

The Planning System

Scope of this policy

This policy presents the views of the Scottish Wildlife Trust on how biodiversity and nature conservation should be supported by the policy, practice and legislation associated with the Scottish Town and Country Planning System.

Policy Headline

Land use and development is a key activity affecting wildlife in Scotland. Inappropriately located and badly designed developments have significant, detrimental impacts on Scotland's biodiversity and on people's quality of life. SWT believes the planning system needs to be well informed, organised and implemented in a way which ensures Scotland's biodiversity is adequately safeguarded and enhanced. We believe that the planning system should act as a guardian for biodiversity and actively support and promote its conservation, enhancement, restoration and expansion. The following principles should be adopted by planners, policy makers and practitioners to ensure that the potential impacts on biodiversity from land use and development are fully considered.

Policy Statement

SWT believes:

1. A primary function of the planning system should be to 'further the conservation of biodiversity' as stated in section 1 of the Nature Conservation (Scotland) Act 2004. In delivering the biodiversity duty, planning bodies and office holders should take particular account of legally protected species, national and local Biodiversity Action Plan priority species and habitats, internationally (Special Protection Areas, Special Areas of Conservation, Ramsar sites) nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves) and locally designated sites (Local Nature Reserves and Local Nature Conservation Sites or LNCSS¹). It is also important to recognise that much of Scotland's most valuable biodiversity is found outside statutory and non-statutory sites. The planning system must ensure that important biodiversity in the 'wider countryside' is afforded the same protection as designated sites. There should be a presumption against development in any area of identified biodiversity interest or where a legally protected species² is present.
2. The planning system should be a strategic and spatially-based process which identifies and protects biodiversity at multiple scales, encompassing; species, habitats, wildlife networks and regional-scale ecosystems. The strategic approach should aim not just to protect rare, threatened and priority species and habitats, but also ensure that the natural functioning of

¹ Sites of biodiversity or geodiversity value included in Local Planning Authority planning policies. Formerly named 'local wildlife sites' by SWT

² Includes species protected under the Wildlife and Countryside Act (1981), the Conservation (Natural Habitats, &c) Regulations 1994 and other species specific legislation such as the Badgers Act 1992

ecological systems is enhanced. Particular attention should be given to encouraging the connectivity and defragmentation of semi-natural habitats. Developments which fragment semi-natural habitat networks in rural areas and areas of greenspace in urban and peri-urban areas should not be permitted.

3. Where a development is approved, the planning system should ensure that all opportunities are taken to mitigate against damage to existing biodiversity interest through the retention of key wildlife features and creation of new wildlife habitats. The design of new developments should also seek to maximise connectivity of semi-natural features to benefit both biodiversity and public access.
4. The design of new developments should seek to integrate and maximise biodiversity at both building unit and site scales through the application of sustainable design and construction methods and materials. Scotland's planners, policy makers and practitioners should champion innovative and creative approaches to the design of developments that ensure space for wildlife and a better quality of living space for people.
5. The planning system should encourage a wider participatory, consensus-driven approach to decision making. Consultation processes should be inclusive of all available specialist local knowledge, expertise and experience. Whether the process is the formulation of policy or the determination of a development proposal at a national, strategic or local planning level, the involvement and consultation of specialist nature conservation groups is essential to the development of well-informed decisions. We believe third parties with specialist local knowledge and expertise, who are currently out-with the statutory consultation process, should be given the opportunity to respond to decisions at all phases in the planning process.
6. Planners, policy makers and practitioners should use the most up to date biodiversity knowledge and information when formulating development plan policies and planning decisions.
7. Development proposals where the primary purpose is to promote, protect or enhance biodiversity should generally be encouraged.

Development planning

SWT believes development plans should:

8. Include policies which aim to conserve biodiversity at local, regional and national scales.
9. Include specific objectives for the protection and enhancement of biodiversity.
10. Include spatially explicit targets for the protection, restoration and strategic expansion of biodiversity guided by national and local Biodiversity Action Plan priorities and Scottish Biodiversity Strategy aims and objectives. The location of designated sites, local nature conservation sites, habitat networks and other important semi-natural habitats should be clearly marked and afforded protection through policy maps, development briefs or similar development plan mapping information.
11. Include indicators for monitoring biodiversity on important sites and at an ecosystem scale.

Designated Sites

SWT believes:

12. Internationally, nationally and locally designated sites (see principle 1 above) are a key mechanism for identifying important areas for biodiversity. The Planning System should act to

protect and safeguard designated sites from inappropriate development, damaging operations or other impacts.

Local Nature Conservation Sites

SWT believes:

13. Local Nature Conservation Sites (encompassing Local Biodiversity Sites and Local Geodiversity Sites) should be afforded full protection from inappropriate development and managed in a way which helps safeguard their biodiversity interest.
14. LNCSs should be identified by Local Planning Authorities using the published guidance on common standards. The LNCS system should be used as tool to record and identify where action must be taken to conserve biodiversity and geodiversity.
15. Local Planning Authorities should implement the LNCS system through the formulation and application of informed development plan policies and strategies. LNCSs must be incorporated within development plans and briefs and their boundaries clearly marked on policy maps to ensure the protection of important biodiversity 'hotspots' from inappropriate development, damaging operations or other impacts.
16. Opportunities should be taken to make ecological linkages between LNCSs, designated sites and other semi-natural habitats to create larger, more environmentally resilient, habitat networks.

Other semi-natural habitats

17. Development should not take place where this would result in adverse impacts on nationally and locally important species and habitats. In discharging their biodiversity duty, local authorities must have regard to UK Biodiversity Action Plan habitats and species (Section 1 (2) of the Nature Conservation (Scotland) Act 2004).
18. Absolute protection from inappropriate development should be given to ancient woodlands, lowland raised bogs and other habitats identified as nationally or locally significant which may or may not be designated.
19. Previously developed land and post-industrial sites can be important for biodiversity and measures for their protection and mitigation should be included where wildlife interest has been identified.

Habitat networks

20. When formulating and applying strategic and spatial policies for the conservation and enhancement of biodiversity (see principle 2 above), planners, policy makers and practitioners should seek to develop the resilience and health of ecosystems through the buffering of valuable habitats and through the strategic development of semi-natural habitat networks in both rural and urban areas. This principle should be incorporated into all national, regional and local planning legislative and procedural mechanisms.

SWT Priorities for Action

SWT will take action³ to further the principles set out in this policy by:

³ Subject to resources, staffing and volunteer constraints

21. Responding at the appropriate level to plans and development proposals focusing and prioritising issues concerning the conservation and enhancement of important biodiversity, particularly where this affects LNCSs, designated sites or SWT Wildlife Reserves.
22. Opposing policies, land allocations⁴ or planning applications which threaten areas of biodiversity value or where biodiversity considerations have not been properly addressed through design or mitigation.
23. Engaging with planning issues and input into development plans at a local level through SWT Member Centres, other trained volunteers and staff.
24. Use staff and volunteer expertise to assess, and where necessary challenge, large scale national developments, such as major infrastructure proposals, where they have major impacts on biodiversity.
25. Providing guidance and training to Member Centres and other volunteers to assist them in local planning work.
26. Maximising the impacts of our planning work by supporting other bodies where they have greater expertise or resources to take action.
27. Lending support to campaigns against unsustainable forms of development, through our membership of Scottish Environment LINK and endorsement of other NGOs that specialise in these areas. The scope of SWT involvement will be governed by the level of biodiversity impact.
28. Continuing to make the case to Scottish Parliament and Scottish Executive for stronger policies on planning and wildlife which are consistent with this policy.

Cross-reference to other related SWT policies

29. Natural Greenspace in Towns & Cities, Electricity Generation and Wildlife and Local Sites

Policy approved by Council Dec 2006

⁴ An explicit area of land identified in the local plan as being appropriate for a specific use, and which contributes to meeting the requirements of the development plan.