

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 Mountaineering Scotland

Q3. email

Email david@mountaineering.scot

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Q6. 1) Does the 2017 draft guidance provide a clear explanation of the methodology and general principles for assessing the impact of development proposals on Wild Land Areas

No

Comments/explanations:

Our first concern is that the presumption of this guidance is that significant development will take place in Wild Land areas. This is in conflict with SSP. We take serious issue with the concept that development is acceptable in wild land areas, as we view development as never being appropriate in such locations. Therefore we consider there should always be an assessment. The Wild land descriptors produced by SNH identify what makes each area unique and wild. We believe the description of such qualities applies to all the land within the boundaries of the wild land area and that there should be no selectivity in its application within the wild land area. Equally we reject the argument that the sense of wildness may be less at the periphery and greater in the core because changes at the edges will have an impact on the core. Any changes to the periphery would adversely impact on the integrity of a given wild land area. Some indicators of wildness are subjective and we are concerned at the reliance on the opinion of an appointed person who may have little experience of wild land, in an exercise paid for by a developer. Our experience is that those who pay for such a service will influence the outcome to support their position, regardless of the experience of their consultant. We believe that someone from an independent organisation, with an interest in preservation of wild land, should be appointed to act on behalf of the wild

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land area. Decisions would then be more accountable or as the document says “transparent and understandable” The character of wild land areas can only be safeguarded, as per SSP, if developments outside of the boundary are considered as these can affect the experience of wildness. This should not only be in “exceptional circumstances” but the norm. Because the experience of wildness is subjective such developments will therefore diminish the wildness experience. For any guidance the baseline has to be the SNH descriptors. If the development would have changed the wildness experience, or the boundary when they were drawn up, it should not be allowed. Equally current/future developments cannot be allowed to change the wild land boundary. This applies to all developments, large or small, as otherwise any wild land area will “die from a thousand cuts”. We believe there is a general issue with planning conditions which seek to enforce mitigation and restoration measures in that developers consistently fail to meet what is required by their planning consent. The issue is compounded by weak or non-existent enforcement of planning conditions by responsible authorities . It therefore seems optimistic and unrealistic to talk of the “use of high standards of restoration” yet the assumption is constantly made that this is what will happen. What if it doesn't happen or is done poorly. This needs to be considered in the assessment. The statement “In advising on impacts, SNH takes into account wider interests as may be appropriate.” is concerning. We believe the sole job of SNH is to assess the impact on the wild land area regardless of any “wider interests”. It should be impartial and an “honest broker” in any assessment.

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

No

Comments/explanations:

The examples are not helpful. Our concern is that the reasoning within them appears contradictory. They also assume that it is sufficient for the maintenance of the wild land to site, design, screen or mitigate developments. We consider this to be an unrealistic expectation given recent poor experience. Our conclusion is that the guidance is flawed and has serious deficiencies. As such we think it should be re-drafted.