

Community toolkit: Policy and legislation to protect wildlife (Scotland)

Document	Page/section relating to environment	Level	Covers	Useful Resources
Conservation (Natural Habitats &c) Regulations 1994 (as amended) and Habitats Regulations 2010	All	European Law	European level law that offers protection to certain species and designated sites (e.g. Special Area of Conservation). The 1994 regulations transpose the EC Habitats Directive into Scottish law and the 2010 regulation consolidate the changes to the directive. The Buglife guidance has a list of species protected under this legislation.	Buglife legislation guide
The Wildlife and Natural Environment (Scotland) Act 2011	All	National Law	National law that offers protection to certain species and designated sites (e.g. Sites of Special Scientific Interest). The Buglife guidance provides a list of species protected under this legislation.	Buglife legislation guide
Nature Conservation (Scotland) Act 2004	Section 1 and 2	National Law	Requires that all public bodies have a duty to protect biodiversity and that lists of habitats and species of conservation concern, are published.	Buglife legislation guide
The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011	Schedule 1 and 2 useful for identifying types of development requiring EIA	European Law	These regulations translate the EU Environmental Impact Assessment directive into Scottish law. They require certain public and private projects to have a full Environmental Impact Assessment. The regulations only apply to certain types of development and/or projects. The 2011 regulations consolidate changes to the EU directive into Scottish law.	Guidance - EIA
Scottish Planning Policy	Paragraph 193-218	National Policy	Sets out national planning priorities, including protection of the natural environment. This guides planning decisions at a local level.	SPP
National Planning Framework 3	Chapter 4 Paras 2.21 and 4.17 protection of brownfield land	National Policy	Provides a framework for development across Scotland.	NPF 3

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Getting the Best from Our Land – A Land Use Strategy for Scotland	All	National Policy	Long term vision for the use of Scotland's land until 2050, relating to economic prosperity, environmental quality and communities.	Getting the Best From Our Land
The 2020 Challenge for Scotland's Biodiversity	All	National Policy	Biodiversity strategy detailing how Scotland will meet its European commitments to look after wildlife	Scottish Biodiversity
BS42020: 2013 – Biodiversity. A Code of Practice for Biodiversity in Planning and Development	All	UK Wide	This British Standard seeks to promote transparency and consistency in the quality and appropriateness of ecological information submitted with planning applications and applications for other regulatory approvals. Excellent overview of the planning application process and how biodiversity should be addressed through it.	BS42020
Strategic Development Plan	Varies	Regional Policy	These are required for the 4 largest city regions –Aberdeen, Dundee, Edinburgh and Glasgow . These deal with region-wide issues that cross boundaries of council areas, for example the scale of housing and the transport and water and connections needed.	SDP Guidance
Development Plans	Varies	Local Policy	Development plans are required for each Council area of Scotland. They set out the long term vision for change, planning for where development should and shouldn't happen. They have a key role in delivering the strategy and policy set out in the National Planning Framework and Scottish Planning Policy.	DP Guidance
Supplementary Guidance	Varies	Local Guidance	Can provide further information or detail on the policies or proposals that are in the development plan, for example a master-plan for a site or further environmental information.	SG Guidance

