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Destination Hillend EIA Evaluation

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# Introduction

This Project is proposed to develop the existing development in the Pentland hills- Midlothian’s Snow Sports centre (Hillend). This proposed development will include a zipline (meant to be the tallest in Scotland), an additional ski slope, a hotel, extra carpark space and an indoor skiing facility as well. This development is designed to increase the employment of the area, along with brining more money into the area and also allowing Hillend to preform better all year around. With the development being defined as*- ‘“Redevelopment of existing snowsports centre to include increased leisure facilities, tourist accommodation, hotel development, function suite, ancillary retail and restaurant including vehicular and pedestrian access and car parking”-* according to the EIA done by SWECO. This development due to being in a designated site of Special Scenic Conservation along with being located in the Pentland Hills Regional Park (which is an environmental designation to try and protect the Natural environment of the park) means that the development needed to carry out an EIA to see what the impact of the development on the Environment would be.

# Critical Analysis of Processes used in Chapter 11 of EIA – Cultural Heritage

One chapter of the EIA is chapter 11 which details about the impact of the development on the culture of the area and is the chapter that will be critically analysed in this part of the assessment. This assessment of the cultural impacts of the development Destination Hillend first of makes clear the definitions used to outline what areas that chapter will look at. This definition is given as the definition of heritage assets (which follows legislation from both Scottish government and historic environment Scotland act 2014 along with the Town & Country planning (historic environment Scotland) Amendment regulations 2015 and UK government the turning country planning act 1990, planning (listed buildings and conservation areas) act 1990) which is defined as ‘any element of the historical environment which has cultural significance’ (Glancy and Janes, 2020) e.g. like listed buildings, world Heritage sites, locally designated sites of importance by the local authority. The downside about this definition of heritage assets is it mostly protects historic buildings and landmarks, though the 2014 historic environment Scotland act does try to address this by changing the way that monuments and buildings are designated alongside conservation areas, whereas the definition of cultural heritage is defined as tangible and both intangible assets (which in terms of a legislation context could be defined using tools such as natural capital) inherited from past generations (Unesco.org, 2020) encompasses a lot more than just these tangible historic assets than the heritage assets definition. This means that although following the legislation and regulations outlined to be included in the cultural heritage assessment (of the EIA) this definition means that there is the potential for this development to have a greater cultural impact on the area, as this chapter is dealing with cultural heritage using the heritage assets definition could be detrimental to the overall culture. The report outlines the relevant legislation used to define and guide the cultural chapter of the EIA from the ancient monuments and archaeological areas act 1979 to the historic environment Scotland act 2014 (HES Scotland act 2014) along with the SPP (Scottish planning policy) and the most up-to-date NPF (National planning framework three), the NPP and the LPP(the National planning policy and the local planning policy) were also used to carry out the EIA. This means that this chapter and processes carried out within this chapter have been used with the most up-to-date legislation guidance. However the downside is the most recent legislation that applies solely to the Scottish planning policy is the HES Scotland act 2014 which in light of climate change becoming a more prominent and noticeable pressure on all sectors could be updated to include guidance about climate change and culture (the IPCC identifies the fact that some cultural areas that aren’t designed to be resilient could be lost due to climate change). The company selected for the writing of this chapter where Hedlund Archaeology(HA) (Old River Don Wind Farm and Clyde Wind Farm, 2020) which is qualified for the job through their previous work on EIAs (Clyde windfarm South Lanarkshire) along with being independently audited for carrying out the cultural chapter of an EIA. The authors were qualified to carry out this chapter as they were both trained by HA and have been working with the company for multiple years, they also have relevant degrees in the cultural or archaeological fields. The company and authors also have been consulted for recent developments of renewable energy sites across the UK. The fact that there are different definitions used (heritage assets, cultural heritage) and the non-quantifiable areas of culture mean that the cultural assessment for the EIA will be subjective, the report itself stating that the identification *of some cultural heritage sight is down to professional opinion* and therefore not a quantified measure. This means that there is no quantifiable measurement against which the identification of heritage assets on site have been identified it is hard to disagree with the results. This report carried out by Emily Edwards (in accordance with the regulations of the University of East Anglia) about the quality of cultural assessments in an EIA (Edwards, 2020) identifies the fact that there is a lack of understanding of the definition of cultural heritage along with a lack of assessment methodology and the assessments carried out for the cultural heritage chapter of the EIA tend to be now focused and negatively viewed upon by the developers. Though the HES Scotland act 2014 does try to address this problem by re-evaluating the way heritage and cultural assets are defined and designated there is still this problem with the cultural heritage chapters of the EIA.

The processes carried out in this chapter to identify the cultural heritage impacts of this development where the most up-to-date practices used in accordance with legislation and best practices, which was highlighted in guidance given by Historic Environment Scotland PANs (planning advice notes) (historic Scotland 2016) these detailed both how to manage change in the historic environment and also give guidance on how to carry out the cultural heritage chapter of the EIA. This happened by defining first the inner study area (ISA) which includes the site of the construction and operation of the development along with the definition of the outer study area (OSA) which extends for 1 km from the ISA. This was established and identified through the desk study of the area, which identified both intrusive and nonintrusive archaeological studies and surveys of the site, along with consultations from HES (in terms of pre-application, pre-scoping, and the scoping response) and ELC (East Lothian Council as they archaeological advisers to the Midlothian Council, in terms of scoping response). This led to the development of the baselines for both the archaeological potential (i.e. the likelihood of undiscovered heritage assets) and the location of already designated heritage assets. With the previously identified heritage assets/historically significant areas been taken from the national record of the historic environment, which was then aligned/assigned the number with reference to historic environmental Scotland’s assigned numbers. These potentials were defined using factors such as geology, historic and previous land-use along with the data gathered from the intrusive and nonintrusive previous archaeological studies of the area. This led to

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| Table 1: Archaeological Potential Potential: |
| Definition High Undiscovered heritage assets of high or medium importance are likely to be present. |
| Medium Undiscovered heritage assets of low importance are likely to be present; and it is possible, though unlikely, that assets of high or medium importance may also be present. |
| Low The study area may contain undiscovered heritage assets, but these are unlikely to be numerous and are highly unlikely to include assets of high or medium importance. |
| Negligible The study area is highly unlikely to contain undiscovered heritage assets of any level of importance. |
| Nil There is no possibility of undiscovered heritage assets existing within the study area. (Glanvy and Janes, 2020) |

This is in line with the same process used in an EIA carried out by SSE to do with the extension of the Gordon Bush windfarm(Sse.com, 2020). However the desk study carried out by those doing the cultural heritage assessment for the EIA seem to be a lot more inclusive and cover a lot more documents and hours than the one that is detailed for destination Hillend. It is also in line with the processes used in an EIA carried out addressing the impacts of the silver town tunnel scheme in London(Infrastructure.planninginspectorate.gov.uk, 2020). The main areas for environmental impact of the development on cultural heritage for destination Hillend were carried out in relation to geology, the topsoil and the visual cultural view. Though the background research (desktop study) along with the site walk over (of which there are two, the only thing that is detailed however about the people who carried this out with the fact that they were qualified archaeologists not comment was given whether it was the same person are different people) revealed four prehistoric enclosures with in the area of the ISA and the OSA only two were detailed to have been tested to see if they were of cultural significance. The site walkovers were done on different days (which allowed for different perspectives of the site) however the vegetation wasn’t moved in areas of the sites that were hard to reach as it is stated in the report that potential archaeological/cultural/heritage assets would be visible above the ground. Though this is the same processes that the EIA for London and the SEC EIA carried out the process itself is counterintuitive as archaeological findings are generally found under the topsoil (e.g. the Toland man-found in a bog underneath a sunken woodland) and therefore would not be visible without carrying out some sort of excavation. Another area in which destination Hillend’s cultural heritage chapter seems to be shorter than other EIA’s (most notably Hedlund archaeology’s EIA of the Clyde windfarm) is the timescale for the chapter as the Clyde windfarm’s EIA cultural assessment took many years of pre-scoping the site, and then great care in the archaeological probing of the site before the development started (this took 6 years) and was still taken to a public enquiry whereas this cultural chapter seems to have only taken a fraction of the time. The geology was identified as igneous rock and therefore was found not to be at risk from the development, as it is a hard igneous bedrock (andesite and basaltic andesite the key types). The visual impacts of the site were determined through standing at the on-site historic hillfort (the only designated monument or heritage asset with in the ISA) and taking visual pictures from every angle of the monument along with key heritage assets within the OSA such as the Morton mains conservation area and the Swanston conservation area. These were used to demonstrate the fact that the current development at Hillend is not currently unobtrusive mark on the landscape from these other designated sites and therefore the extension wouldn’t be any more noticeable than the current development. This however may have been felt more differently if a local member of the public was to view this and this brings into consideration the statement made by the SPP about not disrupting or impacting the sense of place or the cultural identity of the site, this this means that if a local was to walk to the top of the designated hillfort on site this could be applied as damaging the cultural identity are changing the sense of place of Hillend and therefore again makes the cultural heritage chapter of the EIA are very subjective overall decision of whether or not there is a cultural effect due to the development being proposed.

The impacts discussed to the cultural environment of the site from the findings of this chapter highlighted that the only impacts would be to the on-site hillfort and would only consist of moving topsoil (loose vegetation) and the construction equipment being used on site along with the visual impacts. The topsoil and construction equipment mitigation methods were to contain the historic asset with in a 25 m boundary of fencing to stop any damage to it the via construction vehicles also means that the loose vegetation can’t travel that far and therefore there should be minimum impact to the site. However there is no mention of why the hydrological, and other environmental (e.g. increase in acidic rain) impacts were not taken into account are mentioned in this chapter to do with the historic assets.

# Whether the EIA overall Process is sufficient to address environmental sustainability

The environmental impact assessment focuses on addressing the impacts and potential impacts on the environment from the proposed development. This means that as defined by the UN the EIA is only addressing one of the three pillars of sustainable development (environmental, economic, social). The UK (and Scottish) governments believe that an EIA is important as it allows the protection of the environment whilst also allowing for economic and social growth(GOV.UK, 2020). However as highlighted by this study into the environmental impact assessment (with specific reference to cultural heritage chapters) (Core.ac.uk, 2020) in Europe and how they deal with the cultural aspects of an EIA it shows that the evidence that was found in Edward’s report (Edwards, 2020) apply to all aspects of the EIA, with specific reference to those countries that try to include climate change into the EIA. The key themes highlighted by the report done by Core as the fact that the EIA although encompasses a lot of factors it fails to take into account the other pillars of sustainable development and therefore lacks the ability to completely address environmental sustainability with reference to a lack of social factors taken into account. Another problem highlighted by both Edward’s report and Core’s report is the fact that developments/developers pay the company to carry out the EIA and therefore can be done just to be able to say that the box was ticked. This can be seen in the recent proposed space centre in the UK in which the EIA reported there had been no significant environmental impact however the facility itself is to be built upon peatland (carbon storage). The idea that EIAs aren’t always enough as they are is highlighted by IEMA (the Institute for environmental management and assessment) (Iema.net, 2020), which provides a checklist for when EIAs aren’t always enough. It also highlights how the EIA in its current state fails to properly quantify the impacts of the developments on climate change (for national or international developments). Away to integrate an environmental impact assessment more with the other sustainable development pillars would be to have at least one chapter of the EIA dedicated to dealing with the natural capital of the proposed area. SNH (Scottish natural Heritage) states that natural capital is the term for habitats and ecosystems that provide environmental economic and social services, and SNH already have a natural capital asset index. Seen as SNH are already part of the planning process this could be an option to help the EIA become sufficient enough to address environmental sustainability while also taking into account the other pillars of sustainable development (Scottish Natural Heritage, 2020). Another area where an EIA is lacking is the time in which it takes for the EIA to be completed, commented on and overall assessed. This can take years as it did with the Clyde windfarm EIA to a matter of months like it did for destination Hillend. This inconsistency means that the national focus of the nation could change in the time period that takes for the EIA to be commented on however this has tried to be mitigated so does not take as long by trying to as SWECO (are practising) to make EIAs shorter and more accessible. However this also has to be balanced by the amount of detail given for the processes used to determine the outcomes of the EIA.

# Appendix 1 table of points for the critical analysis of the Cultural EIA chapter

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| Definition of Heritage Assets | The fact that the report itself admits that the identification *of some cultural heritage sight is down to professional opinion* and therefore not a quantified measure |
| Relevant legislation was used including the most up to date | Though most recent policy is 2014 |
| The authors and Company selected to do the Cultural Assessment is known in its field and has found that it keeps to standards | Only two out of the four prehistoric enclosures were tested and the other 2 sites identified as possible prehistoric enclosures were not tested |
| The company has dealt with many EIA s one of which is the Clyde Windfarm which they carried out the EIA for as well | Only two site walkovers were done – no detail is given about the archaeologists who did it other than they were qualified, not even said if it was done by two different archaeologists or the same archaeologist – this may be in line with other developments EIAs though there is much more available information in the Desk studies for these areas - <https://sse.com/media/603255/GBX-Addendum-Chapter-11-Cultural-Heritage.pdf> |
| The most up to date practices were used | Though some of these are down to subjective views again |
|  | The visual impact that the proposed development will have on the views from the monument is considered negligible though again that is a subjective result |
|  | The timescale of how short the on site assessment has taken on site given that with the Clyde windfarm where archology was a key factor that got taken to public enquires took allot longer to complete |
|  | <https://www.uea.ac.uk/documents/541248/10787943/Edwards+Emily.pdf/d552ea2e-0b25-4628-8790-015b8a1bb351> this shows and highlights how subjective the measurements and definitions are though most have tried to be addressed by the 2014 Scottish legislation |
|  | One key thing stated in the SPP in regards to cultural and heritage site that the site should be preserved including the *sense of place, the cultural identity* of the site – again this is a subjective measurement as one persons sense of place is not going to be the same as someone else – though also taking into account the economic growth of the area along with the longevity of sustaining the area – both of which are quantifiable measurements to determine the proposed development |
|  | In identification of potential impacts 11.2.2 it identifies an example of changes in hydrology of the site as a secondary impact though there is no mention of mitigation of this or consideration of this impact in either the mitigations or the potential environmental impacts on the site – or the changes in the hydrological cycle and the impacts that that could have on the other sites of conservation and historic areas as identified earlier e.g. Moron mains conservation area – Morton house – used for faming |

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