



The value of EclA

NOTE: this case study draws upon a critique of the EclA at this site undertaken by Scottish Natural Heritage, which may be accessed at <http://www.snh.org.uk/publications/on-line/heritagemanagement/EIA/case4.shtml>

The Altyre Estate in Scotland proposed changing land use in a 283 ha area of Scottish heathland (Figure A) within the estate by creating a plantation of trees. The land was designated as a Site of Importance for Natural Science. This is a **non-statutory designation** of the local council, in this case ornithological interest of Annex 1 bird species listed as specially protected at European Level (specifically hen harrier *Circus cyaneus* and golden plover *Pluvialis apricaria*). The proposal came under the auspices of the Environmental Assessment (Afforestation) Regulations 1988.

There was no legislative need for a formal EclA, but the local council became concerned at the possible ecological effects of the proposal and they, together with the **statutory regulator** Scottish Natural Heritage, objected to the proposal pending information on the ecology in a discretionary EclA. They asked for more information be given on **baseline conditions** and possibly amendments made to the tree planting scheme to mitigate any negative impacts if necessary.

In terms of flora, an NVC was conducted according to standardized methods by the local Wildlife Trust (**good practice**), but the assessment was undertaken outside the growing season in December when the likelihood of missing important flowering plant species or misidentifying cryptic species is substantial (**poor practice**).

In terms of fauna, no bird surveys were conducted despite the area being listed as a key site for birds (**poor practice**); this was made worse by the fact that the species concerned were heathland specialists and the proposed change was to that habitat. There was also strong anecdotal evidence of legally protected mammals such as European badger *Meles*

meles, which is protected at national level, and wildcat *Felis silvestris*, which is protected at both European and national levels. Although the confidence that can be placed on anecdotal evidence is limited, such evidence should certainly trigger formal surveys, especially when it concerns protected species and comes from multiple independent sources. This did not happen (**poor practice**).

Impact predications were rather vague and did not give detailed consideration to the possibility of indirect, cumulative or off-site impacts (**poor practice**). The applicants considered the different options available, including the option of not undertaking the proposed land use change (**good practice**), but ultimately decided to continue with the proposal. This was a valid decision, but the applicants did not amend the planting scheme in any way, despite being advised to do more ground preparation by hand, rather than mechanical methods, and modify the planting area (**poor practice**). Because of this, multiple conservation bodies objected to the revised application. Verbal discussions followed in which all the objecting parties agreed to withdraw their objections if the planting proposals were changed, which subsequently happened.

This is an important example of the value of the EclA process. In this case, the EclA itself was very poor, with extremely incomplete baseline data and poor impact predictions. This was picked up through the process, and consent was not given until the appropriate amendments were made.

FURTHER READING

Details on the case as summarized by SNH: <http://www.snh.org.uk/publications/on-line/heritagemanagement/EIA/case4.shtml>



Online Case Study 5 Figure A Heathland habitat.
Source: Photograph by Anne Goodenough.