance'. There is however sufficient information upon which to base an assessment of effects on a WLA, provided it is undertaken by suitably experienced and qualified landscape professionals – preferably by a Chartered Landscape Architect. The reliance on GLVIA 3 as the guiding methodology in the 2017 version has the potential to attribute lower sensitivity and magnitude of change ratings than would have been produced through the application of the 2007 guidance. This is because of the consideration that is given to the factors of value and susceptibility, in reaching a view on sensitivity. The factors considered in a proper understanding of 'susceptibility' tend to reduce overall value of the receptor, and therefore sensitivity. This in turn may lead to fewer findings of significant effects. Reliance on GLVIA 3 is likely to lead a wider range of assessment findings and the apparent vagueness of the new methodology may lead to an increased inconsistency of approach and findings. In the 2017 WLA guidance, the absence of detail in

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terms of the definition of physical attributes and perceptual responses and how to rate their strength / weakness or presence / absence, (which is present in the 2007 guidance) makes the assessment process less onerous. The lack of clarity in terms of the criteria that need to be considered in the assessment of effects on perceptual responses, coupled with the recognition that the assessment should be based on subjective reasoning, could, however, lead to poorly substantiated and disputed conclusions. Therefore, more detailed information on the specific criteria to be considered in the assessment of WLAs would be helpful to ensure a comprehensive assessment process, that is more likely to be acceptable to SNH as consultee. In summary, the 2017 WLA guidance generally appears to be less onerous to undertake than an assessment using the previous 2007 guidance. It is considered that some of the detail on the assessment process could be helpfully carried over from the 2007 guidance, in an attempt to provide greater clarity to the assessment process.

Q7. 2) Are the examples within Annex 2 helpful in illustrating the approach to assessing impacts?

No

Comments/explanations:

The examples are considered to be unhelpful in the form they are currently presented. In OPEN's opinion, having completed 6 wild land assessments, while worked examples can be useful for demonstrating the steps in the process, the examples given over-simplify what in reality is a much more complex assessment process, where many more considerations are required to be evaluated, than the examples portray. Furthermore, the assessments do not appear to follow the methodology set out in GLVIA 3, as they suggest. The criteria used in determining sensitivity seems inconsistent and does not seem to relate to the special qualities. There is also no process of confirmation of the baseline shown in the worked examples – as per paragraph 16 in the Guidance. Furthermore, the accuracy of the baseline is dependent, to a large extent (paragraph 17), on the accuracy of the Wild Land Area descriptions – which are not open to consultation input – and which in some instances have been found by OPEN to be inaccurate. This undermines their usefulness. On one matter of detail, we question whether worked example 4b has correctly identified the effect in the first row, as 'Low adverse in the long term'? This is an identical finding to example 4a, yet the effects are markedly different. Given these concerns, there is a risk that the worked examples establish an accepted position that could be relied upon to inform the assessment of/ judgement of applications of a similar nature. This requires to be carefully caveated in the document if the worked examples are to be retained to avoid over reliance on them, potentially at an Inquiry process. In our view, there is a danger that too much will be read into these worked examples and it would be better to explain the criteria for making the assessment in a more generic way, rather than through such specific examples.