

Consultation by Forestry Commission Scotland on an Environmental Statement (ES) for an afforestation project at Jerah Farm, north of Menstrie

Representation submitted by Friends of the Ochils

1 Introduction

This representation is made by Friends of the Ochils (FotO) in response to the consultation by Forestry Commission Scotland (FCS) on the Environmental Statement (ES) for a proposed afforestation project at Jerah Farm, north of Menstrie.

FotO is an independent Scottish charity which works to protect the landscape and character of the Ochils, hills and glens. It is the only organisation concerned specifically with the landscape of the entire Ochils.

2 Issues raised by FotO at the scoping meeting

At the Scoping Meeting for the environmental impact assessment (EIA) in January 2013, FotO raised a number of issues which they asked to be considered by the EIA, namely as follows:

- The EIA needs to address the importance of Menstrie Glen not just from the archaeological perspective but from a combined archaeological, historical and landscape perspective. The report by the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) *'Well Sheltered & Watered: Menstrie Glen, a farming landscape near Stirling'* makes clear that this should not only be treated as an archaeological site. Its importance lies in the fact that the historical record remains intact and that it has been possible to tie this to the archaeology and the landscape that remains. It is understood that this combination of archaeology, historical and landscape record is almost unique in Scotland. These records also tie back to the Lowland Clearances which is a subject of growing historical interest.

The planting proposals for Menstrie have recently received public criticism from Professor Christopher Smout and firstly at the *Forth Naturalist and Historian Symposium* held at Stirling University in November 2012 and again at the landscape conference *'Managing Change in Scotland Landscapes'* also held in November. He is the Historiographer Royal and founder of Environmental History in Scotland. His view is that the RCAHMS study warrants that the site should be preserved and not be damaged by commercial tree planting, for which there are many more suitable sites. Due weight should be given to such expert opinion in the EIA.

- At present a number of documents are being compiled all of which deal in various ways with woodland and forestry development in the Stirling area. They include the new Stirling Local Development Plan; the proposal for the North Stirling Woodland Park; and the Stirling and Clackmannanshire Forestry and Woodland Strategy. There would appear to be a number of contradictions within these various documents which impact on the Jerah proposal. We would ask that these contradictions are addressed and reconciled before any decision is arrived at on the Jerah proposal.
- An analysis of the impact of commercial coniferous forestry on the landscape of the western Ochils requires to be carried out, in particular its impact on the Areas of Great Landscape Value (AGLVs) in both Stirling and Clackmannanshire. The Ochils attracts many tens of thousands of visitors each year and the views enjoyed are dramatic and extensive. All woodland and forestry developments should protect and enhance the character and appearance of the AGLVs and

therefore the EIA must give due weight to the impact of blanket commercial coniferous forestry on the Ochils AGLVs.

- The proposal for Jerah, if approved, would set a precedent for other areas within the western Ochils to be developed for commercial coniferous forestry thereby changing for the long-term the nature and enjoyment of the Ochils by visitors. This issue should be addressed and given due weight in the EIA.

3 Acceptance of issues in the EIA

Although all of these issues were recognized and discussed at the Scoping Meeting, only two were deemed to be valid for consideration by the EIA:

- the impact on the combined archaeological, historical and landscape perspective
- the impact on the landscape

The issues of contradictory forest development plans and cumulative impacts were deemed by FCS to be outside the scope of the EIA, although ones they themselves would need to consider.

4 The impact of the proposed afforestation on the combined archaeological, historical and landscape perspective

4.1 Comment on the impact assessment

The Cultural Heritage Study (CHS) (page 10 and Tables 2-4) (ES Appendix 1) describes the impact assessment methodology used in assessing the significance of an impact using 2 key criteria:

- The importance of the asset
- The magnitude of the impact

With regard to the importance of the identified cultural heritage assets collectively, the CHS states:

“taking into consideration the extent and overall good preservation of the relict farming remains present at Menstrie, coupled with the surviving post medieval (principally 17th-18th century) historic documentation that can be directly linked to the settlement in the glen, it is considered that collectively the sites and features throughout the glen are of **regional** importance.” (Bold italics are added).

With regard to the magnitude of the impact on such assets, the CHS states:

“There would though be an effect on the integrity of the surviving historical farming landscape pattern as a whole from the proposed development. Taking this into consideration the impact on the cultivation remains is considered to be of **high magnitude**, through the loss of that part of the relict farming landscape.”

According to the assessment methodology given in the CHS (Table 4), the impact on an asset of regional heritage importance with a high magnitude impact is considered to be of **major significance**, the highest level available.

However, the CHS (page 23) concludes that the impact is only of **moderate significance**. In coming to this conclusion it erroneously includes in its assessment only the rig and furrow remains (which on their own it concludes are only of local significance), rather than the overall heritage assets (which it

claims are of regional significance). Given that this conclusion is repeated in the ES itself and in the non technical summary, it is seriously misleading.

A further misleading statement in the CHS (page 23) concerning the magnitude of impact states that “Only a small proportion of the overall pattern of former cultivation remains would be directly affected, with those cultivation remains (and field systems) which survive on the western side of the Menstrie Burn and around Lossburn Reservoir and Loss Hill (**Figure 2**) being un-affected by the development.” By our own assessment, the proportion of such remains that would be affected on the east side of the Glen, in relation to the remains on both sides, would be around 40%, as can be seen in Figure 2 (hardly a “small proportion”). In addition, the RCAHMS report indicates that there were different types of tenancy on different sides of the Glen based on the quality of the land and aspect of the slope. Thus any loss of remains on the east side would have a detrimental effect on the understanding of settlement patterns in the Glen as a whole.

4.2 The case for the site to be considered of national importance

Whilst the site is considered by the ES to be of regional importance, and this alone should in our view be sufficient to protect it, we consider that it should be designated of **national** importance due to the unique combination of archaeology and historical record not found elsewhere.

This stance is supported by Dr John Harrison, co-author of the RCAHMS report, who considers that Menstrie Glen is the best understood landscape in Scotland for the period in question by virtue of the evidence on the ground and the accompanying historical record. Furthermore, he notes how different it is to other similar landscapes that have been studied such as that in Glendevon in the Ochils, and elsewhere in Scotland. In his view the site is unique in Scotland and thus clearly of national importance. Professor Christopher Smout, Historiographer Royal, who has spoken out publicly against the proposals, also considers the site to be clearly of national importance for the same reasons.

Despite our request for such expert opinion to be considered in the EIA, there is no evidence of it in the ES. On the contrary, the CHS asserts that “such farming remains are not unique to Menstrie Glen and are found throughout the Scottish landscape in varying degrees of preservation”, quoting nearby examples in the Ochils and elsewhere. This opinion is in direct contrast to that of Dr Harrison and Professor Smout.

4.3 Planning policy and guidelines

The CHS quotes a range of planning and strategy documents and policies relating to forestry and the historic environment. The majority of these place particular emphasis on the importance of preserving the landscape setting of archaeological sites, whether designated or not. Examples include:

- The Clackmannanshire and Stirling Structure Plan (March 2002), policy ENV6 (The Historic and Built Environment), states “Development which would destroy or adversely affect Scheduled Monuments, or other importance archaeological sites or landscapes and their settings will not be permitted.”
- The Stirling Local Plan (1999), policy POL.E47 (Archaeology), states that “there will be a presumption against any development proposal which would have an adverse impact on unscheduled remains and their settings which have been identified as particularly worthy of preservation.”

- The UK Forestry Standard (2011) – Forests and Historic Environment (Good Forestry practice requirements) states that “forests should be designed and managed to take account of the historic character and cultural values of the landscape.”

However, although quoting such policies and standards, the CHS fails to reconcile them with the proposed afforestation and the irreversible damage that would result to the landscape setting in the Glen.

More explicitly, the Stirling and Clackmannanshire Forestry and Woodland Strategy (SCFWS) 2012 states in relation to Menstrie Glen that, *"Any woodland expansion/management proposals which could enhance the cultural heritage/ landscape quality of the area would be considered."* We would argue strongly that ploughing up Menstrie Glen and planting commercial forestry cannot enhance the cultural heritage and landscape quality. Furthermore, contrary to the view taken by Stirling Council, it would not be possible to mitigate the loss of the landscape setting of the archaeological remains by increased access and interpretation.

4.4 Proposed mitigation

The archaeology of the site is fully recognized by the ES, and as part of the proposed mitigation upstanding archaeological remains are to be preserved and surrounded by a 20m buffer free of trees, with some sites being accessed via an archaeological trail with interpretation boards. However, the intention is still to plant conifers over a large area on the east side of the Glen, destroying for all time the remnants of former rig and furrow cultivation.

Given that the impact of the development on the combined archaeological, historical and landscape perspective is considered to be of major significance, we consider that the mitigation measures proposed are wholly inadequate.

5 The impact of commercial coniferous forestry on the landscape of the western Ochils, especially given their status as an AGLV

The landscape impacts of the proposed development were recognized as being a major issue at the Scoping Meeting. The Minutes of the meeting indicate that the introduction of woodland would have an immediate impact, particularly cultivation and fencing, and that longer term significant alteration to the local landscape character would occur.

Whilst the Landscape and Visual Impact Assessment (LVIA) forming part of the ES has resulted in a number of changes to the planting design to reduce impacts, it concludes that “the overall landscape impact of the project is judged to be long term, both positive and negative, irreversible and significant”. In particular, the impact on the view from the summit of Dumyat, one of the main view points for the LVIA, is considered to be of major significance. Dumyat is the single most important viewpoint from which the majority of the development will be seen and is one of the most visited summits in the Ochils, with an estimated 40,000 visitors a year.

The LVIA in its conclusion states that “the proposals to plant a large area of the site will affect a regionally important landscape, which, although undesignated as a whole, has a portion of ground within an AGLV, resulting in a landscape of varied sensitivity.” **This statement is incorrect and totally misleading. In fact the whole of the Jerah Farm site lies within either the Western Ochils AGLV in Stirlingshire or the Ochils AGLV in Clackmannanshire.**

Policy guidance on afforestation within AGLVs asserts that all woodland and forestry developments should protect and enhance the character and appearance of the AGLVs. In our view the planting of

blanket commercial coniferous forestry in the Ochils AGLVs could in no way be described as protecting and enhancing their character and appearance.

6 Issues that FCS itself must consider

The Scoping Meeting deemed that the issues of contradictory forest development plans and cumulative impacts (see section 2 above) were outside the scope of the EIA. Given the critical importance of these issues and the potential further impacts on the western Ochils landscape of other developments such as the Beaully-Denny powerline, its access tracks and other proposed forestry developments, it is essential that FCS take them into account in determining the Jerah application.

7 Issues relating to the quality of the ES

Whilst in general terms the ES covers the issues agreed at the Scoping Meeting, it is deficient in a number of ways:

- Placing maps and figures in different appendices without a readily accessible index makes it difficult to relate them to the original reference in the text
- Many of the figures and maps themselves are not referenced, labeled or dated
- There are inconsistencies in the text e.g. the NTS states the altitudinal planting limit as 450m OD whereas section 5.9.3 states 500m
- There are errors such as those pointed out previously in this representation
- No attempt is made to objectively quantify the number of visitors e.g. walkers to different parts of the site
- The way the whole document is put together and presented on disc is clumsy and unmanageable
- The impression given, not helped by the lack of an online viewing facility, is to make it as difficult as possible for interested parties to access and understand the ES.

8 Conclusions

8.1 According to the methodology given in the CHS, the impact of the proposed afforestation on the combined archaeological, historical and landscape perspective would be of **major significance** in EIA terms. The claim that the development would only be of moderate significance is apparently incorrect and therefore seriously misleading.

8.2 The claim that only a “small proportion” of former cultivation remains would be affected is spurious and equally misleading. By our estimate the proportion is around 40%. In addition, the loss of remains in any part of the Glen would be detrimental given the difference in settlement patterns on the east and west sides of the Glen.

8.3 Whilst the site is considered by the ES to be of regional importance, and this alone should in our view be sufficient to protect it, we consider that it should be designated of **national** importance due to the unique combination of archaeology and historical record not found elsewhere. This stance is strongly supported by expert opinion, opinion which has not been taken into account by the EIA as requested and endorsed at the Scoping Meeting.

8.4 Although the CHS quotes from a range of policy documents relating to forestry and the historic environment, most of which emphasise the importance of landscape and setting, it fails to

reconcile them with the proposed afforestation and the irreversible damage that would result to the historical landscape setting in the Glen.

- 8.5 The policy guidance on woodland development in Menstrie Glen (SCFWS, 2012), states that such development would be considered if it could enhance the cultural heritage/ landscape quality of the area. We would argue strongly that ploughing up Menstrie Glen and planting commercial forestry cannot enhance the cultural heritage and landscape quality.
- 8.6 Given that the impact of the proposed development on the combined archaeological, historical and landscape perspective is considered to be of major significance, we consider that the mitigation measures proposed are wholly inadequate. Contrary to the view taken by Stirling Council, it would not be possible to mitigate the loss of the landscape setting of the archaeological remains by increased access and interpretation.
- 8.7 The LVIA concludes that “the overall landscape impact of the project is judged to be long term, both positive and negative, irreversible and significant”. In particular, the impact on the view from the summit of Dumyat, the single most important viewpoint from which the majority of the development will be seen and by the largest number of people, is considered to be of major significance.
- 8.8 The LVIA very seriously fails to acknowledge that the whole of the Jerah site lies within 2 AGLVs, and gives little or no weight to landscape policy considerations that should be considered for forestry developments in such areas.
- 8.9 It is essential that FCS takes into account in its determination of the application the issues of contradictory forest development plans and the cumulative impacts of other developments in the same area.
- 8.10 There are serious deficiencies in the way the ES is put together and its contents, raising concerns as to whether it is fit for purpose.
- 8.11 **Given the weight of negative evidence highlighted in this representation, we very strongly urge FCS to reject the application in its entirety.**