

Wildlife Law, Planning and You: Responsibilities and Obligations

By considering the impacts of your development proposal and identifying opportunities to benefit wildlife you can help Scotland, and the Cairngorms National Park, deliver on its international biodiversity obligations.

Designated sites and Protected areas

The Cairngorms have an important and unique wildlife resource from a local, national and international perspective and deserves special attention. Large parts of the Cairngorms are covered by conservation designations such as Sites of Special Scientific Interest (SSSIs), Natura 2000 sites, National Nature Reserves (NNRs) and National Scenic Areas (NSAs). These designations have been put in place to help conserve specific areas of the Cairngorms where landscape, geology, wildlife and historic interest are of exceptional importance. To find out more about protected areas, please visit Scottish Natural Heritage's website on www.snh.gov.uk and look under 'Our work' and then 'Protected areas'.

Even if your land is not within a protected area you must also consider nearby designated sites. For example, many homes and gardens are adjacent to burns and rivers which are Natura 2000 sites and householders must ensure that any construction activities or the operation of a development do not compromise the Natura 2000 interest at a site.

Protected species

Many wild animals and plants are protected by the law. The most important piece of legislation is The Wildlife and Countryside Act 1981 and its recent amendments. A useful summary of this law, as well as the Schedules and Species lists can be found at www.naturenet.net/law/wca.html.

Some species, for example badgers, have their own specific legislation (The Protection of Badgers Act 1992) and you should check for their presence in an area before undertaking any development work. European legislation has also meant a tightening of protection for some particularly rare or threatened species. In the Cairngorms the main European Protected Species you may encounter in your home or garden are bats, wildcat, otter and great-crested newt. If you want further information on this legislation and these species please contact your local Scottish Natural Heritage office.

For a large print version of this leaflet, please contact the Cairngorms National Park Authority for a copy, tel: 01479 873535.

Photographs by Norman Brockie, David Gowans, Frank Greenaway, Neil McIntyre and Jimmy Mitchell

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For further information, please contact: The Natural Heritage Group, Cairngorms National Park Authority, 14 The Square, Grantown-on-Spey, Moray PH26 3HG
Tel: 01479 873535 Email: enquiries@cairngorms.co.uk www.cairngorms.co.uk



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Biodiversity Planning Guidance Note for the Householder



Why is a guidance note needed?

Biodiversity is the wealth of wildlife around us. It is the basis of everything we regard as special and important in the Cairngorms and is at the root of all the natural processes that give us clean air, water, food, clothing, health, relaxation and recreation. We all depend upon biodiversity for the quality of our lives.

You can make a direct contribution to conserving this wealth in the Cairngorms National Park and ensure that our children and grandchildren can enjoy it too. Expectations in the National Park are that things are done differently and to a higher standard. Actions undertaken should support, enhance and protect the special qualities of the Cairngorms. Therefore, planning applications that have clearly considered these issues will be fulfilling policies outlined in the Cairngorms Local Plan.

By considering the impacts of your development proposal and identifying opportunities to benefit wildlife you can help Scotland, and the Cairngorms National Park, deliver on its international biodiversity obligations.

What is the purpose of this guidance note?

If you are planning work on your house or garden, or you are building a new house, this leaflet contains some suggestions on how you can protect and enhance the wildlife on your property.

There is also advice about what you should look out for as some species are protected by law and require special care.

This guidance does not attempt to provide comprehensive advice on all aspects of planning proposals. We recommend that planning applicants refer to the Local Plan as well as relevant national guidance from the Scottish Executive - visit www.scotland.gov.uk.

Who is it for?

Anyone who is planning work on their house and/or garden in the Cairngorms – regardless of whether you seek planning permission or not.

How can I help?

You can help in a number of different ways depending upon the type of work you are planning. A rule of thumb is that it is better to look after and enhance something important which already exists than to create something new. Having said that, there are many chances for you to encourage wildlife through careful planning and forethought and we look at some of these opportunities.

When appropriate, we have provided contact details where you can get further information and specific advice.



Habitats

Before undertaking any work it is important to take stock of what you've got and to incorporate any special features into your plans. This is not a difficult or onerous task; here are a few simple pointers.

Trees and bushes

Look after what is there and keep dead wood. Avoid tree felling if at all possible – some species, eg red squirrel, need trees if they are to keep visiting gardens safely. If planting use native species of local provenance as these usually support a much wider array of wildlife than non-native species. Good local species include Scots pine, alder, aspen, hazel, rowan, oak, birch, juniper, wych-elm, holly, hawthorn, native cherry and willows.



Wetlands, ponds and burns

Ponds and wet areas are important for many species, especially if they do not contain fish (which often eat other species). Ditches and burns provide valuable corridors for many species eg water voles and it is important to avoid tidying them up by dredging or canalising them. This is particularly true for burns, many of which are legally protected because

of their importance for spawning salmon. You should also avoid introducing non-native species, including fish and water plants, into ponds and burns.



Grassland

Native grasslands in the Cairngorms are species rich and often contain an array of rare, localised and beautiful species eg orchids. Try to keep species rich grasslands instead of ploughing and reseeding with a lawn seed mix, which is much poorer for wild flowers. Leaving some areas of grass long and uncut will provide homes for small mammals and insects like bees and butterflies. So instead of a lawn why not consider creating a wild flower meadow?

Houses and building space

Your house may already be home to other species eg swifts, house martins and even bats. Bats are specially protected by law, so think about the consequences of any alterations to your property. Many people now recognise the benefits of these species - a bat can consume 2000-3000 midges per night - and place swift or bat boxes on their house when carrying out renovations.



Species

Plenty of advice is available on general wildlife friendly gardening and much of this is targeted at how you can best manage your garden. Visit www.wildlife-gardening.co.uk or www.snh.org.uk and check out 'Garden for Life' for advice on general wildlife gardening. If you are redeveloping your house and garden then this is an ideal opportunity to make significant changes to your property that will benefit wildlife.

Birds, bats and bees

Bird, bat and bee boxes provide roosting and breeding sites in buildings and trees. Several commercial companies sell pre-made bird, bat and even bee boxes, so these are easily available by mail-order or perhaps from local stockists. Please remember that birds nests are specially protected under the law.



Concern for Swifts, www.concernforswifts.com, tel: 0141 554 8262, have lots of useful advice about building designs suitable for swifts. The website highlights the threats posed by some building techniques as well as opportunities for home owners to help this charismatic species share our building space with us. Like bats, swifts consume large numbers of flying insects including midges and once settled are very faithful, returning year after year to the same nest site.

Frogs, toads and newts

Ponds should be shallow so that they are safe for animals which might fall in - as well as children. The Cairngorms are home to frogs, toads and newts as well as some spectacular dragonflies. Froglife, the reptile and amphibian wildlife charity, have plenty of materials to help design, create and manage your own wildlife pond. Contact them on www.froglife.org or tel: 01733 558844.



Plants, butterflies and moths

Leaving some areas of your property 'wild' can greatly increase its value for butterflies and moths. Support local nurseries by requesting local species and if they are not available let them know that there is a demand for local species. Some national companies provide native seed mixes for different parts of the UK. Flora Locale provides advice on planting for wildlife and information on local suppliers of seeds or plants. Visit www.floralocale.org.

