



## **Response to consultation on NatureScot's draft guidance *Development with Nature***

### **Developing with Nature guidance**

This consultation is seeking views and comments on NatureScot's draft guidance, [Development with Nature](#). The consultation is open until **4th March 2022**.

This is draft guidance, developed by NatureScot in support of the Scottish Government's work on securing positive effects for biodiversity, in particular from local development. It has been prepared and published now to inform understanding of the intended approach set out in the draft National Planning Framework 4 (NPF4), Policy 3(e) on the Nature Crisis. This policy refers to the inclusion of 'appropriate measures' to enhance biodiversity for local, non-EIA development, with the exemption of householder, farmed fish or shellfish development. This draft guidance provides advice on such measures.

**Comments on the draft NPF4 policy approach should not be included here, but submitted to the Scottish Government consultation on the draft NPF4 itself**, so they can be taken into consideration (further details can be found on the [Transforming Planning](#) website).

NatureScot would welcome views on the following questions.

### **1. The list of measures and features identified in the guidance - are these the appropriate ones, and are there any others that should be included?**

We assume that further guidance will be issued in due course in relation to the other forms of development covered by Policy 3 in the draft NPF4. It is unclear why the specific elements of Policy 3(e) are considered here in isolation.

It is extremely disappointing that the biodiversity measures set out in the draft guidance lack any reference to freshwater and rivers, beyond ponds, swales and ditches. We urge you to treat freshwater ecosystems with the same respect and attention given to terrestrial and marine systems. Conservation and restoration of our freshwater resources must become a prominent driver in measures to protect and enhance Scotland's biodiversity as well as the policies that guide those decisions, and therefore we urge NatureScot to develop and introduce biodiversity measures relevant to freshwater ecosystems. Indeed, meeting our terrestrial and marine biodiversity goals depends on protecting freshwater resources that play critical roles in sustaining these ecosystems. There are a number of interventions that could support freshwater biodiversity at an appropriate scale for these developments, and we can see no justification for their omission from this guidance. Fisheries Management Scotland would be very happy to work with NatureScot to develop suitable

biodiversity measures for freshwater ecosystems. Consistent with our comments above, we note that Measure 4 (Trees Scrub and Woodland) misses an opportunity to highlight the specific importance of native riparian trees and vegetation.

We would also highlight the fact that District Salmon Fishery Boards and Rivers and Fisheries Trusts would be well placed to deliver biodiversity measures and that these could be adjacent to the development or measures could be identified in a different part of the catchment which would have high ecological value. With this in mind, we would request that Rivers/Fisheries Trusts and District Salmon Fishery Boards are included in the list of organisations identified on Page 41. Contact details for all of our members can be found on the Fisheries Management Scotland website - <https://fms.scot/about-us-2/our-members/dsfb-trust-map/>.

We note that paragraph 30 on page 39 makes specific reference to the Scottish Wildlife Trust and RSPB, but makes no reference to the list of organisations on Page 41. This is not appropriate, and paragraph 30 should instead cross reference to Page 41 (which includes SWT and RSPB).

**2. The level of detail provided on each of the individual measures and features – is there adequate information set out to inform understanding of the range of biodiversity measures that can be incorporated in a development?**

We consider that the level of detail is about right, but we consider that a stronger steer to work with other organisations would be more appropriate. This will increase the chances that the measures will have the desired effect.

**3. The clarity and accessibility of the guidance - as a means of a) informing project design, and b) decision making on the measures to be included in individual applications?**

No specific comments