

Note: 'LA' = local authority

WORKSHOP 1: POSSIBLE CONTENT OF MINISTERIAL GUIDANCE

Workshop 1 discussed what might be needed in statutory guidance. Workshop 2 focused on other guidance that will be useful to planning authorities.

1. Identifying and designating new NSAs; modifying, cancelling existing NSAs

General

New NSAs:

Clarify whether there will be an active process instigated, *i.e.* an active search for new NSAs. Or whether it will be a purely reactive process, *i.e.* in response to requests.

1. Which organisation takes the lead on the process?

- ▶ Joint: Best solution is that guidance clarifies roles: LAs lead on...., SNH leads on... SNH has a national perspective, with long-term knowledge of the designation & its history. LAs have a local viewpoint, but more liable to subjective bias and pressure from local action groups (groups often suggest designation in response to proposed development). Ministers make ultimate decision.
- ▶ Who leads on the process should not be fixed – depends on local circumstances. There are resource implications if one organisation is charged with developing and/or dealing with all proposals.

2. Which other organisations should be involved throughout the process?

- ▶ Historic Scotland, communities of interest (*e.g.* Scottish Link)
- ▶ Proposals should be developed in partnership and put through a community planning process.

3. How is it decided that the area possesses “outstanding scenic value in a national context”?

- ▶ Informed and structured process needed, to keep credibility as a national suite: motive for designation can be in response to proposed development, which can distort impartiality.
- ▶ Advisory Panel best, managed by SNH. Panel membership should be based on merit, covering differing perspectives and composed of people who know all of Scotland (not many of these!). Other stakeholders (*e.g.* Historic Scotland, Scottish Link) feed in their views to the panel.
- ▶ A strategic assessment of all Scotland's landscapes by SNH (*i.e.* a national perspective) is a key piece of work needed to enable early assessment of suggestions & proposals.
- ▶ The minister can always choose to disregard any advice received from the process.
- ▶ Process could involve Landscape Character Assessments (LCAs) of all of Scotland as a starting point.
- ▶ Compare proposed areas with other parts of Scotland, using the 1980s NSAs as the standard,
- ▶ Perhaps two categories of NSAs: large ones covering extensive tracts and smaller ones for certain particularly distinctive landscapes. Guidance on size of NSAs needed (*e.g.* the designation is not suited to point locations).

- ▶ One view expressed was that NSAs should be a national series representative of all landscape types (and making the suite representative should be a priority, carried out in conjunction with work on existing NSAs).
- ▶ There needs to be recognition that the NSA process may also identify locally important landscapes (parallels with SSSIs, RIGS and local nature conservation designations).

4. How are the attributes given in subsection (4) used in the process?

- ▶ It is not clear how the attributes should be used: should they all be present or only one/some. For example, Edinburgh new town has distinctive buildings, does that mean it could form an NSA? Guidance will need to clarify this.
- ▶ A process for establishing new NSAs needs to be instigated, including guidance on how subsection (4) is to be used.

5. How are boundaries decided?

- ▶ Some do not appear logical, e.g. only half of Jura; on the other hand do we want designation over the whole of Jura (bearing in mind the restrictions arising from designation)? Hence reviews are needed.
- ▶ The criteria for determining National Park boundaries could be looked at in relation to determining NSA boundaries.
- ▶ What happens outside NSAs can impact on the qualities of the NSA. Guidance on how to deal with this issue is needed.
- ▶ SNH's Natural Heritage Zones dataset could also be used when discussing boundaries.
- ▶ Fuzzy boundaries/ buffer zones could be considered.
- ▶ Use administrative boundaries and natural features.
- ▶ Use LCA work to assist in boundary setting.

6. Who needs to be consulted before any decisions are made?

- ▶ "Exhaustive & extensive": national, local; land managers, community groups, economic development interests.
- ▶ Broadly in line with local plan consultations – LA departments including corporate planning, local business, landowners, community groups, SEPA, HS, Enterprise companies, VisitScotland, SNH, FCS.

2. The duties of planning authorities as regards NSAs

[Note: management strategies are considered in detail in Workshop 2]

General

- ▶ Guidance should not be too prescriptive.
- ▶ Terminology should be the same as that used in the Landscape & Visual Impact Assessment guidance to ensure consistency.
- ▶ Keep simple – focus on main points (*i.e.* management strategies).
- ▶ Need clarity over respective roles and competencies.
- ▶ Not SNH role to oversee NSAs – but the role of LAs to deliver.
- ▶ Delivery depends on having the right staff.

1. What do high level policy documents/development plans and public statements need to include about NSAs?

Guidance is needed on:

- ▶ The definition of 'special attention'.
- ▶ How 'special attention' should apply to areas outwith but adjacent to NSAs.
- ▶ The respective roles of SNH and LAs.
- ▶ What local plans should contain about NSAs.
- ▶ What 'special attention' means in other documents.
- ▶ How 'special attention' should apply to public bodies.
- ▶ How action for NSAs relates to other duties: corporate plans, departmental plans, community plans.
- ▶ Guidance needs to be relevant to land managers.

- ▶ Guidance should relate the landscape/natural heritage agenda to the health/economic development agendas.

- ▶ High level statements are needed, which should be: up-beat/accolade/what its qualities are/visioning document.

- ▶ There is a problem of expectations versus resources: hence need to get NSA action into strategic documents.

- ▶ Possible tension with current approach to having briefer documents, and need to focus on policy statements.

2. Should the impact of policies, plans, programmes or projects on NSAs be assessed (SEA)?

- ▶ Yes, but how do we do it?

- ▶ Would tie in with European Landscape Convention; Scottish Landscape Forum report recommends landscape-proofing policies.

- ▶ Key is the management strategy, that provides focus.

3. Should annual reports &/or monitoring documents refer to NSAs?

- ▶ Yes – it should be a requirement: annual reports should be used to demonstrate progress.

- ▶ Need to ensure that the positive landscape impact of the NSA policies can be identified.

- ▶ Measurable performance indicators needed.

4. Should planning authorities produce supplementary planning guidance on development in NSAs? Should Management Strategies be adopted as supplementary guidance?

- ▶ Yes – new SPP14 should provide detail on this.

- ▶ It is Important to make the link between management strategies and the planning system.

- ▶ It can be difficult for LAs to prioritise this – support from SNH and other stakeholders needed.

5. Should individual LAs produce a statement on how they will take account of NSAs and/or internal practice guidance?

- ▶ Statement could apply to landscape generally – in annual report and communication plan.
- ▶ Ministers could ask for this
- ▶ However, it could all get confusing – with lots of separate statements required from LAs.

6. Should there be wider stakeholder involvement in the future of NSAs? If so, how?

- ▶ Yes – should relate to special qualities of NSAs, which need buy-in from local communities.
- ▶ Yes – in the preparation of the new SPG 14, where consultation is needed.
- ▶ Stakeholders include both communities of place and communities of interest.

7. Are there likely to be further studies local authorities could undertake to ensure protection & safeguard of NSAs?

- ▶ Greenspace, open space planning.
- ▶ Relate NSA work to the Scottish Landscape Forum report.

3. National Parks and NSAs

Accepting that there are NSAs in National Parks, how will this work?

- ▶ LAs should delegate NSA issues to park authorities.
- ▶ Do not need NSA management strategies in NPs: the MS process is important and is very similar to that involved in providing park plans: we do not want to duplicate similar processes.
- ▶ Current NSA planning controls need retention: if whole NP had these controls (i.e. including areas of lower quality scenery) this would devalue the whole NSA suite. The planning controls highlight the landscape sensitivity.
- ▶ A contrasting view: experience of Beaulieu-Denny inquiry is that having NSAs in NPs downplays the importance of non-NSA parts of the NP.
- ▶ Boundaries of NSAs in NPs need review.
- ▶ Extension of 'permitted development right' restrictions needed to non-NSA parts of NPs. Article 4 directions (GPDO 1992) can be used in principle but time and resource commitments generally preclude this.
- ▶ Guidance needs to interpret the basis of NPs & NSAs.
- ▶ Fewer designations are generally better.
- ▶ Clarify AGLV relationships.

WORKSHOP 2: ACHIEVING BETTER CARE OF NSAs

Workshop 1 discussed what might be needed in statutory guidance. Workshop 2 focused on other guidance that will be useful to planning authorities.

1. Management strategies

1. What is needed to ensure that local authorities produce management strategies for their NSAs?

- ▶ Needs to be a statutory requirement placed on LAs; if non-statutory, NSA work will always assume a lower priority. Even if statutory, there will always be competing pressures on resources, particularly in the current period of budgetary restriction and the priority towards city-regions.
- ▶ Adequate resources essential: people & money. Ideally there needs to be ring-fenced government money. 100% funding is probably necessary (creative accounting could help?). SNH resources currently essential.
- ▶ Motivation: NSA & landscape issues just not discussed in [many] councils.
- ▶ Short-term nature of grant-funding is a disincentive, together with a limited SNH grant budget. Long-term commitment to core funding is needed.
- ▶ SNH could employ staff to produce strategies, hence avoiding the LA resource requirement – but LA ‘buy-in/ownership’ would still be needed.
- ▶ Needs to be agreed partnership working with adequate specialist and technical support.
- ▶ There needs to be an identified need for strategies: e.g. some NSAs have large tracts of land, virtually unpopulated, in private ownership with little action needed on NSA issues, other than standard development control. Are strategies a priority here? (especially if within a National Park) [an Aberdeenshire viewpoint]
- ▶ Where there is a plethora of ‘poor’ applications coming in, then a strategy might help in dealing with poor quality planning applications.
- ▶ In some cases, it may be logical to extend management strategies beyond the actual NSA boundary.
- ▶ Strategies do not have to be council-led: could use resources from other parties (e.g. Nevis Partnership).
- ▶ One suggestion was that the process should be managed independently from council?
- ▶ Dumfries & Galloway Council could help promote the concept.
- ▶ Link strategy production to economic development & tourism.
- ▶ NSA officers could be shared across LAs (‘shared services agenda’).
- ▶ Technical guidance on producing strategies needed.
- ▶ Keep things simple.

2. What is a realistic timetable for achieving this?

- ▶ 5 years is realistic with additional resources; with current funding this would be unrealistic. Highland and Argyll & Bute may need longer (*i.e.* twin-track strategy).
- ▶ Depends on expertise/commitment from the council (takes time to prepare papers, &c.)
- ▶ Will depend on funding and on level of detail needed.

- ▶ There needs to be a government statement on the expected timetable.
- ▶ No point in producing strategies unless there is a commitment to implementation. This either needs local authority core support or to become self-sustaining. Cost of implementation may vary according to the remoteness of the NSA.
- ▶ Timescale may depend on timescale for other strategies.

3. In the short term, how do we prioritise the NSAs for management strategies?

- ▶ Areas with strongest development planning / land management / windfarm, &c. pressure.
- ▶ Areas without other strategies.
- ▶ SNH to prioritise.
- ▶ Opportunistic, and having willing LAs. Discuss priorities with LAs.
- ▶ Link to local plan reviews in order to benefit from parallel consultations, &c.
- ▶ Another view: all should be treated equally.
- ▶ Relate to cost: does cost relate to size, population, complexity?
- ▶ Start with Wester Ross – unfinished business? With the other two National Park Direction Areas: Ben Nevis/Glencoe; Glen Affric/Strathfarrar? Not St Kilda?
- ▶ Do we need separate strategies for each NSA?

(4. Should strategies be adopted as supplementary guidance? – if not tackled in Workshop 1)

- ▶ Adoption as supplementary planning guidance: may need to package the planning elements separately.
- ▶ Strategies should also be endorsed by other organisations.

5. Following from the above, and from the presentations today, what guidance on management strategies would planning authorities find useful?

- ▶ Process could benefit from having a common job profile for each NSA officer, with common documentation, and flexibility within the terms of good practice.
- ▶ A management strategy template is needed.
- ▶ Guidance on topics to cover and pitch to aim for.
- ▶ A listing of the benefits of the process, including community benefits.
- ▶ The process to follow and any associated technical guidance.
- ▶ SNH meetings with local authorities should include relevant council departments and other relevant bodies
- ▶ Specialist workshops on preparing strategies would be useful.
- ▶ Any guidance should not be too prescriptive, with a light touch so as not to stifle innovation.

2. Awareness of NSAs

1. What are the messages we want to promote?

- ▶ NSAs as accolades and an emphasis on benefits.
- ▶ 'Most beautiful', a 'special place', 'the best scenery', 'world class', 'come and see for yourself' – use purple prose.
- ▶ Emphasis cultural distinctiveness of each NSA.
- ▶ A tool for regeneration/ sustainable development.
- ▶ There is added value in having a management strategy.
- ▶ Learn from National Parks, but be clear of the difference between NPs & NSAs.

2. Who are the main audiences?

- ▶ Local authorities, particularly councillors.
- ▶ Tourist industry.
- ▶ Local communities.
- ▶ Agencies.
- ▶ Communities & politicians.

3. How do we do this?

- ▶ Need to establish what NSAs are for: protection of landscape or an economic tool?
- ▶ Use the NSA brand (cf. National Parks): benefits are economic, tourism, products. However, if there is NSA branding, might there not be potential confusion with the National Park brand?
- ▶ Raise awareness of the positive/ value-added aspects (in the past seen as a restriction). Packaging of NSAs as a tool to assist the local economy.
- ▶ Funding for projects in NSAs should depend on taking NSAs into account.
- ▶ Photographs – publish coffee table books on NSAs; use NSA road signs; promotional material.
- ▶ Use SNH's current 'NSA awareness-raising strategy'.
- ▶ Need a comprehensive map on the web (not on the SNH website).
- ▶ Areas that are promoted must be robust enough to absorb increased pressures.
- ▶ SNP is more populist – use landscape to promote Scotland.