Biodiversity & Landscape

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Overview

The Stirling Local Development Plan’s Primary Policy 8: Conservation and Enhancement of Biodiversity (PP8) and Primary Policy 9: Managing Landscape Change (PP9) seek to protect, conserve and enhance an impressive range of landscapes, biodiversity and geodiversity within the Plan area.


The Plan’s Vision, Overarching Policy and Sustainable Development Criteria also include relevant criteria in support of the above mentioned Primary Policies and Policies. Primary Policy 10: Forestry, Woodlands and Trees and Policy 10.1: Development Impact on Trees and Hedgerows are also relevant.

Purpose of this Guidance

This guidance summarises baseline information on the natural environment and will help:

• Ensure compliance with national and local planning policies relating to the natural environment.

• Guide and inform site selection and the design process at an early/pre-application stage.

• Assess the merits of planning applications for new development and land use change.
A. Biodiversity Conservation

1. Introduction

1.1 Biodiversity is the rich variety of life which exists on planet Earth, and ensures the survival of people. It concerns all species of plants and animals, as well as people, their genetic variation and the range of habitats upon which all living things depend. It encompasses the whole of the natural world, not just the rare or the endangered.

1.2 The Nature Conservation (Scotland) Act 2004 places a duty on public bodies to further the conservation of biodiversity so far as is consistent with the proper exercise of their functions.

1.3 Notable habitats in the Plan area include:
- Some of the largest and most important lowland raised bog habitats in the UK.
- Upland habitats and botanical resources north and west of Killin.
- A network of European designated river systems and, in the Firth of Forth, the European designated upper estuarine section of one of Scotland’s most diverse and important marine inlets.
- Significant areas of ancient and semi-natural woodland.
- Lowland farmland important for nationally declining birds and mammals, and for wintering grey geese.
- A key position in Central Scotland in terms of habitat networks and potential habitat related climate change adaptation.
• Internationally important localities for Devonian age fish and plant fossils.
• Numerous features in the Forth valley preserving a detailed record of relative sea level changes associated with the ending of the last Ice Age in Scotland 13,000 years ago.
• Nationally important landforms and deposits in the Teith and Forth valleys and south of Loch Lomond, associated with the return of glaciers during the Loch Lomond Re-advance between 11,000 and 10,000 years ago.

1.4 National and international biodiversity value is reflected in the range and number of natural heritage designations. Within the Plan area, there are, wholly or in part:
• 9 Special Areas of Conservation (SAC).
• 1 Special Protection Area (SPA).
• 42 Sites of Special Scientific Interest (SSSI).
• 1 National Nature Reserve (NNR) – Flanders Moss.
• 18 sites making a special contribution to earth science, known as Geological Conservation Review sites (GCRS).
• One formally designated Local Nature Conservation Site (LNCS) - Gillies Hill, Cambusbarron.
• Numerous other sites provisionally identified as having local nature conservation value.
Supporting Appendices

1.5 **Appendix 1:** provides further information on the carrying out of site assessments and the issues considered in the assessment of planning applications.

**Appendix 2:** provides further information on site designations.

**Appendix 3:** summarises statistical information and mapping. Further information on international, national and locally designated sites can also be found via the Scottish Natural Heritages’s (SNH) SiteLink website: [https://gateway.snh.gov.uk/sitelink/](https://gateway.snh.gov.uk/sitelink/)
2. Key Principles

2.1 The Council will consider the implications for biodiversity of development proposal and land use change in accordance with the following principles:

<table>
<thead>
<tr>
<th>Principle</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avoidance</td>
<td>Seek options that avoid harm to ecological features (e.g., by locating on an alternative site).</td>
</tr>
<tr>
<td>Mitigation</td>
<td>Negative effects should be avoided or minimised through mitigation measures, either through the design of the project or subsequent measures that can be guaranteed - e.g., through a condition or planning obligation.</td>
</tr>
<tr>
<td>Compensation</td>
<td>Where there are significant residual negative ecological effects despite the mitigation proposed, these should be offset by appropriate compensatory measures.</td>
</tr>
<tr>
<td>Enhancement</td>
<td>Seek to provide net benefits for biodiversity over and above requirements for avoidance, mitigation or compensation.</td>
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The development plan and development management decisions will conserve and enhance protected sites and species.

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1. Principles derived from the Chartered Institute of Ecology and Environmental Management’s CIEEM’s ‘Guidelines for Ecological Impact Assessment in the UK and Ireland’, published September 2018. A range of organisations have contributed to and endorse these guidelines, including Scottish Natural Heritage, Scottish Environment Protection Agency and the Royal Society for the Protection of Birds. This is available as a free download via this link: https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development-a-practical-guide/

Reference should also be made to the Construction Industry Research and Information Association’s Guidance ‘Biodiversity Net Gain – Good Practice Principles for Development’ (2019), available as a free download via this link: https://www.ciria.org/ItemDetail?ProductCode=C776F&Category=FREEPUBS
3. Additional Information

Benefits of Early Discussion

3.1 The Council actively promotes contact and discussions at the early stages of project development. This will confirm the biodiversity value of the site and adjoining land, identify site specific biodiversity issues and highlight specific survey requirements. This will also, from a biodiversity conservation perspective, help determine the acceptability (or otherwise) of the principle of the proposed development and influence detailed site design and layout considerations. For larger proposals there may be a specific statutory requirement to submit a detailed Environmental Statement under the Environmental Impact Assessment Regulations. There may also be specific processes (e.g. licensing) that need to be followed where protected species issues need to be addressed. Proposals may also require a Habitats Regulations Appraisal (see below for further information).

Site Assessment Process

3.2 Further detailed guidance on information to be submitted in support of pre-application discussions or planning applications can be found in Appendix 1.

Seasonal Constraints

3.3 Seasonal constraints can apply to ecological surveys for specific species and habitats. This may be due to factors such as over-wintering, breeding, hibernation, presence of vegetation etc. It is important to be aware of any constraints to allow a suitable lead in time for survey requirements and to carry out survey tasks at appropriate times (see Table 1 - Appendix 1 for Optimum Survey Times for Habitats and Species).
**Habitats Regulations Appraisal**

3.4 Special Areas of Conservation (SAC) are designated under the European Commission’s Habitats Directive, which seeks to ensure the conservation of a wide range of rare, threatened or endemic animal and plant species. Special Protection Areas (SPA) are designated under the European Commission’s Birds Directive, which places great emphasis on the protection of habitats for endangered and migratory birds. SAC’s and SPA’s also form a coherent European Union wide ecological network known as ‘Natura 2000’. As noted above within the Plan area, there are, wholly or in part, 10 ‘European’ sites, i.e. 9 SAC’s and 1 SPA.

3.5 Development plans areas that include or are in the vicinity of European sites have to undergo a ‘staged’ appraisal process known as ‘Habitat Regulations Appraisal’ (HRA) before being adopted. This is set out in SNH’s Habitats Regulations Appraisal of Plans - Guidance for Plan-Making Bodies in Scotland’ v. 3.0 January 2015, which can be viewed via this link: [https://www.nature.scot/sites/default/files/2018-09/Habitats%20Regulations%20Appraisal%20of%20Plans%20-%20plan-making%20bodies%20in%20Scotland%20-%20Jan%202015.pdf](https://www.nature.scot/sites/default/files/2018-09/Habitats%20Regulations%20Appraisal%20of%20Plans%20-%20plan-making%20bodies%20in%20Scotland%20-%20Jan%202015.pdf)

The adopted plan should not lead to any development that would have an adverse effect on the integrity of any Natura site. The HRA of the Stirling Local Development Plan can be viewed via this link: [https://www.stirling.gov.uk/media/3640/habitats-regulations-appraisal-psldp-final-5-08-16.pdf](https://www.stirling.gov.uk/media/3640/habitats-regulations-appraisal-psldp-final-5-08-16.pdf) Any subsequent development proposals (even if located on sites included in the HRA of the plan) likely to have a significant effect on a Natura 2000 site have to be subject to a further HRA, including an Appropriate Assessment of the implications of the development for the conservation interests for which the area has been designated. It is the responsibility of Stirling Council, as planning authority, to undertake the HRA and an Appropriate Assessment to ensure no adverse effect on the integrity of the site.
The Wildlife Information Centre (TWIC)

3.6 TWIC is the Local Environmental Records Centre for south-east & part of central Scotland, a not-for-profit company with charitable status and provides objective, independent wildlife information for people and organisations. It is funded by grant aid from Scottish Natural Heritage (SNH) and service level agreements from a number of local authorities, including Stirling Council. Where required the Council will call on TWIC’s services and expertise in the assessment of planning applications.

Stirling Biodiversity Duty Delivery Plan

3.7 The Council's Biodiversity Duty Report 2017 commits to the production of a Biodiversity Duty Delivery Plan for all areas of Stirling Council. This work will progress within the next three year reporting cycle.

Local Nature Conservation Sites

3.8 Local Nature Conservation Sites (LNCS) are a non-statutory designation by local authorities that recognise and protect sites of local importance for natural heritage, selected primarily for their biodiversity or geodiversity value. TWIC has a central role in facilitating and coordinating the Stirling Local Nature Conservation Site system. TWIC coordinate volunteer recording of site data, undertake site assessments, produce site statements and maintain the list of LNCS sites. The LDP’s Policy 8.2: Proposals affecting Local Nature Conservation Sites (LNCS) state that development proposals should not adversely affect sites of value to local nature conservation. One site has been formally designated at Gillies Hill, Cambusbarron and additional sites may be identified in the future. Detailed mapping and background information can be viewed via the Council’s Local Development Plan web pages, by following this link:- https://my.stirling.gov.uk/maps/ldp.
Geodiversity

3.9 Geological Conservation Review (GCR) sites are areas of nationally important geological and geomorphological features. There are 16 sites in the LDP area as shown on the map in Appendix 3. Policy 8.3: Proposals affecting Geological Conservation Review Sites (GCRS) states that development proposals should not adversely affect these sites.

3.10 Ancient semi-natural woodland and veteran trees are recognised as an important and irreplaceable resource. Other native or long-established woods, hedgerows and individual trees can also have high nature conservation value. Policy 10.1: Development Impact on Trees and Hedgerows requires development proposals to provide protection from adverse impacts resulting from development to important individual trees, groups of trees or hedgerows that contribute to local amenity or have nature conservation or historic interest. Development proposals may also require to be supported by a tree survey and trees will require to be protected during construction works.

3.11 The Stirling Local Development Plan (LDP) supports the Green Network by seeking to deliver:-

- A place with a highly functional, beautiful and vibrant city centre at its heart.
- A place with high quality urban and built environment.
- A connected, green place: there is an established and managed Green Network of open spaces, integrated habitats, recreational and active travel routes connecting places and settlements, reconnecting Stirling with its river, and encouraging more people to move around and between them by walking, cycling and public transport.

Further information can be found in SG: Placemaking and SG: Green Networks and Open Space.
B. Protecting Special Landscapes and Landscape Character Assessments

1. Introduction

1.1 In determining the merits of proposals for new development and land use change the LDP’s Primary Policy P9 ‘Managing Landscape Change’ and Policy 9.1 ‘Protecting Special Landscapes’ seek to protect the integrity, character and special qualities of national and locally designated landscapes. Outwith these areas landscape and visual impacts remain important considerations. Under Policy 9.2: Wild Land Areas the Council also seeks to protect the character of Wild Land Areas.

1.2 The purpose of this section of the guidance is to:-
   i) Provide background information on designated landscapes. The citations for individual Local Landscape Areas are set out in Appendix 4. These identify the special qualities, sensitivities to change, development guidance and landscape enhancement potential for each area.
   ii) Provide background information on areas of wild land. Figure 1 below shows the location of national and local landscape designations and wild land areas in or adjacent to the Plan area. Detailed mapping can also be viewed via the Council’s Local Development Plan web pages, by following this link:- https://my.stirling.gov.uk/maps/ldp
   iii) Provide background information on landscape character assessments. Appendix 5 includes detailed assessments of landscape character areas within the LDP area (35 in total) and sets out advice and guidance on managing landscape change.
Supplementary Guidance - Wind Energy Developments sets out advice and guidance on relevant planning and environmental issues pertaining to wind energy developments, including landscape and visual impacts. It also summarises the findings of an update to the Stirling Landscape Sensitivity and Capacity Study for Wind Energy Developments. It supports the LDP’s Primary Policy 12: Renewable Energy and Policy 12.1: Wind Energy Developments, and is the primary source of advice and guidance when assessing the landscape and visual impacts of wind energy proposals.
2. **National Scenic Areas (NSA)**

2.1 Scotland has 40 NSA’s, covering land of national scenic value. Planning authorities are required to pay special attention to the desirability of safeguarding or enhancing their character or appearance when making plans or development management decisions. Development should only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated, unless clearly outweighed by social, environmental or economic benefits of national importance.

2.2 In support of this certain permitted development rights are withdrawn for specified development types, e.g. high level hill tracks, which may then require planning permission or ‘prior notification’.

**Loch Rannoch & Glen Lyon NSA**

2.3 Only the south western tip of the mountainous Loch Rannoch & Glen Lyon NSA is within the LDP area, comprising open hill ground north of the mouth of Glen Lochay, which then continues into the administrative area of Perth & Kinross. SNH has published detailed information on the special qualities of this NSA and will be consulted when assessing development proposals and the capacity of the landscape to accommodate change.

**NSA’s within neighbouring Local Authority areas**

2.4 Parts of two further NSA’s, within the boundaries of the Loch Lomond and the Trossachs National Park, lie close to the LDP boundary namely The Trossachs NSA and Loch Lomond NSA. The River Earn (Comrie to St. Fillans) NSA in Perthshire is also nearby (see Figure 1 above). Should development proposals within the LDP area potentially affect the integrity or special qualities of these NSA’s, then the Council will consult with the National Park Authority or Perth & Kinross Council, as appropriate, and SNH.
Landscapes adjacent to the Loch Lomond and the Trossachs National Park

2.5 National Parks are designated because they are outstanding areas of national importance on account of their natural and cultural heritage. The Loch Lomond & The Trossachs National Park covers a significant part of the Stirling Council administrative area and four LLA’s within the LDP area abut the national park boundary.

2.6 Whilst it is not appropriate or necessary to establish a ‘buffer’ around the edges of the National Park some forms or scale of development within the LDP area may potentially adversely affect its special qualities. In appropriate cases the Council will consult with the National Park Authority and SNH before determining planning applications.
3. Local Landscape Areas (LLA)

3.1 Scottish Planning Policy (SPP) states the purpose of Local Landscape Areas (LLA) should be to:
   • Safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
   • Promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
   • Safeguard and promote important local settings for outdoor recreation and tourism.

3.2 There are 8 LLAs within the plan area:
   1. Glen Lochay.
   2. Creag Gharbh
   3. Western Ochils
   4. Keir
   5. Southern Hills
   6. Rednock
   7. Uamh Bheag
   8. Kilpatrick Hills (Stirling)
3.3 The first seven are founded on previous ‘Areas of Great Landscape Value’. For the preparation of the LDP adopted in September 2014 these were comprehensively reviewed and new citations prepared highlighting key characteristics and landscape qualities and sensitivities to landscape change. In line with advice from SNH and set out in SPP these were then re-designated as LLA’s. Around this time the part of the Kilpatrick Hills within the Stirling Council area was also deemed to have sufficient local landscape value to be designated and included in a wider cross-boundary LLA that also incorporates land within the administrative areas of West Dunbartonshire and East Dunbartonshire. (See appendix 4 for the full citations.)

3.4 The Council will consider potential impacts on the character and integrity of LLAs when it makes decisions on planning applications or comments upon land-use changes such as forestry proposals. The citations provide background information to help inform these decisions in accordance with LDP policies Primary Policy 9 and Policy 9.1.

Additional Local Landscape Areas

3.5 SNH and Historic Environment Scotland are updating their ‘Guidance on Local Landscape Areas’ to help planning authorities identify or review local landscape designation and maximise benefits. This will be used to determine whether there is scope to designate further LLA’s within the LDP area, or modify boundaries of established LLA’s. For example the previous SG has indicated consideration should be given to designating representative areas on the Carse of Stirling and modifying the boundaries for LLA 3 Western Ochils and LLA 6 Rednock. This SG will be amended to take any such changes into account.
4. Wild Land

4.1 SPP now includes reference to ‘wild land character’ which is displayed in some of Scotland’s remoter upland, mountain and coastal areas. They are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Development plans are required to identify and safeguard the character of these areas of wild land (i.e. the LDP’s Policy 9.2: Wild Land Areas, as identified in Scottish Natural Heritage’s 2014 map of wild land areas. Parts of two of these areas lie in the northern part of the LDP area, i.e. No.11 - Breadalbane-Schiehallion and No.12 - Lyon-Lochay covering the upper slopes of Glen Lochay, as shown on Fig. 1 above.
5. Landscape Character Assessments

5.1 SPP states the siting and design of development should take account of local landscape character.

5.2 The Landscape Character Assessments set out in Appendix 5:

- Provide easily accessible baseline information on all landscapes within the plan area.
- Assist in detailed planning and landscape casework and in particular to facilitate the monitoring of landscape change and highlight issues to be considered.

SNH Landscape Character Assessments

5.3 SNH has published a series of national landscape character assessment (LCA), including:

i) Central Region Landscape Character Assessment, SNH Review No. 123 (currently being revised and updated to include parts of the LDP area not previously covered).
http://www.snh.org.uk/pdfs/publications/review/123.pdf

ii) Stirling to Grangemouth Landscape Character Assessment, SNH review No.124
The landscape character assessments in this supplementary guidance draw heavily on the earlier published reports and full acknowledgement is given to the work and insight of their authors. They therefore supplement rather than replace the earlier studies. Indeed important background information remains relevant; for example chapters 1 and 2 of the Central Region LCA detail regional physical features/processes and cultural influences/perceptions respectively.

SNH have now published a digital map-based national Landscape Character Assessment (Feb. 2019). This shows Landscape Character Types - i.e. areas of consistent and recognisable landscape character and can be viewed via this link: https://www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions

5.4 An assessment of the landscape character of the area covered by the Inner Forth Landscape Initiative, which includes part of the LDP area, can be viewed via this link: https://www.innerforthlandscape.co.uk/about/studies-research