

*Note: this .pdf version of Scottish Natural Heritage's consultation paper does not contain the maps and foreword that were in the original printed version. It was published in January 1999.*

## **NATIONAL SCENIC AREAS REVIEW - CONSULTATION PAPER**

### **Caring for Scotland's Finest Landscapes**

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## 1. INTRODUCTION

### The Review

1.1 In 1997, in its response to the *Natural Heritage Designations Review*, the Government endorsed the need for a national landscape designation, and it asked SNH to review the existing National Scenic Area designation. The main purposes of this review are:

- to make recommendations on how the operation of the NSA designation can be made more effective, including proposals for its basis in statute;
- to consider and advise whether the present suite should be expanded to include other kinds of landscapes not yet represented, particularly in the lowlands and the coasts of the east and south;
- to advise on what relationship the NSA might have with any future National Park designation; and
- to review and make recommendations on the relationship between the NSA and other scenic designations.

1.2 SNH has progressed this review through an internal working group, on which COSLA has been represented, and has set in hand a number of supporting actions, notably:

- a commissioned review has been undertaken by consultants ERM to gather information on the existing range of scenic designations, mainly as they are used in the Town and Country Planning system, and to look briefly at how these designations influence change which lies outwith the planning system;
- a commissioned study has been let to examine the approach towards protected landscapes in 7 European countries and will be completed in March 1999;
- a landscape strategy is being prepared for the Loch Tummel NSA, initially for SNH's own needs but also to help thinking about how better plans or strategies for landscape conservation and enhancement in NSAs can be prepared;

- an *Invitation to Contribute* to the early stages of the review was circulated to the main organisations which are either involved in using the NSA or which are affected by this designation, and a number of very useful submissions were received; and
- a seminar was held at Battleby on 20 November 1998 to debate some of the main issues with an invited audience of the main interests.

1.3 In addition, a considerable effort has been made in recent years by SNH and its local authority partners and others to prepare Landscape Character Assessments. Twenty-nine area studies have now been completed, and together they give a comprehensive cover for the whole of Scotland. Work is in hand to bring these area studies together to create an overall statement on the landscape character of Scotland. This compilation should contribute to future thinking about the search for and selection of new candidate NSAs.

1.4 It has not been the purpose of this review to identify any new NSAs; nor at this stage is there an intention to review the existing areas. It will be for the Scottish Parliament to decide on how the matter is to be taken forward. Search and selection for new candidate NSAs will also come later, once there is agreement on a method of doing this and on how best to address the other questions being considered under this review.

### **Scope of the Consultation Paper**

1.5 We set out our proposals in two separate Parts to this report. Part I describes the background to the NSA designation and how it might be made more effective. In Part II we consider the future of the NSA, including how the present suite might be expanded, and the links with other designations. We take this approach because SNH considers the priority is to make the existing designation more effective before any expansion of the suite, which is likely to be a more protracted process. Our proposals to improve the designation's effectiveness are set out in Chapter 3.

1.6 The present series is based on scenic value and the basis of choice was of those "*...areas of such unsurpassed attractiveness which should be protected as part of the national heritage*". The basis of the designation and a new definition are discussed in Chapter 4.

1.7 The method of survey for selection of the present series has been criticised as being

based on too narrow a consensus about the full range of Scotland's best landscapes. There has been no major challenge to the need for this designation, nor has the present selection been put in serious doubt. But if the present series is to be expanded, then a more consultative and better justified method of search and selection is needed, and we make proposals for this in Chapter 5.

1.8 The need to clarify relationships with other scenic designations, and to provide stronger advice on them, has been a concern. We address these issues in Chapter 6.

### **How to Contribute**

1.9 Responses to this consultation will help to shape our final advice to Government on the future of this designation. We do not wish to restrict comments, but we would welcome your views on the specific issues raised as questions throughout this paper, and summarised in its final chapter. Please write with your views to:

- **Simon Brooks, National Scenic Areas Review, Scottish Natural Heritage, 12 Hope Terrace, Edinburgh EH9 2AS. Telephone (0131) 446 2281; Fax (0131) 446 2212; email [brooks@snh-ht.demon.co.uk](mailto:brooks@snh-ht.demon.co.uk).**

**Responses should be with us by Wednesday 7 April 1999. Unless you specify otherwise, all responses will be made available for others to see on request.**

## ***PART I - THE NATIONAL SCENIC AREA AND ITS EFFECTIVENESS***

### **BACKGROUND: The National Scenic Area, its Role, Origins and Function**

#### **The Role of a National Landscape Designation**

2.1 Landscapes provide an important component to the quality of our lives. They create sense of place to people for many reasons: the comfort and security of familiar settings; the stimulus of new and inspiring landscapes; and attachment to places with which have personal or cultural associations.

2.2 No other element of our natural heritage commands so much affection from inhabitants and visitors as Scotland's fine scenery; it is close to the heart of our national identity and self image, and its qualities are valued well beyond Scotland. Our scenery is also of high economic significance to the nation. Our scenery is, then, an asset of prime importance to the national heritage, and those parts which are most valued should be safeguarded.

2.1 The need for a landscape designation can be traced back to post-war debate about National Parks for Scotland. At around this time, the pace of change to Scotland's landscapes accelerated, with increased afforestation and the major phase of hydro-electric development in the Highlands, as well as changes to lowland agricultural landscapes, and change in the central belt arising from the reconstruction of Scotland's economy.

2.2 Some of these changes have been almost entirely for the good, such as the major phase of rehabilitation of damaged industrial landscapes in central Scotland. Others have, however, seriously impaired much-loved scenery and led to significant debate and controversy. The pace of change in the countryside remains as powerful as ever, although we now have a much stronger Town and Country Planning system to plan for and guide new development. There is also more sensitivity now to the effects on our scenery of land management change which lies outwith the planning system.

2.3 The main role for a national landscape designation is to identify the most valued areas in order to ensure they receive special care. This can promote:

- appropriate policies to safeguard the special qualities of these areas and to influence land use change which could adversely affect what is valuable;

- practical action to enhance the character of these areas;
- supportive policies and actions on the part of organisations and individuals whose operations can affect the landscape; and
- higher quality design in built development, which is appropriate to the scenic quality of the area.

Identifying special places through designation should also be a means of persuading the wider public to take pride in them, and recognise their value to the nation.

2.6 In ideal circumstances, designations to identify natural heritage significance might not be necessary. But the pressures leading to adverse change to our most valued landscapes are such that it would be a serious failure not to identify those areas of the countryside which are of special value to the nation, and which should be safeguarded in the long-term. Planning for the long-term involves balancing a range of claims on an area, and judgements for this must be as well informed as possible. A national designation should also provide a lead and a stimulus to care for all our landscapes, whether outstanding or not, because all of our countryside has value, although it cannot all be subject to the same degree of restraint on change.

### **Origins and Function of the National Scenic Area**

2.7 The NSA designation identifies those areas of Scotland which have been judged to be of national importance for their outstanding scenic value. The history of the NSA is set out in Box 1, and the 40 areas are shown on the map on the inside front cover.

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#### **BOX 1: A concise history of the National Scenic Area designation**

The roots of the NSA designation lie in the *Park System for Scotland* policy paper published by the former Countryside Commission for Scotland in 1974. This paper set out a hierarchical system for Parks, mainly with a recreational purpose, but with a top-tier of Special Park aimed to provide protection and enhancement for those outstanding areas of Scotland's scenery which were also under heavy recreational and related pressures - essentially a revival of the National Park idea. This policy paper also reflected that there were many areas of outstanding scenery which were not subject to the heavy pressures of areas like Loch Lomond and the Trossachs, the Cairngorms or Ben Nevis and Glencoe, which were the three areas seen to be in need of top-tier Park status. These other landscapes were "... considered to be of unsurpassed attractiveness which must be conserved as part of our national heritage".

The *Park System for Scotland* proposals were accepted by Government, after consultation with key parties, and the CCS set in hand a programme of survey work to identify those landscapes which might be candidates for the new landscape designation. The outcome of an intensive debate over a relatively short period within the CCS was a series of 40 areas, which were described in *Scotland's Scenic Heritage*, published in 1978.

There followed a period of discussion between the CCS, The Scottish Office and the local authorities, through COSLA, about how the new designation was to be implemented, and what mechanisms would be needed to secure the protection and enhancement of the areas identified. The outcome was SDD Circular 20/80 *Development control in NSAs*, which introduced the new designation and stricter development control regime by a series of linked Directions under Town and Country Planning legislation, thereby establishing the 40 areas within the planning system. At the same time, these Directions extinguished the five National Park Direction Areas which dated back to 1951. Circular 20/80 was implemented from August 1980, apart from Highland Region and the Western Isles where the new arrangements came into force a year later.

The planning procedures agreed for the NSA were that Circular 20/80, and the later Circular 9/87, required authorities to have policies to protect the NSA in their development plans and a limited number of development categories were identified (including items brought out of deemed consent - such as hill tracks) which would be referred for an opinion to CCS. Where there was a difference of view between CCS and the planning authority on how the case should be handled, the matter would be referred for adjudication to the Secretary of State. The role of the NSAs in the planning system has been strengthened over recent years by National Planning Policy Guidance, most notably through the new NPPG on the Natural Heritage.

In *Scotland's Scenic Heritage* it was recognised that, if the NSA was to be effective, then it would be important for it to have a strong influence on land use change lying outwith the need for planning consent. So the Commission established in the 1980s a pilot programme to explore how landscape strategies might be prepared for each NSA in order to secure influence over change through land management decisions.

The first pilot scheme was run in the Glen Lyon and Loch Rannoch NSA, where a comprehensive approach and extensive consultation involving the local authorities and other parties led to the preparation of a landscape strategy. The second pilot scheme, for the Eildon Leaderfoot NSA, took a much more concise approach to survey, in recognition that it would not be feasible to implement for all 40 NSAs the comprehensive approach taken in the first pilot study.

Legislation was enacted in 1986 - and inserted as Section 262C of the Town and Country Planning (Scotland) Act 1972 - to confirm the NSA designation in primary legislation. In practice, this legislation was never used, and later it was amended by Section 6 of the Natural Heritage (Scotland) Act 1991 to become the basis whereby Natural Heritage Areas could be created. Finally, the NSA has international recognition through all 40 areas being listed as Category V (Protected Landscapes) in the IUCN's World List of Protected Areas.

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2.8 It had been intended from the outset that the National Scenic Area designation could assist in the management of change to ensure that reasonable aspirations for social and economic improvement were not impeded. It was also recognised that there were some very sensitive landscapes which would not be able to accommodate a great deal of change.

So the emphasis of the designation was to be on influencing change, through the planning system, including the encouragement of high standards of development control, and through influencing land management change which lay outwith the planning system. The aim was to ensure that the essential scenic qualities of the designated area would be safeguarded for the long-term - essentially an early version of sustainable development.

### **Earlier Reviews of the National Scenic Area**

2.9 Several reviews have touched on the role and effectiveness of the NSA. Cobham Resource Consultants (1988) undertook a review of the NSA and other landscape designations for the former SDD and CCS, and carried out a further review of designations for the CCS as part of the Popular Mountain Areas study in 1989. Land Use Consultants (1989) reviewed the two pilot studies for NSA landscape strategies mentioned above (see Box 1), and made a number of general recommendations on the role of the NSA. The Scottish Office led review of Natural Heritage Designations (1996) raised some of the same issues and is a starting point for this present review. Finally, Environmental Resources Management (1998) have recently reviewed the current use of the NSA and the other scenic designations. Further commentary on the designation has been gathered through the *Invitation to Contribute* to this review.

2.10 All reviews have pointed to the need to strengthen the NSA, which is generally perceived to be a weak and passive designation, little known to the public, beyond those parties who meet it through their work. The various reviews suggest that the designation has the following main weaknesses:

- the lack of a statutory base in primary legislation for the NSA which gives it limited status and significance;
- the lack of a detailed and strong national policy framework to give greater status to landscape conservation and a clear role for NSAs in this, although recent NPPGs have improved matters;
- the need for clear and well-defined statements of the scenic values of individual NSAs;
- the absence of an agreed vision and strategy for individual NSAs, setting out their objectives and how landscape change should be managed;
- the limited scope and strength of the consultation and referral mechanism and its restriction to the planning system;
- the limited role of the NSA in influencing land management decisions; and

- the general lack of awareness and understanding of the designation amongst public bodies, land managers, communities and the wider public.

2.11 It is with these weaknesses in mind that we set out our proposals to make the NSA a more effective designation in Chapter 3.

## **CARING FOR OUR BEST LANDSCAPES: Making the National Scenic Area More Effective**

### **Introduction**

3.1. The Government has asked SNH to consider the form of protection which a new landscape designation in Scotland should afford. We recognise that a revitalised and expanded NSA suite will be judged by its effectiveness - that is the extent to which the designation achieves its purposes. To address the limitations with the current provisions we set out proposals for the following measures:

- an enhanced role and responsibility for the designation lying with local authorities in particular, while recognising that all public bodies and others with an interest have a role to play;
- the provision of a new statutory base;
- a new duty on public bodies to safeguard the interests of NSAs;
- a requirement for local authorities to produce, implement and review an NSA Management Strategy;
- a review of provisions under the Town and Country Planning system;
- broader provisions to influence land management within NSAs;
- stronger policy guidance from Government; and
- actions to increase the awareness and ownership of NSAs.

3.1 Chapter 2 noted that the emphasis of the NSA designation is to manage change by influence rather than strict control. We consider that this is the appropriate approach. Our proposals for making the designation more effective are therefore based on providing a framework to guide and encourage appropriate land use and management, whilst recognising that some landscapes are sensitive and unable to accommodate much change. We also recognise that the NSA series exhibits great diversity of size, landscape character and pressures, and therefore the range of measures required to safeguard and enhance their qualities will likewise vary. Thus, while the measures proposed are broadly applicable to all NSAs, we expect the way and extent to which they are applied will vary.

### **Enhanced Role and Responsibility for Local Authorities**

3.2 NSAs have often been seen as mainly the concern of CCS and now SNH, but we consider that all relevant public bodies should have a role to play in safeguarding and enhancing the qualities of NSAs. Nonetheless it is important that the main responsibility lies with a single body, able to provide leadership, and to act as instigator and co-ordinator of any actions required. It is our view that local authorities are best placed to take the lead in relation to individual NSAs. SNH will continue to have a clear lead on NSAs at a national level on behalf of Government, especially in the process of identifying areas, in broader issues of policy and practice and in monitoring how the series is faring.

**(1) Views are requested on:**

- **the role of the local authority as champion for individual NSAs; and**
- **the future role for SNH.**

### **New Legislative Base**

3.3 There is some confusion over the status of the designation, and the Government has identified the need for new legislation. SNH agrees that a new legislative base is required. This should define the purposes of the NSA designation (see paragraph 4.22), and not be confined to the Town and Country Planning system. We consider that the revitalised designation should influence not only development but also other kinds of change in the countryside, and extend to both land and sea areas.

3.4 New legislation should also define those duties required to safeguard the interests of the NSA. Section 264(2) of the Town and Country Planning (Scotland) Act 1997 requires that when a planning authority exercises its powers on land within an NSA “*special attention shall be paid to the desirability of preserving or enhancing its character or appearance*”. SNH considers it appropriate for a similar duty to be provided within new legislation, but it should be extended to apply to the exercise of powers held by other relevant public bodies and extended to actions that may affect the NSA and not only actions within it. A new duty might be expressed as:

*“it shall be the duty of all relevant public bodies in exercising their functions to give special attention to safeguarding and enhancing the character and qualities of any area designated as an National Scenic Area”.*

**(2) Views are requested on:**

- **the need for a new legislative base, and the proposed duty to be placed on public bodies.**

3.5 The key to achieving any such duty is the preparation and implementation of a Management Strategy for each NSA which identifies the qualities of the area that merit national designation and sets out the objectives and policies for their safeguard and enhancement. While *Scotland's Scenic Heritage* identifies at the broad scale those qualities for which individual areas have been designated, the absence of specific objectives and policies to achieve these is an important omission. Although the CCS undertook pilot studies in two NSAs, there has been no further development of 'landscape strategies' or 'management plans'. We consider therefore that the preparation and implementation of strategies for each area should be required, to provide a clear statement of objectives for each area and to ensure that they are given the priority and resourcing required. Given their lead role, this duty should lie with the local authority.

3.6 The NSA Management Strategy is discussed in more detail below, but statute should provide for:

- a duty for local authorities to prepare and implement an NSA Management Strategy;
- a time limit within which the NSA Management Strategy should be prepared;
- review of the Strategy within a prescribed period, perhaps at five to seven year intervals, or in combination with the review of the local plan; and
- a requirement to consult on and advertise the production of the NSA Management Strategy.

**(3) Views are requested on:**

- **the proposed statutory requirement to produce, implement and review an NSA Management Strategy, and the provisions which this should include.**

3.7 We have recently provided advice to the Government on the establishment of National Parks, which included the need for new legislation. There are clear links between National Parks and NSAs, as well as similarities in some of the proposed powers and actions required (these links are explored further in chapter 6). We see advantages in National Parks and NSAs being founded in the same legislation, although this will ultimately be a matter for the Scottish Parliament to decide.

## **The Production, Implementation and Review of an NSA Management Strategy**

3.8 Currently the purpose of all NSAs can be expressed in very broad terms as to conserve those qualities described in *Scotland's Scenic Heritage*. There is no specific detail in the original descriptions on the particular conservation objectives for individual NSAs, or how they may be achieved, but the Management Strategies should provide this detail. It is not intended that these Strategies should replace plans produced under other legislation, but they will inform their preparation. In particular, we envisage that the Management Strategy would be an important element in the preparation of the development plan under planning legislation, and be a material consideration in development control decisions. Similarly, the NSA Management Strategy would be relevant to the preparation of other strategies such as forest framework plans, the proposed marine fish farm framework plans, and other land use or management strategies. This is an iterative relationship, with the NSA Management Strategy influencing other plans and strategies in their preparation and implementation, and taking into account relevant elements of other plans.

3.9 The content of any Management Strategy will vary greatly between NSAs in terms of the necessary detail and required measures, according to the character and pressures prevalent in the particular NSA. We envisage that further detailed guidance on the preparation of the Management Strategy is required, building on earlier work undertaken for the CCS and more recent work in the Loch Tummel NSA. At this stage we expect an NSA Management Strategy to:

- identify the key characteristics of the NSA, stating clearly the scenic qualities for which the NSA has been designated and the objectives for conserving them;
- clarify the forces that can affect these scenic qualities, and the sensitivity of these qualities to change;
- identify the opportunities for the management and enhancement of the main features which are critical to the purpose of designation;
- state clear objectives for the way in which change is to be managed; and to
- set out a strategy for the achievement of all these goals, identifying the actions required, those who are responsible or can influence change, and what the resource needs are.

3.10 The Management Strategy should also be a mechanism to seek consensus on key issues in order to strengthen the co-ordination of the various interests in an NSA; to promote its better management; as well as to increase the awareness of the designation. To some

extent therefore, the process of preparing an NSA Management Strategy will be as important as its content. We consider that the responsibility for preparation of the Management Strategy should lie with the local authority, which is body best placed to provide a clear lead. But its preparation should involve the full range of interests - the community, land owners and occupiers, elected representatives, voluntary bodies, public bodies, statutory undertakers and the wider public. It will be for the local authority to determine how best to engage such interests.

3.11 We expect the Management Strategy to influence the actions of the other public bodies involved in the process of its preparation, and they may wish to adopt formally the Management Strategy as well. SNH will have an important role to play supporting the preparation of Management Strategies, and ensuring the dissemination of best practice. In part this will be achieved by the preparation of further guidance, but there may also be a role for SNH to endorse, or approve, such Management Strategies.

**(4) Views are requested on:**

- **the merits of an NSA Management Strategy, its contents, the process for its production, and the requirement for its endorsement or approval by SNH.**

3.12 While recognising that the responsibility for achieving the NSA objectives and implementing the NSA Management Strategy lies with a wide community of interests, we have identified the local authority as the most appropriate leader. Three approaches to implementation are possible, depending on the complexity of the issues and management needs to be addressed. These are not mutually exclusive and, in an NSA with very complex issues, a combination of approaches could be envisaged.

i) In an NSA exhibiting a range of complex issues and management needs, a formal **advisory committee** or less formal **steering group** made up of interested bodies could provide a focus for developing and implementing the Management Strategy, and maintain 'ownership' of the NSA and its objectives across a wide community of interests. This may be particularly important in those NSAs which straddle local authority boundaries (as do five of the current 40 NSAs), and those subject to a range of intensive pressures (such as Ben Nevis and Glen Coe NSA).

ii) In NSAs with less complexity the focus could lie with an **NSA Project Officer** or similar post. Such a post could cover one or more NSAs.

iii) In some circumstances it may be adequate to identify an **individual officer** within the local authority as having the responsibility and this is likely to be a minimum requirement. It is unlikely that all NSAs will require dedicated staff, but it is important that a focus exists for the implementation of the NSA Management Strategy.

**(5) Views are requested on:**

- **the options identified for promoting the objectives of an NSA, or any other approaches which should be considered.**

### **Provisions Under the Town and Country Planning System**

3.13 NSAs are at present considered to be primarily a planning designation. The implications which flow from the identification of an area as an NSA are limited to policy tests contained in the series of NPPGs, a consultation and referral procedure with SNH, and a stricter development control regime for certain forms of permitted development. Policy issues are discussed in paragraphs 3.22 - 3.24 below.

#### ***Consultation and Referral Requirements***

3.14 The consultation and referral requirements are set out in SDD Circular 9/1987, which specifies those types of development about which SNH must be consulted. Should the planning authority be minded to approve an application against the advice of or without conditions recommended by SNH then the application must be referred to the Secretary of State. SDD Circular 20/1980 notes that the Secretary of State expects planning authorities to give particular attention to all planning applications, not only those subject to the consultation and referral procedure. SNH is consulted on many forms of development beyond the terms of the Circular (although there is no requirement for referral in such cases). The rationale behind this process is to enable SNH to provide advice and a national overview, while allowing the Secretary of State to fulfil his responsibility for areas which are a national asset.

3.15 Responses to our *Invitation to Contribute* indicated some desire for widening the scope of the consultation and referral procedure, as the advice of SNH was considered useful and our involvement would appear to strengthen the hand of the planning authority. While SNH considers that the consultation and referral mechanism is of benefit, the proposals to enhance the role and responsibilities of local authorities and the preparation of

a Management Strategy suggest that SNH's role should evolve and the need for an extensive consultation and referral mechanism be reconsidered. However we recognise that the Secretary of State will require some procedure by which national oversight of this national asset can be maintained. If the consultation and referral procedure is to be extended there are several options.

i) The list of types and forms of development requiring consultation and referral could be extended. For example, the threshold of numbers of houses or caravans triggering consultation could be lowered, as could the 12m height threshold. Further thought would need to be given to the types and forms of development that would benefit from consultation.

ii) An alternative to specifying particular types and forms of development which require consultation and referral, could be to apply an approach similar to that used for Sites of Special Scientific Interest. Thus proposals *considered 'likely to have a significant effect on the qualities or interest of the NSA'* could be subject to consultation with SNH. This places the onus on the planning authority to consider the likely effect of any proposal it is considering, in line with the Management Strategy and related policies. This could have the advantage of capturing smaller developments which may be important in terms of their cumulative effect, and those proposals falling outwith but affecting the designation. However, if the result were to be a greatly increased volume of consultations, this would have significant resource implications for SNH.

iii) A further option of the procedure could result in separation of the consultation and referral mechanisms. A wider range of proposals could be subject to the requirement for consultation, but a more limited range of proposals prescribed as subject to referral. While this ensures SNH's advice is sought in the majority of cases, this may reduce the weight accorded to SNH's views in non-referral cases.

**(6) Views are requested on:**

- **the role and benefits of the consultation and referral mechanism and whether this should be extended or reduced; and**
- **if judged necessary, the way in which the scope of the consultation and referral procedure should be modified.**

***Permitted Development Rights***

3.16 The current General Permitted Development Order (GPDO) restricts certain permitted development rights in NSAs, namely:

- agricultural and forestry buildings over 12 metres high;
- construction of all agricultural tracks and forestry tracks not part of an approved afforestation scheme;
- all local authority road schemes outside present road boundaries costing more than £100 000;
- certain developments by electricity undertakings; and
- the installation or alteration of a microwave antenna or of apparatus which includes or is intended for the support of such an antenna by a telecommunications code system operator.

3.17 There was a broad consensus from the *Invitation to Contribute* that the scope of permitted development rights should be further restricted within NSAs. Particular forms of development identified included road improvements, telecommunication developments, signage, electricity lines and change of use to forestry. There is a case for extending normal planning controls over a wider range of developments by the removal of specific permitted development rights to enable the special care required in a national designation to be sought. But the choice of such developments requires careful consideration, to avoid additional but unnecessary restrictions.

**(7) Views are requested on:**

- **whether there is a need to remove permitted development rights from further types of development within an NSA and if so, the types of development.**

### **Influencing Land Management**

3.18 Land management was seen by several respondents to our *Invitation to Contribute* as the main issue needing to be addressed if the designation is to be made more effective. Changes in the balance between current land uses (for example between forestry and open ground), or the gradual destruction or removal of particular landscape features, can all affect the scenic value of an area. Such changes can in principle be either positive or negative. What is important is to recognise how profoundly they can affect the scenic qualities for which NSAs have been designated. Whilst changes arising from land management decisions tend to occur over longer time scales than those regulated through the planning system, the aim should still be to ensure that, just like those arising from built development,

they do not detract from the scenic qualities for which an area has been designated. It should also be recognised that change will occur as a result of inaction or neglect, as well as determined action, and that many changes are a result of external factors in the international and national markets and therefore difficult to manage.

3.19 Land management, particularly for agriculture and forestry, and marine fish farms until recently, largely fall outwith regulatory control. Forest planting is primarily controlled through an administrative system of grant aid under the Woodland Grant Scheme, and the Forestry Commission, as a matter of policy, consults SNH on all applications of more than 5 hectares. Consideration of applications for marine fish farm leases by the Crown Estate Commission similarly include consultation with SNH. Agriculture enjoys broad freedom of actions. NSAs are recognised as a sensitivity that may trigger the need for environmental assessment for forestry and fish farm applications, and they have influenced to some degree the preparation of Indicative Forestry Strategies and Fish Farm Framework Plans. However our recent review of the role of NSAs undertaken by ERM suggests that there is still a low level of awareness of the designation and that it was considered to have little influence on land management operations. We envisage a variety of approaches to improve the situation: expanded policy guidance on management practices in NSAs, improved plans and strategies such as Forestry Design Plans and Marine Fish Farm Framework Plans, as well as the prospect of bringing some land management actions within planning control.

**(8) Views are requested on:**

- **the need or otherwise to strengthen controls over land uses falling outwith the planning system.**

3.20 In general, SNH believes that incentives are more effective than controls as a means of influencing land management. There may be a place for incentive schemes specifically designed to encourage sympathetic land management in NSAs. These are never likely, however, to command the level of resources available to mainstream forestry and agriculture support schemes. The priority must therefore be to ensure that these other schemes contribute actively to the objectives for an area set out in the NSA Management Strategy. This tailoring could take the form of targeted and prioritised grant support mechanisms, such as the Scottish Countryside Premium Scheme, ESA or WGS scheme supporting the most appropriate form of land use and management for the particular NSA.

**(9) Views are requested on:**

- **what incentives need to be provided to encourage fulfilment of the NSA's objectives, and what opportunities exist to utilise existing mainstream support mechanisms.**

**Policy Framework**

3.21 Until very recently there has been limited policy guidance on the importance of the NSA designation, the weight to be afforded to its safeguard, and how a balance between diverse and sometimes conflicting objectives should be achieved. The guidance that does exist is limited to the planning system. SDD Circular 20/1980 required "*firm policies*" to be set out in the development plan, but did not indicate what this might entail. The more recent series of National Planning Policy Guidelines set out twin policy tests for national designations, but no specific guidance on their application for NSAs. The new NPPG on the Natural Heritage provides more guidance. This directs planning authorities to "*take particular care to ensure that new development in or adjacent to an NSA does not detract from the quality or character of the landscape. They should also ensure that the scale, siting and design of such development are appropriate and that the design and landscaping are of a high standard*" (paragraph 26).

3.22 The results of earlier studies and our *Invitation to Contribute* indicate a desire for a more detailed policy framework to support the objectives of NSAs. It is likely that some of these concerns may be resolved with the new NPPG on the Natural Heritage. However, guidance which extends beyond the planning system is necessary. We propose that policy guidance should address:

- the role and importance of NSAs, including their relationship with National Parks;
- guidance on the interpretation of the proposed statutory duty;
- the role and function of the proposed NSA Management Strategy in developing a more co-ordinated approach to the achievement of the NSA objectives; and
- the meaning of "particular care" required for NSAs expressed in the new NPPG.

3.23 Policy tests currently contained in the series of NPPGs may need to be reviewed in the light of the new defined purposes. We consider that the policy of a presumption against proposals which will compromise the objectives of the designation or its integrity should be maintained and expressed as unambiguously as possible, and that the national interest in

the scenic qualities of the designation should be recognised in the plans and strategies of relevant public bodies.

**(10) Views are requested on:**

- **the need for further policy guidance, and on the content of such guidance.**

**Increasing Understanding and Awareness of the National Scenic Area**

3.24 In addition to the specific actions which will result from the preparation and implementation of the NSA Management Strategy, there is a further task of raising the profile and understanding of the NSA designation amongst a wider audience. Earlier studies and responses to our *Invitation to Contribute* indicate that the general awareness of the designation is still very limited. It is important to increase this awareness in order to generate greater ownership of and responsibility for the designation and its objectives. Actions to achieve this could include:

- a clear and well defined policy statement by SNH of its broad objectives and approach towards NSAs;
- general publicity explaining the background to the designation and describing the suite of NSAs; and
- an increased emphasis on making people more aware of the existence of individual NSAs.

**(11) Views are requested on:**

- **approaches to increasing the general understanding and awareness of the NSA designation and individual NSAs.**

**Additional Funding Requirements**

3.25 The above proposals to make the NSA designation more effective will depend on a re-prioritisation of existing funds and resources, especially mainstream agricultural and forestry support mechanisms. However, SNH recognises that some of the failings with the designation to date result from lack of resources and that some of our proposals entail additional costs, particularly for local authorities, especially in the preparation and implementation of the NSA Management Strategy. These costs will not be evenly spread across local authorities, regardless of whether or not further NSAs are identified, with

Western Isles, Highland, Argyll and Bute, and Perth and Kinross containing extensive areas designated as NSAs.

3.26 While these costs are small relative to the funding needs of National Parks, SNH considers that there is a very strong case for additional funding from national sources in recognition of the national interests which NSAs represent. SNH could have a role approving such funds, possibly as part of an approval or endorsement process of the NSA Management Strategy. In line with our proposals for National Parks, we also consider that there are opportunities for NSAs to attract new and additional sources of funding, for example, from EU monies and the Lottery.

**(12) Views are requested on:**

- **the need for additional funds and their source.**

**PART II - EXPANDING THE NATIONAL SCENIC AREA SERIES AND RELATIONSHIPS**  
**WITH OTHER DESIGNATIONS**

**WHAT KIND OF DESIGNATION: The Purpose and Definition of the National Scenic Area**

**The Approach of the Countryside Commission for Scotland**

4.1 The Government has asked SNH to consider whether the present NSA suite should be expanded to include a wider range of Scotland's landscapes, given that the "*current suite of NSAs appears to favour the mountainous landscapes and coasts of the north and west*". The starting point for the review is the definition and origin of the existing 40 areas.

4.2 The CCS undertook a systematic survey, based on existing knowledge and a consensus-forming debate within the Commission. Data gathering involved a desk appraisal of 1:50 000 scale maps, and a review of literary sources and relevant planning documents to identify potential areas of scenic quality, followed by field survey of the identified areas.

4.3 There is no formal definition for the NSA designation but, in *Scotland's Scenic Heritage*, an explanation is given of the approach taken by the former CCS when it identified the original series of 40 areas. The Commission opted for an approach founded on natural beauty and based on perceptions and preferences, and was systematic but subjective. No attempt was made to select areas on a representative basis, with the selection being of the very best areas and therefore an accolade.

**Defining Landscape**

4.4 The enjoyment of scenery is of universal appeal. People respond instinctively and emotionally to fine landscapes and whilst these responses are influenced by each person's preferences and values, they display a considerable degree of consistency over time and even across cultures. Precisely why people respond as they do to differing elements in a landscape has not, and may well never be firmly established, but we can analyse some of the physical components which combine to create the landscapes people enjoy. The most important of these components are outlined below.

- The **physical** components of landform are highly important in Scotland because the landscape usually reflects a diverse underlying geology. Scotland has a huge diversity of landform, from rugged and wild mountain scenes to softer lowland terrain, as well as a coastline of great variety in its physical character.
- The **cultural** components of landscape are also important, because most of our landscapes have been strongly influenced by human uses over the centuries. Some of this cultural influence is recent in origin, but much of it is inherited as relicts from the past. Some of these relict components provide the main framework for today's landscape, such as the field patterns; while some of them are barely visible traces on the ground, which are important in the understanding of landscape change.
- **The ecological components** of extensive near-natural or semi-natural habitats can in their own right be very important and distinctive elements of Scotland's landscapes. Examples are the eastern heather moors (also a cultural landscape) and the northern tundra-type moorlands. The remnants of our native woodland, for example the pinewoods or western oakwoods, both of which are now very fragmented, have important aesthetic value at the local level, as well as having high ecological importance.

4.5 There are in addition the **recreational values** of landscapes of different kinds, from the passive enjoyment of pastoral and tranquil scenes, to the more challenging recreational experiences to be found in our wild and remote countryside. Recreational values have very little recognition in the nation's broader approach to conservation, but they are represented through the qualities of landscapes which people enjoy, value and thereby seek as venues for recreation.

4.6 People place other values on our landscape, some tangible and some less so. For example, different landscapes can trigger **emotional associations** which can arise from cultural, historical or personal reasons (not connected to scenic value). There are the **transient elements of light and weather**, especially linked to our northerly latitude and oceanic location, and to the mix of land and water which is so characteristic of some of our most scenic areas. Changing patterns of illumination and clarity of light add greatly to the quality of Scotland's landscapes, not just in those areas deemed to be of high scenic importance: any landscape can have an inspiring quality in the right circumstances of light and weather.

4.7 There is no simple way of evaluating these special interests separately. Each contributes to how different people understand or react to different landscapes: thus a geologist has a different comprehension of landscape to the cultural historian, whose perspective differs from that of the ecologist, and from the landscape architect. Yet each of these is a more specialist understanding than the perceptions of the general public, for whom the more instinctive, and aesthetic or emotional values are of greater importance in their enjoyment of scenery.

### **The Basis of the National Scenic Area**

4.8 In considering what kind of landscape designation we should have in the future, three main questions are:

- i) whether the series should be founded on preference for scenic quality, as at present, or on a more objective basis of selection, through use of the landscape character assessment surveys, or specific components of the natural or cultural heritage;
- ii) whether an accolade designation is to be maintained, or instead replaced by a more representative approach; and
- iii) on the breadth of purpose, whether the designation should focus on conserving scenery, or have also a socio-economic purpose.

### ***Scenic Attractiveness or a Wider Basis of Choice?***

4.9 Some people question whether the NSA should be based on scenic value. One alternative is to use a classification of landscape, such as SNH's landscape character assessments, as the basis of selecting areas on a more objective basis. Some countries use cultural or natural components to assist in the selection of valued areas. This approach is also likely to be appropriate to a more representative approach to designation (discussed below), that is, ensuring that examples of all - or at least all the most important - landscapes are included in the series.

4.10 SNH's landscape character assessments could provide a starting point for a more objective classification which looks beyond scenic beauty, although this has yet to be tested through further work on this new source of information (see Box 2). The alternative is to explore how the series might include landscapes which are strongly influenced by extensive

elements of the natural and/or the cultural heritage. Examples might be heather moorland (both a natural and cultural landscape), areas dominated by natural woodland, or some of our finest designed landscapes or distinctive cultural landscapes such as those created by crofting. But there is no simple way of incorporating these components independently as part of a general landscape designation, because each has its own means of comparison and ranking based on different value systems.

**BOX 2: Landscape Character Assessment.**

Landscape character assessment is a recognised analytical technique which has been developed over the last 10-15 years and used widely in the UK. The technique combines desk and field studies to identify, describe and map areas with a distinct composition of inter-related natural, physical, cultural and historical characteristics. A landscape character assessment is sensitively tuned to the patterns in the landscape and is based upon a sound understanding of its evolution. SNH has recently completed landscape character assessments which now cover all of Scotland. These separate surveys are, at present, being brought together into a national picture, by reducing the 3,900 individual character units recorded in these surveys down to a more manageable set, in which the types are amalgamated, where appropriate, in order to provide a more generalised picture of the landscape character of Scotland.

In practice, each landscape character type is often seen to be strongly dominated by landform. This is to be expected: our very varied and distinctive geology is inevitably a strong force in defining landscape character, first through its strong influence on landform and, second, through the effects that landform has on actual and potential land use. SNH's landscape character assessment programme does not attempt to be an evaluative process: it categorises landscape to provide an objective description of an area. It can be used to identify local sensitivity to change and to guide the location of certain kinds of development and other land use change in an acceptable way. This seminal survey will help in clarifying the full range of landscape character across Scotland and contribute to the possible identification of new NSAs.

The map shown in the inside of the back cover shows the most general level of the LCA database. This map has been produced by assembling the 3900 units described above into coherent groups of landscape character types which display common key landscape characteristics such as landform, landcover, settlement pattern, and geology. The units have been amalgamated at several levels of detail and the one shown here is the broadest of the amalgamations so far which still retains meaning and clarity at the national scale. While being fairly generalised, this level of detail still imparts a picture of the diversity and distribution of landscape character types across Scotland.

4.11 The merits of a more objective approach, moving away from the NSA being based on scenic beauty, are that:

- it could be a more systematic and perhaps more defensible approach to the selection of areas for designation;
- selection could be easier, with less emphasis on evaluation of preferences for scenic value; and
- the outcome would probably be a wider geographic spread of areas of national landscape significance.

4.12 The difficulties are that:

- it would shift the designation to a more specialist basis which might be less comprehensible and acceptable to the general public;
- it does not provide a clear basis for incorporating the intangible values which are central to people's preferences in landscape; and
- it might lead to the identification of landscapes for designation which are not judged to be of national significance, in a popular sense.

4.13 Of these approaches, the approach based on scenic value or natural beauty is likely to be more meaningful and comprehensible to the public.

**(13) Views are requested on:**

- **whether the basis of the NSA should in the future rest primarily on natural beauty, rather than any other basis of choice and, if not, what alternative approach might be preferred.**

***Accolade or Representative?***

4.14 *Scotland's Scenic Heritage* defined the NSA as an accolade designation, that is, it aims to identify the very best of our scenery without any attempt to be representative. Representativeness is a valid alternative. Any expansion of the series, say to encompass more coastline or additional lowland landscapes, would lead to the suite becoming widely more representative of Scotland's landscapes. In thinking about representativeness there is a distinction to be made between:

- the NSA series being representative in the sense of having examples of all landscape types, regardless of quality and significance, that is a fully representative approach; or

- representing those kinds of landscapes for which Scotland is most renowned, that is, an accolade approach, but with a wider spread across the range of Scotland's landscapes than at present.

The former is a more specialist approach and links best to an objective classification of landscapes, while the latter is more evaluative and links best to the scenic and popular values approach.

4.15 If an accolade NSA series is to expand to include a wider range of landscapes then choices will have to be made within different landscape types - coast, lowland and so on. This opens up a rather different option from a purely 'best choice' basis, regardless of landscape type. If the series becomes more diverse it would seem inevitable (and easier to make judgements) if a best-of-their-kind approach was followed - that is, not trying to set coasts competitively alongside mountains or lowland landscapes. Identifying the categories of landscape which are to be the basis of choice is therefore critical.

4.16 From the *Invitation to Contribute*, there were some views in favour of a more representative approach.

**(14) Views are requested on:**

- **whether the National Scenic Area designation should remain as a purely accolade designation;**
- **whether it should shift to being an accolade series based on choice from those landscape types for which Scotland is most renowned; or**
- **whether a fully representative approach is desirable, including examples of all landscape types without attribution of value.**

***A Socio-Economic Role for the NSA***

4.17 Most people living in an NSA will be unaware of the existence of this designation, but its importance locally can be high because scenery has economic benefits through tourism. However, the businesses which depend on a tourism-trade often have little connection with the management or ownership of the land which is used and valued by visitors. On the other hand, land managers are more likely to be aware of the existence of the NSA, but may perceive it as an imposition or a designation having few benefits. How better understanding and support might be achieved has been considered in Chapter 3. The issue here is whether the socio-economic factors should be reflected in the statutory definition.

4.18 *Scotland's Scenic Heritage* stated that the operation of the NSA should aim for "...the conservation of our scenic heritage, whilst at the same time accommodating change and development in response to changing circumstances". This is a proper approach because some NSAs are very extensive in area and include varied land uses and other businesses which are important to the local economy. But this approach does not go as far as the stronger socio-economic role which has been proposed for National Parks. The case for National Parks having a stronger socio-economic role lies in the broad planning, co-ordinating and management roles which we expect those areas to have.

4.19 SNH considers that the NSA should not have an overt purpose to promote the socio-economic needs of the area; but in managing landscape change it should be responsive to local needs, although recognising that some landscapes are sensitive and unable to accept much change.

**(15) Views are requested on:**

- **whether the NSA should adopt a socio-economic purpose into its definition.**

**A Definition for the National Scenic Area**

4.20 Drawing from the discussion above, SNH's initial preference is for an accolade designation which represents those landscapes for which Scotland is most renowned. This is a step forward from the original approach, which was for an accolade without any attempt to be representative. However, if the series is to expand, then the outcome will reflect a greater diversity of Scotland's finest scenery. A series which is expanded through a more consultative approach in future is also likely to incorporate a wider range of preferences for scenic beauty, including the selection of areas which might not just be first choice in popular appeal, but which have acknowledged merit and are of attraction for more subtle qualities.

4.21 Our preference is for the basis of choice to be scenic beauty. It is likely to be more comprehensible to the general public and, for a designation which is of such high public appeal and national significance, the selection of areas should reflect to a high degree what is preferred by a wide audience. This approach also allows the designation to encompass the intangible values which people find in our best scenery. SNH does however recognise that there are arguments in favour of a more objective basis to the selection of areas, and it will consider views on other relevant ways of identifying landscapes of merit, or ideas on

how the individual components of landscape - either natural or cultural - can be better reflected in the process.

4.22 Our proposed definition for the NSA is as follows:

*“NSAs represent the best of Scotland’s scenery and are areas of land and water:*

- *whose natural beauty and amenity are of such outstanding quality that they should be safeguarded and enhanced as part of the national heritage; and*
- *where the aim is to manage change arising from development and land use decisions, so as to accord with the primary purpose, while making provision for the social and economic needs of the area.”*

**(16) Views are requested on:**

- **the proposed definition for the NSA.**

## **IDENTIFYING THE GAPS IN THE SERIES: The Search for and Selection of Candidate National Scenic Areas**

5.1 We have suggested above that the NSA series should still be founded on outstanding natural beauty and amenity, but that the selection process could be more representative of the diversity of Scotland's most scenic areas. Widening the scope of the series will allow for a wider range of preferences to be expressed about what constitutes Scotland's best scenery, possibly including valued areas not yet in the series. The approach to search and selection will also need to change from that used for the initial series. But, in general, we expect the process to be judgmental, taking opinion from all interested parties, using appropriate specialist data, and consensus-forming in outcome.

5.2 The assumption that the series needs expansion still has to be tested against a review of the options. However, there has been sufficient past comment, including recent responses to the *Invitation to Contribute*, to suggest that there are areas of value outwith the present series which are worthy of consideration for NSA status. For example, there are long sections of outstanding coastline, especially in east and southwest Scotland, which may have been set aside by the CCS because their hinterland is less attractive. There are characteristically Scottish areas of heather moorland which merit consideration, say in the eastern Southern Uplands or in eastern Grampian, and the scenic value of the expansive landscapes of the northern peatlands and some of the more pastoral lowland landscapes may have been under-rated in the past.

5.3 The description of the original methodology in *Scotland's Scenic Heritage* did not provide explicit selection criteria. It states that, in seeking to identify scenery which best combines those features which are most frequently regarded as beautiful, the focus was on those "*richly diverse landscapes which combine prominent landforms, coastline, sea and freshwater lochs, rivers, woodlands and moorland with some admixture of cultivated land*". CCS recognised that outstanding examples of such scenery are most frequently found north or on the Highland boundary fault. Whilst the more managed agricultural landscapes to the south and east were acknowledged to be beautiful, they were not considered as being outstanding in a national or international sense. Diversity on its own is unlikely to be a sufficient, single characteristic for any renewed search for candidate NSAs, and other factors will be needed in future assessment.

### **A New Approach to the Search Process**

5.4 Our understanding and appreciation of Scotland's landscape has developed since the Commission undertook its original work on NSAs. Techniques of assessment have evolved, as in the landscape character work described above. If the designation is founded on scenic beauty, then it is appropriate to involve the wider public, alongside the views of professionals and informed individuals, to help build a broad constituency to endorse any areas finally chosen. So a more open approach is needed than that taken for the original suite of NSAs. Several ways forward suggest themselves, and it is likely that a combination of some or all of these may be appropriate:

- **Expert view** There is a good deal of descriptive literature and knowledge of the diversity of Scotland's landscapes and a good understanding of those which are amongst the most cherished. At the same time, landscape types which are not so much in the public eye, should be considered if they have sufficient merit and integrity and are valued for more subtle qualities. Who provides this expert view, and the need for 'peer review' to establish the extent of consensus, needs to be considered.
- **Landscape character assessment** The landscape character assessment surveys described earlier (Box 2) provide an inventory and appraisal of different landscapes, but do not involve any evaluation of a landscape's merit. The benefit of this inventory lies in providing for the first time a national picture of the types, location, extent and diversity of Scottish landscapes. Interpretation of this information using professional judgement is still required, but we anticipate that this inventory will be very helpful in the search for particular landscapes, or combination of landscapes.
- **Public opinion** A public invitation to contribute to the process would be an appropriate part of the exercise at the initial search stage. The purpose would be to provide an additional source of information, and insight into public preferences, not a definitive guide to the selection of areas. Whilst the idea of involving the public in the designation process in this way would introduce a novel element into the designation process, it could help to secure greater legitimacy for the final choice. Local community views are likely to be important in canvassing this wider opinion.
- **Other approaches** Other national land-cover data sets could contribute in this initial search stage. Again, the purpose of using these major data sets is not to attempt to seek

representativeness across all landscapes, but to help in the broad search for those which might possibly be worthy of designation.

**(17) Views are requested on:**

- **the appropriateness of these approaches, or any others which could be considered for the initial search process.**

**The Survey and Selection Process**

5.5 The selection of areas as new NSAs is an extension of the initial search phase. SNH has undertaken some initial thinking on how this should be taken forward, but would welcome views on this or other approaches. Any process will need to be open and well structured to secure a consensus and consistency in approach, and this is likely to involve the following:

- the formation of a technical group to advise SNH and to take the process forward;
- refinement of the method of search for new NSAs;
- identification of an initial sift of candidate areas;
- a role for wide consultation in the selection process; and
- a process of validation for any new NSA.

***The Role of a Technical Group***

5.6 To ensure consistency and an open approach to selection, a technical group could be established with responsibility for advising on areas identified as potential NSAs. In creating the original suite, the work was undertaken solely by CCS staff and Commissioners. While we consider that it is appropriate for SNH to take the lead, and to have the final responsibility for making recommendations to Government, other interests with an expertise or knowledge of the Scottish landscape should be more involved in future selection. There is obviously a balance to be sought between ensuring a representative group of all the possible parties, and ensuring a focused debate. Possible members of a technical group might come from COSLA, the relevant professional bodies, representative groups including NGOs, and individuals able to make a distinctive contribution.

***Selection Guidelines***

5.7 The search and selection process will be judgmental but a structured approach with guidelines or criteria will be needed. We recognise that laying down criteria for the selection

of designated areas is distinctly difficult and, for a judgmental process like landscape evaluation, overly tight criteria might even prove to be a hindrance. The term guidelines is accordingly to be preferred. But a structured process of evaluation, and a clear rationale to support it, is required to give order to the selection process and allow for external peer review on consistency.

5.8 Guidelines are likely to serve three main roles: first, the qualifying factors necessary for an area to be a real candidate; second, factors to assist in discriminating between one candidate area and another; and third, guidance on practical matters. There is no sharp distinction between these roles as guidelines will have to be applied with common-sense, recognising that the process is evaluative and ultimately guided by aesthetic judgement and experience. Potential guidelines could include the following.

- **Nationally significant** Candidate NSAs should come from those landscape types which contribute to Scotland's reputation for outstanding scenery, reflecting both popular and informed opinion as to what kinds of landscapes represent the best of Scotland's scenery.
- **Intrinsic quality** Within these types, the series should include all the examples which are recognised as being of outstanding merit, and thereby of importance to the national heritage.
- **Integrity** Landscapes within the NSA series should display a certain distinctiveness or unity of character, even if this distinctive character itself reflects the combination of more than one landscape character type.
- **Evocative** Areas within the series should have intangible qualities which are inspiring to the observer, and which embody aesthetic, traditional, recreational or cultural values important to the people of Scotland.
- **Condition** There should be no major detractors and overall the scenic quality of an area should not be significantly impaired or compromised in any irreversible way.
- **Extent** Areas should be large enough to encompass all the landscape features critical to its character and distinction and to allow for their effective protection.

- **Defensible Boundaries** The area should be sufficiently coherent to permit the drawing of meaningful and defensible boundaries.

5.9 Some additional factors will be relevant in certain cases, namely:

- **Uniqueness** It is not the function of a designation of this kind to protect areas simply on account of the rarity of that scenic character. There may nonetheless be cases where an area has special qualities which are unique and which make it sufficiently distinctive - as well as attractive - to justify its inclusion in the series.
- **Potential** There may be very attractive areas which may fall just short of a quality threshold because of some degree of damage or incompleteness, but which have the potential for restoration. In these circumstances the potential for restoring or enhancing them may tip the balance in favour of their selection.
- **Links with outstanding natural or cultural heritage** There may be cases where certain elements of the cultural heritage, or nature conservation interests, are of outstanding merit and also contribute in an important way to the scenic interest of the area. Even if they are isolated or fragmentary, they may contribute significantly to the wider landscape. Such elements could reasonably be counted in the overall reckoning, so long as the primary guidelines are satisfactorily met.

**(18) Views are requested on:**

- **the proposed selection criteria.**

### ***The Validation Process***

5.10 All designation procedures require some form of validation, either in-house by the body originating the designation, or by Government. What could be treated simply as an administrative process of confirming a selection could also be extended to incorporate an adjudication over the merit of the final choices. This approach would reflect past public concerns about imposed designations. We would expect the technical working group to go a long way to securing a consensus amongst the main interests, but there could still be a need for a wider consultation on the candidate NSAs to ensure they enjoy general support. This could be done either by issuing a consultation paper describing the candidate NSAs, or through a process of local consultation by advertisement.

5.11 Given the national status of the designation, and Government's role in promulgating the present NSA series, we believe it would be appropriate for the Scottish Executive or Scottish Parliament to formally endorse any new NSAs.

**(19) Views are requested on:**

- **the process of validation.**

### **Specific Technical Issues**

5.12 The identification of further NSAs raises certain questions concerning the extent of Scotland which should be designated; the identification of boundaries; and the desirability or otherwise of imposing a size limit on individual NSAs. These are considered below.

#### ***An Upper Limit to the Amount of Scotland Designated?***

5.13 The current NSA suite covers just over 1 million hectares or 12.7% of Scotland, excluding those sea areas within their boundaries. At the time CCS considered that "... *this is not an unreasonably large proportion for a country so renowned for its scenic beauty*". It is worth noting that in England and Wales some 23% of the land is designated for its landscape quality, either as a National Park or an Area of Outstanding Natural Beauty.

5.14 Responses to our *Invitation to Contribute* on this issue indicated overwhelming opposition to the setting of a target level. Respondents believed that the final figure should be determined by the outcome of the search process. We share this view, although we would observe that casting the net too wide would inevitably devalue to some degree the significance of the designation.

**(20) Views are requested on:**

- **whether there should be an upper target level for designation.**

#### ***Boundaries***

5.15 Demarcating the boundaries of a scenic designation is inherently difficult because landscape qualities rarely exhibit a hard and fast boundary. The approach taken when designating the present series of NSAs involved drawing boundaries to encompass rather than exactly delimit the area of merit. They were drawn to follow ridge lines and so reflect landscape tracts or envelopes. Other identifiable features, such as watercourses, were also used. Where no appropriate physical feature was available, straight lines between salient

points were adopted. As a last resort, OS grid lines were used, despite the obvious drawbacks of this approach. Some of these boundaries have been criticised as being artificial and inappropriate, especially in the case of straight line boundaries, and the seaward extent of coastal NSAs is at best unclear.

5.16 The boundary of a designated area should seek to achieve two objectives: first, to reflect the intrinsic qualities which justify the designation and, second, to encompass the area which is required in practice to safeguard these interests. The objective of safeguarding the intrinsic qualities of an area necessitates drawing boundaries widely enough to ensure these qualities are captured within the designation and can be defended against threats. So long as this requirement is satisfied, however, we consider that boundaries should as a matter of principle be drawn as tightly as practicable. A set of principles to guide the definition of boundaries could include the following:

- **Boundaries should encompass the area of intrinsic national quality, and adjacent areas integral to, or necessary for, the effective protection and management of these qualities.** Whilst existing development pressures or forces for change can be relatively easily identified, those that might arise at some future date are to some degree unforeseeable. The approach should be to define reasonably tight boundaries, which can be justified in terms of the likely forces for change on the intrinsic qualities, rather than any more speculative adverse impacts. Further guidance will be required, especially on identifying critical views of or from within an area, and on how best to delimit the area necessary for effective protection.
- **In coastal areas, boundaries should extend to encompass sea/maritime areas integral to the landscape units, with the outer limit being defined according to the circumstances of the individual area.** This limit should take into account the forces for change likely to operate within the marine area and of the anticipated visibility of any structures resulting from these.

5.17 In addition to these basic principles, some more practical considerations are relevant. These include the following:

- **Boundaries should take into account institutional (for example local authority areas) and functional (for example land ownership/management units) factors in order to facilitate the proper protection and management of the area to be**

**designated.** This would help, as far as practicable, to minimise potential administrative and management confusions.

- **Where practical, boundaries should be readily identifiable on the ground and follow natural features.** This should reduce the scope for confusion on the ground and facilitate public recognition and understanding of the designation.
- **Boundaries should be shown on maps, and could be marked in a low key but appropriate way at key access points.** This should increase the awareness of the designation, and help to encourage special care for and pride in it. Any signs should be low key with an emphasis on sites in busy tourist locations.
- **Boundary revision and modification, including the removal of areas no longer satisfying the basic guidelines, should be provided for in the legislation.** Revision of boundaries may be necessary where areas are enhanced and exhibit qualities that are considered nationally important (in the long term), or where these qualities are impaired, either in the long term (for example through lack of management), or in the shorter term, as when a development that is acknowledged to be damaging to the area's integrity is permitted on grounds of overriding national interest.

**(21) Views are requested on:**

- **the comprehensiveness and appropriateness of these principles for defining boundaries.**

#### ***Limit to the Lower and Upper Size of an NSA***

5.18 There are many places in Scotland which are renowned as scenic spots or 'gems' but which are limited in area, often being landscapes of a quite intimate nature - gorges, waterfalls and the like. There are also important features in the landscape which command valued views or vistas, but which may not have any special protection in their own right and, indeed, may not be under threat. Some of these places may already, or could in future, be given recognition under local scenic designations, but some may be of national significance. The very best of our designed landscapes might also qualify as of highest national significance, despite their limited geographic extent. The question therefore arises as to whether there should be any lower limit or minimum size to an NSA.

**(22) Views are requested on:**

- **the appropriateness of including relatively small ‘scenic gems’ in the NSA suite.**

5.19 Pragmatically, the question of the size limit for NSAs must be related both to issues of intrinsic merit and integrity, and to the practicalities of securing their effective protection. The larger an area is, the more inherently diverse it is likely to be, and the greater must be the likelihood that it will contain areas of lower quality. It may then become difficult to decide at what point the boundary should be drawn. Moreover, accommodating reasonable social and economic aspirations may in a very extensive area necessitate some relaxation of the degree of protection normally applicable in NSAs and merited by the most valued areas within it. These dangers of dilution, both of integrity and merit and of the ability to safeguard effectively, argue against the designation of excessively large individual areas.

**(23) Views are requested on:**

- **whether NSAs should be limited in their upper size through the strong application of criteria of integrity and merit.**

## **LOCAL AND NATIONAL COMPARISONS: Relationships with Other Scenic Designations**

6.1 The NSA stands alone as a national scenic designation, but its relationship to National Parks and to regional and local scenic designations used by local authorities requires consideration. This chapter examines these relationships.

### **Links with National Parks**

6.2 SNH has advised Government on the establishment of National Parks. We propose that National Parks should be designated to ensure that areas of outstanding natural heritage value are managed in perpetuity to safeguard and enhance their natural beauty and amenity, and the cultural heritage of the area. Like NSAs, National Parks signify the national interest in the landscape of the area. But National Parks will also have the protection of biodiversity and cultural heritage interests as primary purposes. On the other hand, whilst NSAs will also contain important wildlife or cultural heritage interests, safeguarding these will not be a primary purpose of the designation.

6.3 When considering the potential links between National Parks and NSAs it is important to clarify the distinction between the two designations. National Parks are likely to be few in number but will cover relatively large areas of natural heritage importance. The intention is that they will provide a framework for the integration of all aspects of land use. To this end our advice to Government recommends that:

- their purpose should include the promotion of the sustainable use of natural resources and the social and economic well-being of local communities, as well as provision for the enjoyment and understanding of the public and safeguarding and protecting the biodiversity, natural beauty and amenity;
- the establishment of a statutory National Park body with wide ranging powers of influence;
- the preparation of a statutory National Park Plan with a strong influence over the preparation of the plans and strategies of other bodies operating in the area; and
- the requirement for public bodies to contribute to the preparation and implementation of the National Park Plan.

6.4 There are both similarities and differences between the approaches proposed for National Parks and NSAs. In particular, the NSA designation has a focus on scenic value and does not have the breadth of purpose and comprehensive integrating role of National Parks. As a result it does not require the establishment and powers of a separate statutory body or the strong status of a National Park Plan. But while the NSA designation is therefore more appropriate to areas lacking the complexity of issues present in the proposed National Parks, NSAs should be seen as the equal of National Parks in terms of their scenic value; they must not come to be regarded as a second class landscape designation.

### ***The Need for NSAs in a National Park***

6.5 Our consultation paper on National Parks recognised that there is the potential to simplify the number of existing national designations within a Park, provided that their objectives are effectively subsumed by National Park objectives, and where the mechanisms available to the Park for the safeguard and enhancement of the values protected by individual designations are no less effective. This view found an echo in responses to our *Invitation to Contribute*. SNH considers that there are advantages in de-designating NSAs in any National Park, particularly to simplify the designation system and to reduce potential public confusion over a plethora of overlapping designations. However, if an NSA is to be eliminated in this way, it is important that the special qualities recognised by the former designation are given full recognition and safeguarded by National Park status. This will be achieved through the identification in the Park Plan of an area of special landscape significance, together with the same analysis of its special qualities, identification of management objectives and specification of policies required to achieve these as would be contained in an NSA Management Strategy.

#### **(24) Views are requested on:**

- **whether NSAs should be de-designated where they fall within National Parks, and if so whether our proposals for safeguarding and enhancing the qualities for which the former NSA had been identified are appropriate.**

### ***Role for NSAs Outwith National Parks***

6.6 The suite of NSAs includes areas which could be identified as potential National Parks at some future date, as well as areas of national importance which could not meet all of the National Park criteria. Individual NSAs will have different characteristics in terms of their management objectives: some will have a complementary role, having many of the

characteristics of future National Parks and conferring status and management impetus for areas of outstanding scenic quality which might, in the future, require a National Park approach. Others will safeguard areas of outstanding scenic quality which by location or the scale of management need will be adequately served by the kinds of proposals outlined in Chapter 3. Our National Park consultation paper listed some of the areas previously suggested as potential National Park areas, many of which are already NSAs. That paper identified the need for a measured and thorough debate, involving all interested parties, before any decisions concerning further National Parks can be taken.

6.7 We consider that, in some circumstances, the NSA designation will be appropriate for those areas which have significant conservation-management needs, provided that the most comprehensive model of management proposed in Chapter 3 was in place. It would not be realistic, however, to expect the NSA mechanism to meet all the needs of areas which are of near National Park status. In particular this designation would be less suited to:

- provide co-ordination between all the main public bodies involved in the area to the degree envisaged for Parks;
- promote a close linkage between the landscape interest and social and economic; or to
- address conservation management needs where these are strongly focused on nature.

The NSA Management Strategy could nonetheless be a powerful tool to tackle many of the problems which arise in areas exhibiting some of these characteristics and, given the will and resources, much can be achieved with a flexible mechanism.

6.8 Responses to the National Parks consultation paper on the role of the NSA were not conclusive. For those who commented on this topic, most recognised the existing weakness of the NSA and saw the need to strengthen its operation. Some strongly defended the NSA's role in guarding scenic values, whilst a few suggested that a broader based National Heritage Area designation might have greater potential, through encompassing wider natural and cultural heritage interests. Others again saw NSAs as a second tier but still national designation, with less stringent controls. This debate, begun in the National Parks paper, is therefore continued into this review.

**(25) Views are requested on:**

- **the role of NSAs as a complementary mechanism to National Parks, and their appropriateness for this task.**

## Regional and Local Scenic Designations

6.9 The Area of Great Landscape Value is the only other scenic designation with a formal basis, having been promoted as far back as 1962 in SDD Circular 2/1962 *Development Plans. Areas of Great Landscape Value and Tourist Development Proposals*. In this Circular, Government encouraged local authorities to safeguard their most outstanding beauty spots and, at the same time, to ensure proper provision of facilities in areas of tourism growth for the increasing number of people visiting the countryside. The Circular required that there should be a strong presumption against development within AGLVs, except where necessary as part of pre-existing development, or for the purpose of providing new facilities for visitors.

6.10 The Circular provides little guidance on the selection of AGLVs and Councils have taken divergent approaches. Some identified extensive areas across their territory, while others took a minimalist approach, perhaps taking note of the strong injunction against development. The outcome, when portrayed on a map of all Scotland, is a distribution of AGLVs which does not reflect the true distribution of landscapes of known worth at the regional or local level.

6.11 In creating the NSA, the former CCS recognised through its survey work that there were many areas which were of high landscape value, but which were not quite of “*unsurpassed quality*”. It commended Councils to recognise areas of scenic merit at the regional level in their structure and local plans. The Commission also recognised that there were other areas of considerable character and importance which were limited in area or of a singular nature, and these were thought to be appropriate for designation as Conservation Areas under the Town and Country Amenities Act 1974. However, as with the AGLV, advice on selection criteria and continued encouragement to do this was not forthcoming. Some Councils did recognise Regional Scenic Areas (RSAs) in their development planning process, notably the Strathclyde Structure Plan, which has a set of RSAs and Regional Scenic Coasts.

6.12 As part of this review a survey was undertaken of the use of scenic designations in development plans. This survey has uncovered the use of a very wide range of regional and local designations apart from AGLVs (see Table 1). The RSA is the most popular, but there are many interesting local inventions, apparently designed to meet the same purpose.

In one sense, this reflects a strong belief in the value of designations by those who deploy them in plans, although it has to be recognised that, in the changing pattern of plan preparation, some of these designations have been inherited from previous authorities.

**TABLE 1: Occurrence of landscape designations in 147 predominantly non-urban development plans.**

Designation	Number of Plans Using Designation
<b>National</b> Scenic Area (NSA)	50
Area of Great Landscape Value (AGLV)	69
<b>Regional</b> Scenic Area (RSA)	12
Area of <b>Regional</b> Scenic Significance	6
<b>Regional</b> Scenic Coast (RSC)	4
Area of Special Landscape Value	3
Area of <b>Regional</b> Landscape Significance	3
Area of <b>Local</b> Landscape Importance	2
<b>Local</b> Scenic Area (LSA)	2
Areas of Special Landscape Control	2
Area of High Landscape Quality	2
Attractive Rural Landscape	1
Area of <b>National</b> Scenic Quality	1
Area of <b>National</b> Scenic Importance (ANSI)	1
Area of <b>Regional</b> Scenic Importance (ARSI)	1
Landscape Area of <b>Regional</b> Importance (LARI)	1
Landscape Areas Worthy of Conservation (LAWC)	1
Sites of <b>Local</b> Importance for Landscape	1
Other Coasts of Landscape Importance	1
Area of Scenic Woodland	1
Area of <b>Local</b> Landscape Significance	1
Area of Outstanding Landscape Quality	1
Areas of Particularly Attractive Countryside (APAC)	1
<i>147 Development Plans reviewed - with more than one designation in some plans</i>	

6.13 Investigations on the use and effectiveness of these regional and local designations clearly indicated that, in a number of cases, their role was quite limited. But in some

Councils' plans there is overlap between the NSA and their regional or local designation and, in some cases, Councils appeared to be giving their designation as much weight as the NSA. So the use of regional and local designations is confused, and several questions arise about how to take this forward.

***Is there a Need for a Regional or Local Scenic Designation?***

6.14 The new NPPG on the Natural Heritage, while acknowledging the need to avoid unnecessary proliferation of designations, recognises that AGLVs have an established and potentially valuable role in protecting important local landscapes. The number of development plans including regional or local designations also suggests that local authorities see value in them. It is possible that, as the techniques of landscape character assessment are more widely applied, this new approach could displace such designations as a means of guiding development over the whole of an authority's area by identifying sensitivities and areas with the ability to accommodate change. Much will depend on how the planning and landscape professions use landscape character assessment as a tool in development planning and how the methodology itself develops in the future.

6.15 If the AGLV is to be revitalised as the second-tier scenic designation, this status would need to be confirmed in a restatement of its purposes, and the guidance dating back to 1962 revised. SNH prefers that the AGLV is retained as a designation within the planning system and given appropriate policies thereto. Some areas may well benefit from an active countryside management approach - as is proposed earlier for the NSAs. But, as with the NSA, the degree to which intervention of this kind is needed will depend greatly on the local circumstances.

**(26) Views are requested on:**

- **the need for a regional or local scenic designation, especially in the light of the evolving experience of landscape character assessments; and**
- **on the need for management support beyond planning policies to local scenic designations and how this might be done.**

***Should there be a Consistent Approach Towards their Identification?***

6.16 If there is to be a designation for regional or local scenic value, it is highly desirable (as the new NPPG for the Natural Heritage recognises) that it is deployed consistently. It is evident from the *Invitation to Contribute* that officers in some Councils would value guidance on criteria aimed to promote greater consistency, while permitting authorities to take

account of local circumstances and local values attached to their landscapes. This flexibility is necessary because in the nature of Scotland's landscape resource and administrative geography, what is exceptional in one area might be in no way remarkable elsewhere and yet, because of its contribution to the quality of life locally, still deserving of recognition and selection. In these circumstances, absolute consistency is not only unattainable, it is also undesirable. Nevertheless it remains desirable in SNH's view, to have some general guidance about regional or local scenic designations, if only to help to clarify as far as practicable what has become a very confused picture.

**(27) Views are requested on:**

- **the need (or otherwise) for greater consistency of approach towards regional or local scenic designations, and on how this might best be achieved whilst still allowing the flexibility needed to cater for local circumstances.**

***The Application of a Hierarchy of Scenic Designations?***

6.17 A related issue is that of hierarchy. Table 1 shows that many of the areas designated by local authorities do not bear a title which makes apparent their regional or local status. Some development plan policies do not differentiate between different designated areas. Two Councils use a national label other than the NSA. Some Councils operate an apparently two tier (regional/local) designation system of their own, alongside the NSA. SNH has doubts as to whether it is possible to discriminate so finely in the assessment of landscape quality and therefore favours a two tier national/local hierarchy. Local areas identified should be considered as of significance in terms of the whole local authority area, and therefore valued beyond the immediate locale.

6.18 The commissioned review of scenic designations found that some local authorities do not see the NSA as having any greater status than their own regional or local designation, and it has even been suggested that the AGLV, which is founded in a Government Circular, is a national designation meriting a corresponding degree of protection. The NPPG on the Natural Heritage requires local authorities to distinguish between national and local designations in the framing of development plan policies and makes it plain that while AGLVs will not warrant as high a level of protection as a national designation, they should still be adequately safeguarded through these policies. SNH strongly supports such advice, recognising that it is important not to devalue what is important nationally, and that there is no point in having two designations if both are seen to have equal standing.

**(28) Views are requested on:**

- **the need for a hierarchy of scenic designations, on the number and level of tiers below the sub-national designation, and on how policy should differentiate between the tiers in terms of status and standard of care.**

***A New Name?***

6.12. Finally, there is a case in changing the name of the AGLV, arising from the need identified above to clarify the hierarchy and status of any sub-national designation. The AGLV label is, however, well established in the phraseology, is positive and confers a strong sense of merit upon the area, and the term has the advantage of longevity and the resulting awareness. Further, the NPPG on the Natural Heritage encourages the use of the term AGLV where possible. In these circumstances SNH is inclined to favour the retention of the term AGLV.

**(29) Views are requested on:**

- **whether AGLV is the most appropriate term to use for a sub-national scenic designation in the future.**

## **7. SUMMARY OF PROPOSALS AND ISSUES FOR CONSIDERATION**

### **Key Elements of the Proposals**

7.1 This consultation paper presents SNH's initial thinking and proposals for making the National Scenic Area designation more effective and sets out an approach for considering any expansion of the existing suite. It also outlines SNH's thinking on the links between the NSA designation and National Parks, and with regional and local scenic designations, including Areas of Great Landscape Value.

7.2 SNH considers that the priority is to make the NSA designation more effective before any expansion of the suite is contemplated. The key elements of our proposals to achieve this are:

- an enhanced role and responsibility for the designation lying with local authorities in particular, while recognising that all public bodies and others with an interest have a role to play;
- the provision of a new statutory base for the NSA;
- a new duty on public bodies to safeguard the interests of NSAs;
- a requirement for local authorities to produce, implement and review an NSA Management Strategy;
- a review of provisions under the Town and Country Planning system;
- broader provisions to influence land management within NSAs;
- stronger policy guidance from Government; and
- actions to increase the awareness and ownership of NSAs.

7.3 Before extending the suite of NSAs there is a need to consider what kind of designation we want in Scotland. We suggest that a designation of scenic value or natural beauty will be most widely understood, and seek views on whether an approach based on accolade, representation, or combination of the two should be pursued. Drawing from this discussion we suggest a draft definition for the NSA.

7.4 In Chapter 5 we set out our initial thinking on the search for and selection of new NSAs. This includes a more inclusive approach to the search for potential areas, and suggests initial selection guidelines. Questions regarding the identification of boundaries, limits to the

size of individual NSAs, and an upper limit to the amount of Scotland designated are also raised.

7.5 Concerning links with other designations, we suggest that NSAs can be de-designated within National Parks. Outwith, NSAs should be seen as complementary to and the equal of Parks in terms of their scenic value. Finally, we suggest a need to clarify and revitalise the AGLV designation, and that this should identify areas considered as of significance in terms of the whole local authority area, and therefore valued beyond the immediate locale.

### **Key Issues for Consultation**

7.6 SNH welcomes comments on any aspect of this consultation paper. However we would particularly welcome your views on the questions posed, which are listed below for ease of reference.

**(1) The role of the local authority as champion for individual NSAs and the future role for SNH.**

**(2) The need for a new legislative base, and the proposed duty to be placed on public bodies.**

**(3) The proposed statutory requirement to produce, implement and review an NSA Management Strategy, and the provisions which this should include.**

**(4) The merits of an NSA Management Strategy, its contents, the process for its production, and the requirement for its endorsement or approval by SNH.**

**(5) The options identified for promoting the objectives of an NSA, or any other approaches which should be considered.**

**(6) The role and benefits of the consultation and referral mechanism and whether this should be extended or reduced; and if judged necessary, the way in which the scope of the consultation and referral procedure should be modified.**

**(7) Whether there is a need to remove permitted development rights from further types of development within an NSA, and if so, the types of development.**

**(8) The need or otherwise to strengthen controls over land uses falling outwith the planning system.**

**(9) What incentives need to be provided to encourage fulfilment of the NSA's objectives, and what opportunities exist to utilise existing mainstream support mechanisms.**

**(10) The need for further policy guidance, and on the content of such guidance.**

**(11) Approaches to increasing the general understanding and awareness of the NSA designation and individual NSAs.**

**(12) The need for additional funds and their source.**

**(13) Whether the basis of the NSA should in the future rest primarily on natural beauty, rather than any other basis of choice and, if not, what alternative approach might be preferred.**

**(14) Whether the National Scenic Area designation should remain as a purely accolade designation; or whether it should shift to being an accolade series based on choice from those landscape types for which Scotland is most renowned; or whether a fully representative approach is desirable, including examples of all landscape types, without attribution of value**

**(15) Whether the NSA should adopt a socio-economic purpose into its definition.**

**(16) The proposed definition for the NSA.**

**(17) The appropriateness of the suggested approaches, or any others which could be considered, to the initial search process.**

**(18) The proposed selection criteria.**

**(19) The process of validation.**

- (20) Whether there should be an upper target level for designation.**
- (21) The comprehensiveness and appropriateness of the suggested principles for defining boundaries.**
- (22) The appropriateness of including relatively small ‘scenic gems’ in the NSA suite.**
- (23) Whether NSAs should be limited in their upper size through the strong application of criteria of integrity and merit.**
- (24) Whether NSAs should be de-designated where they fall within National Parks and, if so, whether the proposals for safeguarding and enhancing the qualities for which the former NSA had been identified are appropriate.**
- (25) The role of NSAs as a complementary mechanism to National Parks, and their appropriateness for this task.**
- (26) The need for a regional or local scenic designation, especially in the light of the evolving experience of landscape character assessments; and the need for management support, beyond planning policies, to local scenic designations, and how this might be done.**
- (27) The need (or otherwise) for greater consistency of approach towards regional or local scenic designations, and on how this might best be achieved, whilst still allowing the flexibility needed to cater for local circumstances.**
- (28) The need for a hierarchy of scenic designations, on the number and level of tiers below the sub-national designation, and on how policy should differentiate between the tiers in terms of status and standard of care.**
- (29) Whether AGLV is the most appropriate term to use for a sub-national scenic designation in the future.**

7.7 Responses to this consultation paper will shape our final advice to Ministers. Please write with your views to the address in Chapter 1 by **Wednesday 7 April 1999**. Unless you specify otherwise, all responses will be made available for others to see on request.