

SLA Response to Scottish Government Consultation on NPF4

Part 1 – A national spatial strategy for Scotland 2045

Sustainable places

Q1. Do you agree that this approach will deliver out future net zero places which will be more resilient to the impacts of climate change and support recovery of our natural environment?

The Scottish Government has stated that NPF4 will deliver a 'transformation' in Scotland's planning policy and deliver real progress on meeting climate change goals and addressing biodiversity declines. Whilst the SLA welcomes the references to the climate and nature crises throughout the draft NPF4, particularly in relation to nature-based solutions for climate mitigation and adaptation, and the creation of nature networks to support the restoration of our natural environment, we feel overall that the proposals set out do not match that level of ambition and believe the approach lacks a truly transformative agenda to tackle the climate and nature emergency and to create fairer communities.

The SLA has previously called for a single statutory national plan and policy for landscape, land use and infrastructure to drive this transformation and encourage planning, design and resourcing appropriate for the large scale change (that will be needed to deliver priorities for climate change, loss of biodiversity and better health and wellbeing) and for the delivery and management of our local landscapes, parks, greenspace and green infrastructure to become a statutory duty for local authorities to provide adequately at the community scale.

The SLA has previously called for a recognition of landscape and its transformative role in the lives and experience of our communities in Scotland. It is an asset that can help support resilient, inclusive, diverse and healthy communities and deliver on a just and green recovery. It is an essential part of the solution and an important strand in climate and biodiversity resilience.

To support better understanding of the value of our landscapes and their contribution to policy priorities, the SLA has also recommended the appointment of an independent Chief Landscape Advisor to advise Government on landscape matters and to identify responsibility for landscape within local authorities and planning.

The draft currently lacks a clear delivery mechanism, timescales remain vague and detail of how policy objectives will be implemented is lacking. We support the need for a 'delivery programme' (p.114) to sit alongside the final NPF4 - this should show how related statutory instruments, like our building regulations and local fiscal arrangements, can be aligned to support the ambitions around net zero, the circular economy and a nature-positive Scotland along with clear timelines and regular reporting on progress.

The Dasgupta review explains that- "*our economies, livelihoods and well-being all depend on our most precious asset: Nature.....*" and with less than 10 years to achieve Scotland's ambitious 2030 climate target of 75% emissions reduction, we need planning legislation which requires planners to take a robust approach to assessing new development and redevelopment/retrofitting to bring about a transformation in Scotland's towns, cities and rural areas. We urge the government to consider the role the planning system can play as a regulator, requiring place-making approaches and environmental standards which will deliver on Scotland's net-zero, climate and biodiversity targets.

Whilst we support the switch to renewable energy (and believe the planning system has a key role to play in ensuring that this can be done well) much more work is needed to ensure that new energy development (onshore and off shore) is properly sited and designed to contribute to its landscape

setting, not detract from it, and to offer opportunities for multifunctional outcomes, for example in terms of community benefits, short rotation forestry, biodiversity, access and recreation, and for health and wellbeing.

Liveable Places

Q2. Do you agree that this approach will deliver our future places, homes and neighbourhoods which will be better, healthier, more vibrant places to live?

We are supportive of the intent as expressed in this section but believe more detailed is required as to how this ambition will be realised in practice. For example, how will NPF4 support members of the public to get involved in creating Local Place Plans and contributing to Local Development Plans, particularly in areas of high deprivation? Planning Circular 1/2022: Local Place Plans sets out guidance on the preparation, submission, and registration of LPPs, but what status will be given to registered LPPs in decision-making?

Greater numbers of people could benefit from landscape for health and wellbeing but cannot do so due to underinvestment in the design, implementation or stewardship of their local landscape. The SLA believe that access to local quality landscape and green space (inclusive, designed, clean and managed) is a right and a responsibility for everyone. Appropriate development could help address these issues.

Productive Places

Q3. Do you agree that this approach will deliver our future places which will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working – improving economic, social and environmental wellbeing?

We support the ambition of this approach, particularly in building a nature-positive economy. To achieve this, the final NPF4 should say more about the importance of plan-led development in promoting a balanced mix of economic, social, and environmental assets that support each other.

Although planning has an important part to play in the economy, there needs to be alignment across Scottish Government strategies, and it seems unlikely the approach in NPF4 alone will deliver places that fulfil all the ambition set out in this section. For example, whilst there is reference to the National Strategy for Economic Transformation, care should be taken to ensure the drive for productivity is achievable within landscape and environmental limits and fully aligns with climate and biodiversity objectives.

Brought into sharp focus with events in Ukraine, the SLA also believes that review of the draft is required to set out how the planning system can better protect Scotland's food security through protecting land, soils and water supply for agricultural and horticultural growing both commercially and at a community level. This should be considered at national, regional and local level to enable an integrated system for food & growing opportunities at all scales on all land and buildings in Scotland.

Given the importance of our peri-urban, rural and wild landscapes, and the need for alignment between planning and land use, we would like to see explicit mention of the latest Land Use Strategy, and its successor, within the final NPF4, and the role of Regional Land Use Partnerships and Frameworks in implementation.

In respect of landscape, the draft NPF4 lacks a specific policy on landscape, and we believe this is a major oversight which should be addressed.

Distinctive Places

Q4. Do you agree that this approach will deliver our future places which will be distinctive, safe and pleasant, easy to move around, welcoming, nature-positive and resource efficient?

We support this statement with its focus on natural, cultural and historic assets; and to which we would include Scotland's landscapes and on the focus on reusing vacant and derelict land and buildings. Adapting and reusing our existing buildings creates the opportunity for the continued use of historic buildings (which are important to people's sense of culture and identity), will be essential in ensuring the carbon they embody is not released back into the atmosphere. This is not without significant technical challenges aligned to skilling up, incentivisation and behaviour change to realise rapid improvements and uptake in circular economy thinking and practice by professionals and the public at large.

We believe there is a need to identify where and how a national nature network can be delivered and at the detailed scale welcome the intention to place nature recovery and connected blue and green infrastructure at the heart of all future places. This infrastructure should be multi-functional delivering multiple benefits (climate and food resilience/ community cohesion/ health & wellbeing/ energy/ education/ economy).

Scottish Government has resisted previous calls from member bodies of the SLA for new National Parks to be included as a National Development in NPF4, primarily because the location (or locations) are not yet decided. If, despite the commitment in the Scottish Government and Scottish Green Party - Shared Policy Programme, this is still the case, we suggest that the creation of one or more new National Parks is highlighted at the start of the Spatial Strategy under Distinctive Places as the stated aspirations there very much align with the aims of National Parks in the 2000 Act. The new Park or Parks will be designated within the timeframe of NPF4 and will have implications for the planning system in those area(s) but more importantly can be a further tool in moving to being a more "nature-positive and resource efficient" country.

Q5. Do you agree that the spatial strategy will deliver future places that overall are sustainable, liveable, productive and distinctive?

We welcome the rhetoric of the spatial strategy, particularly the priority being afforded to tackling both the climate and nature emergencies, but as mentioned above, further detail is required to ensure the strategy can deliver future places that are sustainable, liveable, productive and distinctive.

For example, the transport, energy and infrastructure networks need to be assessed against the carrying capacity of the landscapes they are located in and should be complemented by a connected national nature network of existing natural assets (much of which require a commitment to better management) and new well-designed and constructed green/blue infrastructure helping to secure the resilience and adaptability of our natural heritage and support a future net-zero way of life.

The spatial strategy on its own is not enough to deliver on the aim of a nature-positive, net zero Scotland. The planning system needs to respond to the climate and nature crises, including via robust policy and decision-making, in order to change the culture of all planning stakeholders.

Spatial principles for Scotland 2045

Q6. Do you agree that these spatial strategies will enable the right choices to be made about where development should be located?

In general, we support the spatial principles though further effort will be required to understand the interplay between the principles and how at the case level conflicts between the principles will be handled.

Principle f) speaks of community capacity and local people being able to shape their places. It will be important for the final NPF4 to explain just what role local people (especially those directly impacted by a development) will have in decision-making and how planning authorities will be resourced to provide the training and support for communities to be engaged and to work to time scales that reflect the capacity of communities to engage.

The majority of our existing buildings, including housing, will still be in use in 2045, and the final NPF4 should support the sustainable adaptation of properties, and help ensure that existing settlements are well provided for economically, socially and environmentally.

We are also supportive of improving synergy between urban and rural areas and welcome the effort to bring more nature into our towns and cities. It is important that urban practice does not dominate this process and creates the room for distinct rural needs to be addressed. Similarly, the character of Scotland's urban and rural settlements depends on choices in siting, design, and materials, which are often incorporated into local planning policies. This framework and the principles underpinning it should allow for the kinds of added value that come from locally determined planning objectives.

It would be helpful for the other national strategies and legislation that underpin and reinforce these principles to be referenced alongside the spatial principles. The current SPP includes a table of policy hierarchy (SPP, 2014, pg.8), and we would suggest an updated or similar table be included in NPF4.

Action Areas for Scotland 2045

Q7. Do you agree that these spatial strategy action areas provide a strong basis to take forward regional priority actions?

We are not wholly convinced by the value of this section which could be condensed significantly. Whilst the mapped the action areas are overlapping adding complexity to the meaning, the language overly simplifies what is inevitably very complex and attributes actions to some areas which are in fact needed nationally.

Realistically all parts of Scotland (and each settlement, industry, land use) will need to innovate, transition, revitalise and sustain. It is just the emphasis which might vary. Likewise, all regions will need to strengthen their resilience; retrofit existing buildings, create low-carbon rural (and we would argue peri-urban and urban) communities; decarbonise transport systems and industries; create integrated nature network and address biodiversity loss.

Not referenced before Q7 are forestry, agriculture and aquaculture which are key land uses contributing important rural jobs, providing the raw materials for our food and drinks industry and key exports. This gap perhaps highlights the separation in Scotland of planning policy and land use policy, which is not entirely helpful and we refer to our comments made on this in 3.

As Regional Spatial Strategies will be shaped by Regional Economic Strategies, City Region Growth Deals, Regional Economic Partnerships, and Regional Land Use Partnerships, a shorter presentation of

these outline plans (with additional information contained in the appendices), would allow for the regional partnerships to develop their own visions, and create space in the NPF4 document to make linkages to other relevant documents.

North and west coastal innovation

Q8. Do you agree with this summary of challenges and opportunities for this action area?

We agree that building climate resilience and taking steps to restore and enhance the landscape and natural resources found along the north and west coast must be key priorities.

Reference is made to the international significance and “exceptional environment” of the coastal and island landscapes in this area and should be emphasised as an opportunity to help reverse population decline and sustain strong communities. The natural beauty of the landscape plays an important role in attracting visitors to this area, enhancing its reputation as a popular tourist destination but needs to be balanced with safeguarding what it is that people come to see and enjoy, whilst ensuring local communities are not priced out by second home and holiday lets and the hollowing out of services during the winter. Greater recognition of the contribution beauty makes to our sense of place and shared identity will help ensure the sustainability of communities.

Q9. What are your views on these strategic actions for this action area?

We welcome the recognition of the need for a flexible approach to 20 minute neighbourhoods for rural communities, particularly those on our islands and coastal communities. References to local and regionally driven plans, including the Islands Growth Deal, are welcome but could be strengthened by more explicit reference to the role RLUPs, LDPs and LPPs will play in determining local solutions.

Development to sea ports must be sensitively managed to ensure the protection of terrestrial and marine environment. The prioritisation of visitor management for our World Heritage Sites is welcome, but this must be carefully managed to ensure that new pressure points are not created elsewhere. We agree that nature-based solutions will be key to addressing the impacts of climate change.

While we support the emphasis on renewable energy and recognise that more renewable energy generation will be required to meet legally-binding climate targets, we would like to see greater consideration given to the impact this will have on the surrounding landscape. As previously noted, this area attracts a high number of visitors largely due to its spectacular scenery and it would be helpful for this to be recognised in the action points.

The SLA believes that landscape has intrinsic value(s) which should be recognised in asset management and evaluated and costed when changes in land use are proposed.

Expansion of renewable energy infrastructure and landscape protection could complement, rather than come into conflict, one another through use of national locational guidance and investing in landscape and landscape-led design solutions will help Scotland meet its ambitious renewable energy and climate targets, whilst maintaining its reputation for quality food and drink and as a visitor destination driven by its landscape.

Northern revitalisation

Q10. Do you agree with this summary of challenges and opportunities for this action area?

The value of landscape is not recognised in the text and we would encourage revision of this language to better reflect the role of landscape in creating and sustaining thriving communities. Although there has been outmigration, the natural beauty of the landscape provides a reason for many to stay, and with the emerging new ways of working, can be utilised to encourage people to return to this area.

We do, however, welcome the focus on the rich natural capital and ecosystem services to be found across the region and the significant contribution they can make in response to the climate and nature crises.

Q11. What are your views on these strategic actions for this action area?

There is a great deal of crossover with both the challenges and actions for north and west coastal innovation (for example, strong resilient communities), and perhaps consideration should be given to combining these strategies, which could provide better focus for overall framework to achieve the desired outcomes. It is also worth noting that delivery of these actions will require coordination of same planning authorities across the northern and western local authorities, further emphasising the need for greater alignment and efficient use of skills and resources. From a management perspective, it would be simpler to ensure that each National Park and any future National Parks sit wholly with one Action Area.

We do support efforts to improve the public and active travel networks to ensure better connectivity for local communities and encourage sustainable tourism.

This area covers part of the two National Parks, a number of National Scenic Areas and significant areas of wild land and peatland. Such sites are integral to the successful delivery of the focus on nature-based solutions. For this action to be delivered it is vital that travel networks, renewable energy infrastructure, and digital and mobile solutions are carefully planned and managed to avoid undermining landscape quality and the gains brought by biodiversity enhancement. This will require multi-disciplinary design working at scale and in detail to ensure appropriate siting, materials selection, detailing and construction, and subsequent management and maintenance.

North east transition

Q12. Do you agree with this summary of challenges and opportunities for this action area?

We welcome recognition of the contribution built and natural heritage will make in supporting the transition to net zero. While acknowledging the housing challenges of an ageing population, we are encouraged to see the repurposing of existing buildings and infrastructure as a key priority for this area. This will not allow for the regeneration of communities whilst protecting and enhancing the biodiversity.

Q13. What are your views on these strategic actions for this action area?

We agree recognition of the environmental impacts arising from the relocation of Aberdeen Harbour is essential but this approach should be applied to all coastal areas, taking particular care to safeguard designated areas (Special Protection Areas, SSSIs, MPAs). Where opportunities in the cruise and marine leisure sectors are being pursued to support regeneration of coastal communities, it will be crucial that the policy on sustainable tourism is prioritised alongside economic interests.

Central urban transformation

Q14. Do you agree with this summary of challenges and opportunities for this action area?

The geography of this Area seems at odds with the written description. The inclusion of Loch Lomond & Trossachs National Park is not appropriate to the largely post-industrial and carbon-based living of the central belt. We would suggest that the Park should be included in the perhaps renamed Northern Revitalisation Area.

We agree that the most densely populated urban communities hold the key to reducing emissions, delivering on net zero targets and addressing persistent health and other inequalities.

Q15. What are your views on these strategic actions for this action area?

If the 20minute neighbourhood concept is to take hold, not only in this area but across Scotland, it is important that the planning system supports a shift to more balanced development, where the mix of economic, social, and environmental assets in an area support one another. Population density may prove challenging in achieving this in many urban areas, but we welcome the intent to pioneer low carbon, resilient urban living.

We know from research that more than 80% of the buildings we will use for homes, work, and leisure by 2045 already exist, and it is therefore encouraging to see emphasis on restoring and reusing existing land and buildings. Doing so prevents the release of embodied carbon caused by demolition and will support the heritage of towns and cities across the central belt by retaining buildings and places integral to local cultural identities.

We encourage the ambition to better incorporate blue and green infrastructure within the urban fabric, of our towns and cities. Connected networks can support active travel, biodiversity, play, health, community and local cultural heritage.

We agree that more quality, multifunctional, productive landscape and greenspace at scale will help to tackle climate & nature emergencies and deliver resilient and equitable results for all communities (environmental, social and economic benefits e.g., food, afforestation, economy, local energy creation) and build into a local sustainable supply.

Greenspaces and infrastructure can also support the wellbeing economy by providing areas for allotments, orchards, bee keeping and community growing which can link into an integrated food & growing system, as well as space for learning outdoors.

Age and disability friendliness needs to be part of the solution in planning new developments which means being able to feel part of public life. New homes also need to suit the needs of an increasing ageing and more disabled population where ground floor living is essential for many; stairs may not be manageable, and lifts breakdown or do not operate when the power is off leaving occupants trapped at home. Occupants should also have access to private or semi-private garden space to be close to nature. Addressing this need may challenge plans for densification but can be addressed through good design and planning.

Nature-based solutions are key to building climate resiliency and creating net gains for biodiversity. We would encourage greater emphasis on the need to explore and adopt nature-based solutions first, and only look to use engineered solutions to flood and drainage issues and urban heating where natural approaches are already in place but require support in ensuring sustainability and efficiency.

Our National Parks play an important role in supporting the quality of life and health of their resident populations and meeting the needs of urban populations who can afford to access them, but the pandemic has demonstrated a need to better support people's connection and access to nature in their immediate neighbourhoods. In addition to landscape-scale opportunities identified, NPF4 could do more to encourage the use of local nature reserves, woodland, and open greenspaces and urban parks helping (to sustain the vital ecosystem services they provide and tackling health inequalities and disadvantage) and as well as encourage participation in initiatives to improve and manage or create landscape / green spaces for community benefit.

Southern Sustainability

Q16. Do you agree with this summary of challenges and opportunities for this action area?

There is a lack of ambition in addressing population decline. With a relatively benign climate, particularly in the west of this area, and with distinctive landscapes and environmental assets throughout there should be opportunities to encourage more people to see this as a good place to live and work and for tourists to visit and stay supported through better digital infrastructure and decarbonised connectivity.

Q17. What are your views on these strategic actions for this action area?

We welcome the strong focus on natural capital, and while initiatives such as the Borderlands Natural Capital Programme aim to restore biodiversity and support climate mitigation, we would once more caution against a reliance on rural communities to bear the responsibility of urban emissions as we journey towards net zero.

The South of Scotland has been identified as an important centre for renewable energy generation and we note that proposals to expand renewable energy generation will require careful planning to protect the natural environment, which is welcome. The final NPF4 should place greater emphasis on balancing renewable energy generation necessary for reducing carbon emissions, with the protection of landscapes that provide a number of benefits to human and natural health, including as vital carbon sinks.

Q18. What are your overall views on this proposed national spatial strategy?

The national spatial strategy provides positive support for all economic sectors, industries and environmental assets and yet provides little in the way of addressing or managing the potential conflicts and tensions that may arise between these. This is particularly relevant in the context of categorically requiring action on the nature and climate crisis. Further explanation is required on what needs to change and how different land uses will be accommodated as Scotland moves toward a net-zero and nature positive future.

While there is recognition that planning will play a critical role in supporting delivery of the new biodiversity strategy, it is concerning that no explicit link has been made to the Land Use Strategy. The opening paragraph of the spatial strategy states "the purpose of planning is to manage the development and use of land in the long-term public interest", yet there is little indication of how NPF4 and the Land Use Strategy will be integrated.

Likewise, the draft lacks an overarching high level policy statement on landscape. The final NPF4 would be improved by setting out the Government's vision for Scotland's landscapes within the context of the European Landscape Convention.

Part 2 - National Developments

Q19. Do you think that any of the classes of development described in the Statements of Need should be changed or additional classes added in order to deliver the national development described?

This comment pertains to NDs 1,2 4 and 12. These developments are required across Scotland i.e. they are a nation-wide priority. This makes them different to 'one-off' capital infrastructure projects not just in their scale and impact but also in their handling, how land is assembled, in resourcing and their means of delivery which will require working by multiple players and partnerships over many years.

Considerable work will be required to look at the spatial requirements of new infrastructure (grey, green and blue) and climate action nationally, regionally and locally to deliver the right infrastructure and climate responses in the right place, to avoid unnecessary duplication and indeed gaps in provision, and to ensure connectivity throughout the networks. We would argue that this process needs to be led by multi-disciplinary teams in the public sector informed by engagement of local people and technical experts and not left to the market to promulgate. This work is urgent and needs to be prioritised to maximise investment choices and address the climate and biodiversity emergencies.

We would ask the Scottish Government to prioritise the following to better support these nation-wide needs:

- Commit to providing additional financial resource to planning authorities to allow for the recruitment of more technical staff (including landscape, arboriculture, water management, biodiversity and active travel) to work on the roll out of a national infrastructure
- Give a clear indication of the timescale for delivering blue/green GI and climate actions
- Adopt the IUCN definition of nature-based solutions and be clear that a National Nature Network would deliver a range of habitats that aid carbon sequestration (such as restoring grasslands and protecting carbon-rich marine sediments).

Additionally, national developments must contribute toward positive effects for biodiversity. The wording of Policy 3 (as finally drafted) should be repeated within Part 2 to ensure clarity on the expectations for national developments.

Assuming these proposals remain as National Developments in the final draft we comment as follows:

Central Scotland Green Network - We welcome the continued designation of Central Scotland Green Network (CSGN) but feel more ambition could be shown to accelerate action and to scale up the programme to address each of our major cities linked by a National Nature Network.

The national nature network should sit alongside "grey" infrastructure, reflecting its national importance and the contribution it can make to a more resilient natural environment and responding to the nature crisis.

National Walking, Cycling and Wheeling Network – The SLA supports efforts to increase active travel and reduce the reliance on private cars, recognising the benefits this will bring for net zero living and people's health and wellbeing.

Wherever possible, green active travel routes should run through and be linked to green/blue infrastructure and designed to conserve biodiversity and maintain the surrounding landscape. It is vital that key services and amenities are clearly signposted across the network. Doing so should ensure safe

routes for public access, while discouraging people from diverging away from pathways where there may cause unintentional damage to the landscape.

A requirement that new track of road infrastructure should be sensitive to the surrounding landscape should be applied to both this National Walking, Cycling and Wheeling Network, and Urban Mass/Rapid Transport Networks designations.

Urban Sustainable, Blue and Green Drainage Solutions – The SLA suggest that sustainable green/blue infrastructure is required across the whole of Scotland not just Glasgow and Edinburgh. It will be important that early learning from these cities is shared with other local authorities and other public sector partners to maximise investment.

Islands Hub for Net Zero – We recognise the role our islands can play in leading the transition to a net zero society. While being generally supportive of this designation, the Trust would emphasise the need for robust management plans being in place to protect the World Heritage Sites and Marine Protected Areas associated with Orkney, Shetland, and the Western Isles, including St Kilda. These areas are rich in cultural and natural heritage, and designation as a National Development must not be used to override the protection and preservation of heritage assets, including but not limited to those found at Scapa Flow.

Pumped Hydro Storage – The SLA supports the development of pumped hydro storage as part of a basket of renewable energy. The selection of sites and the detailed design of schemes and access routes should follow best practice in terms of landscape and visual impact assessment.

Clyde Mission – It will be important that this river corridor National Development considers the whole hydrological system and impacts of climate change in and around conurbations along the River to avoid development that might exasperate upstream flooding or would require huge and costly hard engineering to mitigate sea level rise and/or storm surge.

Q20. Is the level of information in the Statements of Need enough for communities, applicants and planning authorities to clearly decide when a proposal should be handled as national development?

There is potential confusion around some types of activity. When would a cycle path, a nature-based solution and some green blue infrastructure be seen as a national development and how will this be determined?

Q21. Do you think there are other developments, not already considered in supporting documents, that should be considered for national development status?

SLA members would like to see the creation of new National Parks included in the list of National Developments, in line with the Scottish Government's commitment to designate at least one new National Park in the current parliamentary session.

New National Parks will be place-based; of national status; have implications for the planning regime of any area selected, and, most importantly, the aims of National Park status will help address the nature and climate emergency which is a key ambition of NPF4. New National Parks should have equivalent planning powers to the existing National Parks.

Part 3 - National Planning Policy

Sustainable Places (Universal Policies)

Q22. Do you agree that addressing climate change and nature recovery should be the primary guiding principles for all our plans and planning decisions?

Yes, we strongly agree that climate change and nature recovery should be the primary guiding principles.

For this approach to be successful a clear hierarchy of how this will be applied in practice is required to prevent considerations coming into conflict with one another. This should also include clarity on how concerns about climate change will be balanced alongside nature restoration when making planning decisions, for example, will the need for an expansion of renewable energy infrastructure be prioritised over the protection of important landscapes and wild land and the biodiversity they support? Such considerations need not be in conflict with one another, and we recommend the use of national locational guidance to help guide developments to the most appropriate place, but where conflicts do arise it would be helpful for NPF4 or supporting guidance to offer clarity on how best to balance climate and nature targets.

Policy 1: Plan-led approach to sustainable development

Q23. Do you agree with this policy approach?

Yes, SLA members support taking a plan-led approach to development and we recommend that landscape and environmental principles (all landscapes matter, precautionary, prevention of harm, rectification at source, and polluter pays) should run as common threads throughout the planning framework, and should therefore form part of the universal, sustainable places policy.

This policy places an emphasis on the importance of Local Development Plans (LDPs), but we feel reference should also be made to the role of Local Place Plans (LPPs), with guidance provided on how local communities will be supported and resourced to participate in the creation and review of both LDPs and LPPs.

Policy 2: Climate emergency

Q24. Do you agree that this policy will ensure the planning system takes account of the need to address the climate emergency?

In part, as tackling the climate emergency is not limited to emissions alone and this policy is somewhat narrowly framed. We agree that significant weight should be given to the global climate emergency when assessing development proposals, and that every effort should be made to ensure developments are designed to minimise emissions over their whole lifecycle, including the reuse of existing assets and their embodied carbon, selection of materials that can be reused or recycled in future, are net zero or positively deliver green energy, deliver elements of B/G infrastructure etc.

To support the practical application of this policy, we would ask that more detail is provided on what is meant by allowing planning authorities to grant exemptions to applicants who “[provide] *evidence that this level of emissions is the minimum that can be achieved for the development to be viable and it is demonstrated that the proposed development is in the long-term public interest.*” The final NPF should provide clarification on how ‘the public interest’ is to be defined in this context, with consideration given to whether an upper cap for emissions created by a single development could be included.

Where emissions are unavoidable we welcome the preference given to nature-based solutions in aiming to offset emissions, however, it is important that development proposals resulting in significant

emissions are not able to exploit the planning system through reliance on such offsetting measures. Additionally, to ensure the primacy of the climate emergency in such decisions, offsetting measures should be a mandatory condition for planning consent, not merely something that “may” be considered.

Policy 3: Nature crisis

Q25. Do you agree that this policy will ensure that the planning system takes account of the need to address the nature crisis?

The planning system has an important role to play in facilitating nature restoration and it is encouraging to see this given prominence in the draft framework. We welcome the repeated references to the role nature networks play in creating new and restoring degraded habitats, however, as mentioned previously this focus could be strengthened with the inclusion of a National Nature Network as a National Development, setting out a national ambition for Scotland. Adopting a stronger policy at national level will help ensure Scotland meets its targets for reversing declines in biodiversity.

If nature networks are to be integral to facilitating biodiversity enhancement, they must deliver diverse habitat types, including grasslands and wetlands. There should be a requirement for them to be mapped and safeguarded in Local Development Plans. For example, Policy 3 part a) could instruct LDPs to map, identify and safeguard Nature Networks. Furthermore, to aid interpretation of what Nature Networks may include, it would be helpful to expand the list as drafted in Policy 3a). The definition of Nature Networks in the glossary is helpful and suggests that Nature Networks are intended to connect semi-wild and wild places - this definition should be reflected back in policy 3a) by referencing nationally important landscape types, including Wild Land Areas, which while not protected by statute remain valued landscapes and important places for wild plants and animals.

We strongly encourage greater recognition of the role of robust, long-term management plans play in protecting and restoring our natural environment. Improving management and regulation of land use is essential for nature recovery and delivering positive effects for biodiversity. This policy could be strengthened by promoting the use of management plans for designated sites, particularly National Scenic Areas (NSAs) and SSSIs. Currently, only 3 of Scotland's 40 National Scenic Areas have management plans in place. This stands in contrast to England where Areas of Outstanding Natural Beauty (broadly equivalent to NSAs) must have a publicly available management plan in place within 3 years of the AONB's designation, with a review taking place within 5 years of the start of the plan. Ensuring management plans are in place for Scotland's NSAs will support planning authorities in determining development proposals affecting these nationally important landscapes, further encouraging them to conserve, protect and enhance the nature of our NSAs support.

Protected areas should not be viewed in isolation but as core elements in a more effectively managed wider network in the landscape. Policy and practice of landscape management beyond protected areas needs to be factored into the wider goals of better serving biodiversity, climate and local, national and international communities. There are opportunities within the Regional Land Use Partnerships and Frameworks for this to be incorporated by identifying the appropriate land management objectives for any given area, This would allow for a more sustainable and integrated land use planning system across Scotland.

Policy 3 part b) could be bolder and require more from developers in line with the guiding principles of NPF4. All development proposals should contribute to biodiversity enhancement, but the greater the scale of the development, the greater the expected contribution that development makes to biodiversity enhancement should be. The greater material footprint of a development, the greater the

expected land use change and where land is being converted from a more natural state to built environment, so the requirement for biodiversity improvement should be high and if not discharged (e.g. through a land management and design approach for nature recovery) then the presumption should be to refuse that development.

In order for this policy to be effective local planning authorities must be given extra resources to hire specialist officers with experience in biodiversity and ecological science. Without this in-house ecological expertise, it is unlikely positive effects for biodiversity will be assessed and delivered. Evidence from RTPI shows that planning departments within local authorities have seen a 25% reduction in staff since 2009; and a recent survey of Scottish local planning authorities, issued by CIEEM, highlighted capacity concerns in ecological and planning staff. Lack of enforcement staff was also highlighted as a big concern with two-thirds of respondents rating it as a high or very high risk to their authority's ability to implement NPF4 and Positive Effects for Biodiversity (Report on Survey of Scottish Local Planning Authority Ecological Capacity and Expertise. Survey issued by CIEEM in collaboration with the Association of Local Government Ecologists).

The concept of developments delivering '*positive effects for biodiversity*' is mentioned only very briefly at the end of this policy, though it is mentioned elsewhere in the text. We would ask that greater clarity is provided about how developments' contributions to 'positive effects for biodiversity' will be assessed in a tangible, measurable and consistent way. Planning Policy Wales sets out how information gathered to inform Green Infrastructure Assessments can contribute to a robust approach to enhancing biodiversity, with data informing development management decisions and being used to indicate whether there has been a net gain or loss of biodiversity. We would encourage a similar approach to be adopted in the final NPF4.

Policy 4: Human rights and equality

Q26. Do you agree that this policy effectively addresses the need for planning to respect, protect and fulfil human rights, seek to eliminate discrimination and promote equality?

Previous research by SLA member, the National Trust for Scotland points to a disconnect between citizens and planning decisions. Local communities are best-placed to determine the needs of their area but while mechanisms currently exist for citizens to share their views, too often there is a feeling that local views are dismissed, contributing to mistrust of the planning system. For this policy to be successfully implemented, we believe measurements should be developed to better understand how well planning authorities, property owners and developers are engaging with citizens, particularly those from groups and communities who are harder to reach and where more effort and time may be needed to engender and support active, meaningful engagement.

Policy 5: Community wealth building

Q27. Do you agree that planning policy should support community wealth building, and does this policy deliver this?

Yes, we welcome the emphasis on a people-centred approach to local economic development. It is important that proposals for national and major developments also reflect these local ambitions and preferences. Previous research has highlighted that smaller scale restoration, repair and management contracts tend to go to smaller local contractors employing local people who themselves support local businesses and spend. The management, repair, renewal and retrofitting of our existing building stock and built and natural environment offer the possibility of growing community wealth assuming such contractors can transition to new ways of working to support climate action and the circular economy.

Policy 6: Design, quality and place

Q28. Do you agree that this policy will enable the planning system to promote design, quality and place?

Yes. However, “designed to a high quality” is not the same as designing to achieve “high quality development” and appropriate design alone will not guarantee good development given the complexities of procurement models, value engineering and the lack of development enforcement etc.

Perhaps this section should also reference and explain how sustainable design and circular economy thinking are now becoming critical factors in how we design.

It is important to recognise the impact new developments have on the existing environment, particularly in Conservation Areas and other heritage sites, and we welcome the intention of taking an inclusive, design-led approach.

Reference to the ‘six qualities of successful places’ is helpful. Development proposals should also be required to include plans for long-term management of the development. Ensuring maintenance and repair are designed in from the outset will help safeguard the character and sense of place, while also providing greater peace of mind to communities in terms of the capital and revenue investment required to design, build, and maintain places of high quality.

Contributors to Committee Evidence Sessions mentioned the challenges/delays caused by having to revisit design elements of planning applications at later stages of development. We feel reference to the role of Design and Review Panels, supported by Architecture and Design Scotland, could be made here, thereby encouraging design issues to be addressed at the pre-application stage helping to create a more efficient planning system which meets the needs of both communities and developers.

Liveable Places

Policy 7: Local Living

Q29. Do you agree that this policy sufficiently addresses the need to support local living?

Yes, we support this policy to deliver balanced development, where the mix of economic, social, cultural, and environmental assets in an area can support one another.

While it is noted the concept of 20 minute neighbourhoods will apply differently in urban and rural places, this policy could say more about how this concept can be adapted to support local living in rural settings.

Policy 8: Infrastructure First

Q30. Do you agree that this policy ensures that we make best use of existing infrastructure and take an infrastructure-first approach to planning?

Yes, subject to natural infrastructure being added to the definition of infrastructure reflecting the Infrastructure Investment Plan for Scotland 2021-22 to 2025-26. This would ensure that opportunities for investing in nature and coordinating the delivery of nature-based solutions into infrastructure projects are fully realised. An infrastructure-first approach that includes nature would secure ecosystem benefits that deliver on both climate and biodiversity terms.

We particularly welcome the reference directing LDPs and delivery plans to be informed by evidence on infrastructure capacity, condition, need, and deliverability. It is important that development proposals subsequently brought forward are only supported where it can be demonstrated the

capacity of existing infrastructure, including existing housing and built assets, will be able to absorb the development.

Policy 9: Quality homes

Q31. Do you agree that this policy meets the aims of supporting the delivery of high quality, sustainable homes that meet the needs of people throughout their lives?

Delivering quality homes must mean more than building new homes. Although NPF4 makes good mention of the reusing vacant and derelict properties, this policy could say more about the role of retrofitting and bringing back into use existing buildings to help deliver high quality, sustainable homes, along with maintaining and enhancing the social, economic, and environmental appeal of existing settlements.

The majority of homes that will exist in 2045 have already been built, and we would like to see this policy recognise and encourage a significant contribution to housing targets from existing empty homes and buildings (including empty buildings and upper floors in our city and town centres) not currently used for residential purposes being returned or converted to use as homes.

By placing a greater emphasis on existing homes, this policy would also be supporting emission targets by reducing the risk of embodied carbon being released (through demolition of existing buildings to make way for new developments) and contributing to the circular economy by helping to reduce construction waste. It will also protect other land uses, such as agricultural land.

SLA members who are also part of LINK have noted that policies aiming to deliver affordable housing by allocating generous amounts of land for all-tenure housing are flawed. These concerns are set out in greater detail within the LINK response, but can be summarised as follows:

- This approach continues to rely on the delivery of the majority of affordable and more diverse housing through the private sector, which does not deliver the proportion or variety of affordable housing desired.
- It is a very inefficient means of delivering housing in terms of land, because it relies on larger amounts of land to be allocated for housing, assuming that not all sites will be viable or deliverable. This makes it harder to deliver an 'infrastructure first' approach to housing, because it is not clear which land is going to be used, so upfront infrastructure cannot always be provided ahead of time.
- It is an inefficient means of delivering the level of affordable housing needed because it requires large amounts of housing land only a proportion of which will be used for affordable housing through section 75 agreements.
- It focuses on new-build to deliver housing rather than looking to reuse existing buildings.
- Over generous allocations will result in greenfield sites being used disproportionately as they are often more profitable to deliver than the more complex brownfield sites.

The policy hierarchy needs to be clear about the primacy of universal policies and particularly the significant weight given to the climate emergency with respect to housing developments.

Larger estates need to be designed and resourced as their own 20 min neighbourhood not merely "help to deliver" them.

The pandemic has highlighted how important adequate garden space is to support our physical and mental wellbeing. New homes should have adequate garden space provision and inclusive communal

areas for getting to know your neighbours, participation by all age groups, play and growing. It is important that greenspace is planned as part of the overall infrastructure and doesn't comprise space left over after development. Areas for food growing and gardens should be adequately drained and receive good quality soil to an appropriate depth.

In terms of householder development, there is growing concern about the use of artificial turf to replace domestic lawns. This destroys the soil and is detrimental to the biodiversity value of gardens. Cumulative impact could be significant should this trend continue. We suggest that the use of artificial grass should require planning approval, and this should only be granted where there is a good argument for its use, for example heavily-used, commercial sports facilities.

Policy 10: Sustainable transport

Q32. Do you agree that this policy will reduce the need to travel unsustainably, decarbonise our transport system and promote active travel choices?

We welcome this approach to decarbonising the transport system and reducing reliance on private cars. We would, however, query how this policy can successfully reduce reliance on private cars, particularly single occupancy private car use, given proposed changes to building regulations are set to require extensive provision of electric vehicle charging infrastructure both when building new developments and carrying out major renovations. While this will help reduce carbon emissions from vehicles, it does little to incentivise people to make better use of active travel options.

The planning system should have a role in marrying up development with existing transport networks to reduce the need for private car travel.

It is important that the design of active travel routes includes passive surveillance, as this will be crucial in addressing safety concerns and encouraging more people to have the confidence to walk, wheel and cycle more in their community.

It is important for social connectivity and wellbeing that disabled and elderly people can access their neighbourhoods, shops and other services, and this can be facilitated through good street design, including blue badge parking close to entrances, and provision of well-maintained street lighting, seating and toilets.

In terms of connectivity for people and nature, NPF4 should support the introduction of green bridges over existing and new infrastructure. Proposals were developed for a green bridge over the M74 as part of the Seven Lochs landscape masterplan.

Policy 11: Heat and cooling

Q33. Do you agree that this policy will help us achieve zero emissions from heating and cooling our buildings and adapt to changing temperatures?

As previously mentioned, the majority of homes that will exist in 2045 have already been built. Successfully implementing this policy will, therefore, rely heavily on retrofitting existing buildings, rather than focussing on new builds where connections to heat networks can be designed in from the start.

At 11e) Waste heat would create opportunities for locating glasshouses to support commercial and or community urban market gardening.

At 11i) in addition to the orientation of buildings and their design and construction to minimise overheating, this section should recognise how green blue infrastructure like urban woodlands, street trees, green walls and green roofs should be considered as a means to avoid the need for air conditioning.

Policy 12: Blue and green infrastructure, play and sport

Q34. Do you agree that this policy will help to make our places greener, healthier, and more resilient to climate change by supporting and enhancing blue and green infrastructure and providing good quality local opportunities for play and sport?

We support the direction of this policy, particularly the inclusion of effective management and maintenance plans. However, blue and green infrastructure should be seen as multifunctional spaces (not just play and sport) and not merely an added benefit but an integrated requirement for future planning and development and we would like this to be given far greater weighting and detail on how it will be implemented and enforced. Adoption of many nature-based solutions such as green roofs and green walls and communal spaces are essential. The final NPF4 should follow the lead of other countries and cities by mandating green roofs for developments of a certain size. This could create large urban parks, areas for play, space for urban growing and can be developed along with renewable energy, support city living, and contribute to 20 minute neighbourhoods.

Blue and green infrastructure needs to be planned, designed, implemented and managed using sound ecological and hydrological knowledge to ensure that such infrastructure delivers true benefits for biodiversity, drainage and other functions. This policy requires skilling up at all levels to ensure what is delivered thrives; something that is a struggle across parts of Scotland if we look at the survival and general health of urban street trees as an example.

It would be helpful for the Government to set this policy within the wider context of statutory access rights under the Land Reform (Scotland) Act 2003. While it is important that as many people as possible have access to high quality green and blue spaces close to where they live and work, the planning system also has a role in protecting access rights and future-proofing land for potential access provision. For example, a new planning application for a development on a greenfield or brownfield site may have a negative impact on informal routes across this ground which have been established over time and are much valued by the local community.

Similarly, there may be wilder areas of rough grassland or woodland on the site which are important for public enjoyment as well as for biodiversity. These routes are likely to be useful for local leisure or active travel purposes and should be protected, and at the same time, the planning system needs to be alert to opportunities to preserve land for potential future active travel or leisure corridors (or for biodiversity enhancement) on such sites.

Policy 13: Flooding

Q35. Do you agree that this policy will help to ensure places are resilient to future flood risk and make efficient and sustainable use of water resources?

Yes, we agree with the broad direction this policy, but its success will be dependent on the quality of the assessment and the infrastructure built to support its implementation. For example, when considering the risk of surface water flooding, to what extent will the changing climate and heavier short-term rainfall events across the lifetime of the development be taken into account.

We also support calls for the inclusion of green roofs as a drainage solution. Green roofs slow the flow of water to the sewerage system, insulate buildings, and reduce the need for heating and cooling

required throughout the year, thus supporting the policies on heating and cooling and green infrastructure. This would create additional opportunities to improve water management, energy use, and if designed correctly, biodiversity.

This policy also sits alongside Policy 33: Peat and carbon rich soils, as restoring and keeping such areas healthy, within the water catchment, can help alleviate downstream flooding issues as well as enabling carbon sequestration. Similarly, creating and restoring habitats such as ponds, wetlands and woodlands can also help reduce run off, flood risk and contribute to a Scotland wide nature network. The policy would however benefit from a definition of natural flood risk management to clarify it is a strategic, catchment-based approach that protects and uses natural and systems and habitats (with any intervention in line with natural process) and promotes soft engineering techniques that can hold flood water.

Although the policy seems directed to supporting systems and measures that also benefit people and nature, this is not clearly articulated in the policy and is unlikely to result in effective results in practice. This policy should state that when designing natural flood management systems, early consideration should be given to how they can contribute to wider aims including Local Biodiversity Plan priorities and helping the delivery of positive effects for biodiversity, by highlighting the part that flood management should play in enhancing nature networks, creating new habitats, combating climate change and mitigating the effects of climate change. As well as providing valuable habitats themselves, for instance a well-designed pond, they can act as valuable 'stepping stones', connecting other habitats as part of green or natural infrastructure and as part of a wider nature network.

Policies 14 and 15: Health, wellbeing and safety

Q36. Do you agree that this policy will ensure places support health, wellbeing and safety, and strengthen the resilience of communities?

The health of our natural environment is integral to human health and should be given greater consideration within the planning system. While some of these issues are covered in later policies under the theme of Distinctive Places, it is important that the health of our natural environment is considered alongside human wellbeing. For example, action to ensure soil and water quantity and quality, and recognising that woodland and plantlife are important for ensuring air quality and limiting pollution.

This policy does not go far enough to recognise the role of local landscapes and greenspace to human wellbeing. In terms of human wellbeing, we know that only a third of households in the most deprived urban areas of Scotland say there is a natural environment or wooded area in their neighbourhood. Additionally, the value of our landscape is poorly understood (especially at a local authority level) and investment in landscape is not a priority (parks and green infrastructure delivery and management are not a statutory function) and local people have very little say in their local greenspace. By recognising the importance of landscape and naturalness to health and by investing in place, using traditional and innovative funding models, we can do much to improve Scotland's health and wellbeing.

While we welcome the reference to supporting developments which would allow for community food growing and allotments, Provision for community food growing and allotments can help support habitat restoration as well as complementing efforts to improve human health and wellbeing. We would recommend tightening the language in policy 14 e) to prevent developers using it as a loophole for inappropriately sited development, which may undermine the resilience of communities in the longer term.

Productive Places

Policy 16: Land premises for business and employment

Q37. Do you agree that this policy ensures places support new and expanded businesses and investment, stimulate entrepreneurship and promote alternative ways of working in order to achieve a green recovery and build a wellbeing economy?

The pandemic has undoubtedly altered the way in which we work, and indeed where we work with many more of us being able to take advantage of home and hybrid working patterns. This will have an impact upon and create new opportunities for business and employment consistent with the principle of 20 minute neighbourhoods. It is therefore welcome to see Policy 16 part f) recognise the need to avoid unacceptable impacts on the surrounding area, including the natural environment.

We also welcome the inclusion in part g) of the need to take account of historic environment assets.

Policy 17: sustainable tourism

Q38. Do you agree that this policy will help to inspire people to visit Scotland, and support sustainable tourism which benefits local people and is consistent with our net-zero and nature commitments?

We agree that the planning system has an important role to play in the recovery of Scotland's visitor economy and the encouragement of sustainable tourism.

This should consider the impact on communities, and ancillary services and the impact on the cultural and natural assets which are the basis of the visitor economy, and we are pleased to see reference to these assets within the policy preamble. Tourism developments should be assessed on a long-term basis to ensure that they are environmentally, socially, and economically sustainable.

While more detail will be required to inform developers and decision-makers, it is noted that development proposals in pressurised areas should only be supported "if satisfactory measures are proposed to alleviate existing pressures and prevent further adverse impacts". The final NPF should clarify what it is meant by "satisfactory measures" in this circumstance. This will be crucial in reducing impacts on communities, and natural and cultural assets, as well as encouraging visitor activity to be spread more evenly across Scotland.

Given the important role of Scotland's landscape and historic environment and cultural heritage play within our tourism industry, the definition of "environment" as used in Policy 17 part c) should be expanded to explicitly reference landscape, natural and historic environment in order to avoid any confusion in interpretation.

Policy 18: culture and creativity

Q39. Do you agree that this policy supports our places to reflect and facilitate enjoyment of, investment in, our collective culture and creativity?

Culture is key to our sense of place and identity, extending beyond the creation of "productive places". We would like to see the value of cultural assets, including our cherished landscapes, parks and gardens included throughout NPF4, offering better recognition of the benefits they offer not only to the economy, but also for people's health and wellbeing.

Policy 19: Green Energy**Q40. Do you agree that this policy will ensure our places support continued expansion of low-carbon and net zero energy technologies as a key contributor to net zero emissions by 2045?**

We support the switch to renewable energy and believe that, with better planning, this can be achieved in a way that complements rather than conflicts with other national priorities, including nature restoration. A national priority to significantly increase renewable energy generation in Scotland and measures that reduce the time taken to deploy a mix of renewables across Scotland should not come at an additional cost to Scotland's landscape and its biodiversity (which is already in crisis) or result in extensive loss of nationally important carbon stores, most notably, Scotland's peatlands and agricultural soils. An updated process would need to balance expediency with democratic engagement processes, environmental protection legislation and opportunity for public scrutiny while considering all new developments against the need to reduce our overall energy demand.

It is welcome that nationally significant landscapes, such as our National Parks and National Scenic Areas, continue to be protected from wind farm developments, however, we would like to see greater consideration of the impact renewable energy infrastructure has on other national, international, and regional designations (wild land, nature reserves, peatlands). We support the full list of considerations in Policy 19k) and the inclusion of wild land impacts within this list.

It would, however, be helpful for the final NPF4 to incorporate spatial infrastructure plans and locational guidance to support these considerations, to avoid creating unnecessary tension between nature, heritage and renewable energy developments.

Policy 20: Zero Waste**Q41. Do you agree that this policy will help our places to be more resource efficient, and to be supported by services and facilities that help to achieve a circular economy?**

We welcome prioritisation of waste prevention and the further development of a circular economy. We welcome the statements within Policy 20 parts b) and c) which place emphasis on salvaging and reusing materials wherever possible. We would, however, encourage stronger wording of this policy by changing "should" to "needs to", or similar, under points a), b), c), and d).

Policy 21: Sustainable Aquaculture**Q42. Do you agree that this policy will support investment in aquaculture and minimise its potential impacts on the environment?**

Planning authorities have an important role to play in managing the impact aquaculture developments have on the natural environment, but this will require the expertise and capacity to do so.

With regard to Policy 21 a), we consider that local development plans should guide future fish farm developments based on the environmental capacity of the marine environment, including the cumulative impact of other fish farms and other marine activities in the region. The precautionary principle should be applied, with environmental objectives prioritised over economic objectives, as failing to do so will likely undermine wider efforts aimed at addressing the decline in marine biodiversity.

We welcome recognition in part c) that compliance with regional marine plans will form part of the decision-making framework alongside the local development plan, and the National Marine Plan. With regional marine plans still in development across Scotland's 11 marine regions, planning authorities should be encouraged to seek advice and views from bodies likely to be involved in Marine Planning

Partnerships. This will help ensure consistency of decision-making ahead of statutory marine plans being put in place.

To further support the consistency of decision-making, it would also be helpful for this policy to set out the conditions for when development proposals for aquaculture should not be supported. For example, we ask that this policy be explicit in stating that development proposals should not be supported if they are sited within a protected area.

Policy 22: Minerals

Q43. Do you agree that this policy will support the sustainable management of resources and minimise the impacts of extraction of minerals on communities and the environment?

We agree with taking a precautionary approach to mineral extraction and generally support the intentions of this policy.

Policy 22 d) states that development proposals should be supported where they “will not result in adverse impacts on biodiversity and the natural environment, sensitive habitats and the historic environment, as well as landscape and visual impacts”. While we welcome efforts to safeguard the historic and natural environment, we feel proposals should be required to demonstrate how adverse impacts will be prevented prior to planning permission being granted.

Policy 23: Digital infrastructure

Q44. Do you agree that this policy ensures all of our places will be digitally connected?

We agree that the planning system should support the rollout of digital infrastructure across Scotland, but the design and siting of such infrastructure needs to be sensitively managed, particularly in and around landscapes of local, regional, or national significance. In this respect, we welcome Policy 23 part d) stating that development proposals for telecommunications development should be supported when “the visual and amenity impact of the proposed development has been minimised through careful siting, design, and where appropriate landscaping”. This condition should be in place for all digital infrastructure.

Distinctive Places

Policies 24 to 27: retail, town centre living

Q45. Do you agree that these policies will ensure Scotland’s places will support low-carbon urban living?

We support the principle of balanced development, where the mix of economic, social and environmental and cultural assets in an area support one another.

We are generally supportive of the presumption against edge-of and out-of-town retail developments, which will encourage revitalisation of our town and city centres, minimise urban edge spawl and safeguard adjacent farmland and countryside.

We welcome the reference in Policy 25 b) giving consideration to the location and design of retail stores. This is of particular importance to preserving the character of our rural settings, as well as designated conservation areas. We feel this policy could be strengthened by being more explicit about the adaptation and reuse of existing town centre sites, and the role this can play in deterring proposals for out-of-town developments.

Creating more opportunities for people to live closer to a range of amenities will be crucial to the successful implementation of 20-minute neighbourhoods. We would, however, caution that where

new residential developments are being considered to expand town centre living, this must not lead to the loss of valuable (and often limited) greenspace and sports grounds within town centres.

Policy 28: Historic Assets and Places

Q46. Do you agree that this policy will protect and enhance our historic environment, and support the reuse of redundant or neglected historic buildings?

We welcome the preamble to this policy, which recognises the wide range of benefits the historic environment can deliver.

We are, however, concerned that combining spatial strategy with planning policy has led to less detail being provided to guide decisions affecting historic assets and places. For example, there is no reference to Historic Environment Records, or their critical role in the planning system in identifying and valuing local heritage (Section 140 of the current Scottish Planning Policy 2014). Most heritage is undesignated, though still of value, and Historic Environment Records provide recognition of these assets. Reference to Historic Environment Records could be incorporated into Policy 28 part b).

The section also lacks signposting to other important documents, for example: Historic Environment Policy for Scotland, Planning Circular 9/2009: memorandum of guidance on listed buildings and conservation areas, and Planning Advice Note 2/2011: Planning and archaeology.

On the surface, while the headline policies to protect and enhance the historic environment have been maintained from the existing Scottish Planning Policy (SPP), if this is to be a truly transformative and ambitious framework, maintaining the status quo will not be enough to fully safeguard our built and natural heritage for current and future generations.

NPF4 offers an opportunity to strengthen the protection of listed buildings beyond what has been set out in Policy 28 part c) notably a stronger presumption against demolition of listed buildings, as there is in England, where demolition is only permitted in 'wholly exceptional' circumstances for the most valuable assets (e.g. Category A listed buildings).

Battlefields form an important part of our nation's history and are key to our sense of culture and identity, but development proposals such as the Viewhill housing scheme on the designated battlefield at Culloden demonstrate that the planning system requires more robust measures to adequately protect and enhance the key landscape characteristics and special qualities of these culturally significant assets. The revised NPF4 is an opportunity to place greater emphasis on the conservation of battlefields, which once lost to development, cannot be replaced.

The protection of setting is important, and the text - particularly through Policy 28 parts g) to l) – should provide a clearer explanation of the setting of historic sites and areas. There are many occasions where development is proposed or occurs outside the boundary of conservation areas, and other heritage sites, which will have a negative impact on the setting of the heritage site, either through inappropriate height, density or design. The final NPF must be clearer that development located outwith these protected areas may have an impact on them and that this will be a material consideration; where development is considered to have a negative impact NPF4 should be clear this will not be supported.

Finally, we welcome recognition of the many social, environmental and economic benefits the historic environment offers to the communities in which they are located and wider society, however, we feel this recognition could be strengthened by the planning system taking a more proactive approach to

the conservation and enjoyment of our heritage assets. This is an approach that is already being embedded in England's planning policy where the deteriorated state of a heritage asset should not be taken into account in planning decisions, where this is the result of deliberate neglect or damage (Section 196 of the National Planning Policy Framework for England).

Policy 29: urban edges and the green belt

Q47. Do you agree that this policy will increase the density of our settlements, restore nature and promote local living by limiting urban expansion and using the land around our towns and cities wisely?

Yes, we agree with the direction of this policy but suggest it could go further.

While we support the description of Green Belts in this section, we are concerned that the list of exceptions to the presumption against development (Policy 29 part b) is longer than that included in SPP. We would urge that more detail is provided to understand how decisions to protect and make use of green belts will be taken in practice.

Where the provision of essential infrastructure (electricity grid connections, telecom masts etc) is proposed on Green Belt land, we would encourage the use of conditions to ensure the beauty of the surrounding landscape is preserved as far as is reasonably possible. The creation of new Green Belts, and improved management arrangements for existing Green Belts, should also be considered as these areas become increasingly important for amenity, biodiversity, food production, and containing urban sprawl.

Much of our urban fringe is visually and physically degraded and there is an opportunity to map these degraded areas and develop new positive and creative visions for such landscapes, co-constructed with communities and public, private and civic society landowners, and informed by accurate information on their extent and recognition of their potential to deliver on public policy priorities.

Policy 30: vacant and derelict land

Q48. Do you agree that this policy will help to proactively enable the reuse of vacant and derelict land and buildings?

The SLA welcomes the aims of this policy for the reuse of vacant and derelict land.

We support the proposal for local development plans to seek to reuse vacant and derelict land as a priority, on the condition that a full assessment is made of the contribution existing brownfield sites make to biodiversity.

Policy 31: rural places

Q49. Do you agree that this policy will ensure that rural places can be vibrant and sustainable?

While we are broadly supportive, this policy could be strengthened by articulating the vital role rural places can make to the transition to a net zero, nature positive society and economy.

The policy should also reference the Land Use Strategy, development of Regional Land Use Partnerships and Frameworks, Good Food Nation legislation and Just Transition plans for the rural economy. The current discussions on agricultural transition and wider land-use policy must be taken account of in the final NPF4, including consideration of the role that planning can play in supporting the transition of land use toward a nature-positive and net-zero future.

There should also be some discussion on how 20 minute neighbourhood concepts would need to be adjusted for rural towns and villages and on how communities can be made more resilient to climate change. This recent winter has highlighted how fragile energy and water supplies and flash floods have impacted heavily on rural villages in recent years.

To ensure consistency with the policy on historic assets and places, we would also recommend including the historic environment alongside reference to the natural environment in Policy 31 part d), given the benefits historic assets can play in local, rural economies.

Policy 32: natural places

Q50. Do you agree that this policy will protect and restore natural places?

The focus on restoring and enhancing our natural places in this policy is very welcome, as is the restated commitment to nature-based solutions and nature networks. Protecting and conserving the natural environment is fundamental to ensuring Scotland's resilience to and mitigation of climate change and biodiversity restoration. The SLA continues to call for better landscape protection. We believe this can be best delivered by developing a new statute based on best international practice (as for example developed by the IUCN World Commission on Protected Areas) setting out a basis for protection based upon the benefits and co-benefits offered by landscapes towards other public goods.

We believe that NPF4 should enable the planning system to improve the management of our natural places. With only around 18% of land in Scotland currently protected for nature, doing so would protect habitats, support the responsible human enjoyment of nature and make a significant contribution to the target of protecting 30% of land for nature by 2030 (30by30).

We feel NPF4 as drafted has missed the opportunity to strengthen the protection of designated sites, for example by granting National Scenic Areas equal status with National Parks.

It is particularly important that actively resourced management plans (including landscape and biodiversity management) are put in place to ensure designations are protected. These management plans must also be equipped with tools to monitor and enforce their implementation.

Protected areas should not be viewed in isolation but as core elements in a more effectively managed wider network in the landscape. Policy and practice of landscape management beyond protected areas needs to be factored into the wider goals of better serving biodiversity, climate and local, national and international communities. There are opportunities for this within the Regional Land Use Partnerships and Frameworks by identifying the appropriate land management objectives for any given area. This would allow for a more sustainable and integrated landuse planning system across Scotland

It is good to see Policy 32 h) reference the 'precautionary principle', however, its inclusion in previous iterations of planning policy has not prevented developments being approved which then resulted in damage to and degradation of designated areas. Where impacts on nationally or internationally significant landscapes or natural heritage assets are uncertain, we feel there should be a strong presumption against development in order to adequately preserve these irreplaceable sites.

The SLA supports the presumption against development in Scotland's wild land, as stated in Policy 32 part i). This policy fits with the infrastructure first approach required by Policy 8, as wild land areas by their definition and nature, do not have any infrastructure in them that could support large scale development. We are, however, concerned that "cannot be reasonably located outside of the wild

land area” is open to interpretation and to ensure consistency of decision-making, we suggest adjusting the wording to make it clear that development plans should protect wild land areas.

While we welcome that there is no downgrading of existing protections, we would highlight that Policy 32 contains little that improves upon the protections in NPF3 and existing Scottish Planning Policy. The draft document rightly highlights the importance of delivering for climate and nature throughout, but this is another area where delivery has yet to be realised. Again, integrating NPF4 with other relevant areas of government activity, such as the national biodiversity strategy, would see a more holistic approach to planning and delivery.

As with other parts of the draft NPF4, there is a loss of information as a result of combining the spatial strategy with planning policies. The current SPP makes explicit reference to the four aims of national parks, stating that where there is conflict between the first aim (to conserve and enhance the natural and cultural heritage of the area) and any of the others, greater weight must be given to the first aim, yet this statement is absent from the draft document (stating simply that “planning decisions for development within National Parks must be consistent with the National Parks (Scotland) Act 2000). To reinforce NPF4’s commitment to protect, restore and enhance Scotland’s natural assets, we suggest reference to the specific aims, and their weighting, be reinstated in the final document.

Policy 33: soils

Q51. Do you agree that this policy protects carbon rich soils and supports the preservation and restoration of peatlands?

The UN 2030 Agenda for Sustainable Development aims to halt the world’s net land degradation recognising that healthy soils are both a natural resource and a public good underpinning sustainable development. The targets of the 2030 Agenda for food, water and energy security, biodiversity conservation and climate change mitigation all hinge on healthy soils. Whilst we are encouraged that the critical role peat and carbon rich soils play in addressing the climate emergency and reversing biodiversity loss has been recognised in the draft NPF4, we believe that NPF4 should be more explicit in recognising the need for all soils to be protected from loss and damage because of development and for development to promote land practices which preserve or restore soil biodiversity.

We urge that the language in Policy 33 part (c) is strengthened. Scotland’s peatlands cover more than 23% of the land and form an important habitat, capable of storing carbon while giving a home to many wildlife species. The UK Committee on Climate Change has been unequivocal about the critical role of peatland restoration in meeting Scotland’s net zero target. They are one of our country’s most important natural habitats. The policy as drafted leaves a concerning amount of leeway over what development would be acceptable on peatland and carbon rich soils. It is concerning that a number of exemptions are proposed for new commercial peat extraction, specifically, the exemption on peat extraction that is to ‘support an industry of national importance to Scotland’ is vague. It is imperative that more detail be included of how ‘national importance’ would be determined to avoid this acting as a future loophole to restrictions.

Carbon rich agricultural soils are important to climate change and for our food security, and going forward, we need better alignment between planning and land use, and agricultural support measures that will safeguard soil volume and soil biodiversity.

Policy 34: Trees, woodland and forestry**Q52. Do you agree that this policy will expand woodland cover and protect existing woodland?**

We welcome recognition of the role woodland and forests play in nature networks and strongly agree that development decisions should take into consideration the possibility of extending existing woodland.

The new protections the policy will give to ancient woodlands and veteran trees is particularly welcome. This is a considerable improvement on the ambiguity of the current SPP and does have the potential to eliminate inappropriate development as a threat to ancient woodlands, and ancient and veteran trees. However, to allow planners and developers to comply with these policy changes the following actions will be required:

- Scottish Government must fulfil the SNP manifesto and Programme for Government commitment for an ancient woodland register so that the current Ancient Woodland Inventory (AWI) can be updated and made fit for purpose.
- Local authorities must be resourced with biodiversity and arboricultural officers associated with their planning departments.

We also support the inclusion of a definition of ancient woodland to be added to the Glossary.

In addition to these points, we would also ask that consideration be given to strengthening Policy 34 part b) to include reference to orchards and 34 part c) by making it compulsory for compensatory planting to take place where development results in the removal of woodland; any compensatory planting should use predominantly native species.

Policy 35: Coasts**Q53. Do you agree that this policy will help our coastal areas adapt to climate change and support the sustainable development of coastal communities?**

We welcome the emphasis on the role nature-based solutions play in building resiliency for coastal communities and assets. We do, however, feel there should be greater recognition that undeveloped coastal areas will rarely be an appropriate location for new development and there should be a stronger presumption against development in such areas. In this regard, the approach in the national planning policy for Northern Ireland is worth considering.

The protection and recovery of the marine environment is vital to providing long-term sustainable development of existing coastal communities. The National Marine Plan should act as the primary guidance for all coastal development. In addition, development proposals, including offshore developments, should take account of a Blue Economy Strategy that is based on principles of sustainability and recognises environmental limits, and on the aims of the Future Fisheries Management strategy to deliver sustainable fisheries.

Greater emphasis should be placed on protecting and restoring Scotland's blue carbon habitats as a nature-based solution. Our coasts have a significant potential for restoration of key habitats, such as seagrass, saltmarsh, native oysters, seaweeds and sediment communities, that can help meet net-zero targets and also offer opportunities for community engagement, improved health and wellbeing and socio-economic regeneration.

Communities around Scotland are already leading the way with several restoration projects. The planning policy should support delivery of the revised National Marine Plan and drive increased protection and restoration of blue carbon habitats around the Scottish coastline.

Part 4 – Delivering our spatial strategy

Q.54 Do you agree with our proposed priorities for the delivery of the spatial strategy?

Aligning resources - A collaborative approach with the Place Principle at its heart will be required to ensure the successful delivery of the spatial strategy, and we welcome the intention of this approach. For this approach to be successful, the relationship between Regional Growth Deals and development plans needs to be agreed, explicit and clearly understood to avoid them being pulled in different directions. The final NPF should state clearly that growth deals should reflect spatial strategies and emphasise the need for a reciprocal and iterative relationship between strategic development plans and growth deals over time.

Infrastructure first - It is encouraging to see an infrastructure-first approach being embedded in national policy. It would, however, be helpful for the final NPF4 to be able to link directly to the regulations and guidance supporting the implementation of this approach. Looking ahead, there needs to be a process where by grey, green and blue infrastructure networks can be 'knitted together' to ensure linkage nationally, regionally and locally. This will require a multi-disciplinary working across plan and project boundaries to maximise outcomes for people, place and nature.

Whilst this policy is focused on up-front delivery there should also be effort into understanding and investing in revenue spend to manage resources longterm following their creation.

Development Plan Policy and Regional Spatial Strategies - Local Place Plans are important to empower and support community engagement with the planning system. With Planning Circular 1/2022: Local Place Plans having now been published, it would be helpful for this to be linked to NPF4. As further guidance on Local Place Plans continues to be developed, we feel this should include a recommendation for developers to respond to ambitions set out in LPPs, while enhancing their status within Local Development Plans.

The use of planning obligations will assist in further embedding the infrastructure-first approach. Developer contributions and the introduction of an infrastructure levy in Scotland could be a useful tool, however, greater detail will be required to provide clarity for planning authorities, communities, and developers. The draft NPF4 makes reference to a review of developer contributions, which will be used to inform the use of new powers introduced in Planning (Scotland) Act 2019; it is essential that the outcome of this review be incorporated into the final NPF4 to provide a clear framework of delivery. The introduction of the Community Infrastructure Levy (CIL) in England and Wales has faced criticism for the administrative burden placed on local authorities, which has resulted in a lower uptake and less funding raised from the levy than originally anticipated. We would ask that the Scottish Government reflects on how a similar situation can be avoided should an infrastructure levy for developments be introduced in Scotland.

Recognition that planning authorities need to be better resourced is welcome. While increases to planning fees, and the use of measures such as an infrastructure levy, can support the financial situation of planning authorities, further investment will also need to be made in fully resourcing planning departments with the skills necessary to make good, consistent decisions.

Research published by 'Partners in Planning' shows that 29 of the 34 planning authorities have experienced significant reductions in staff since 2013/14, caused by financial constraints and efficiency savings measures. This has created a challenge for planning authorities as they can no longer afford to employ specialists, such as conservation officers, landscape architects, biodiversity officers, access officers and now rely on planners to have a broad range of skills and expertise. This is not conducive to multi-disciplinary working and effective development planning and management.

Revising planning fees may be the first step in addressing the decline in capacity of planning authorities, but action will also be required in both the short and long term to encourage new entrants into this sector, as well as ensuring those already working in our planning authorities are equipped with the specialist skills and experience to deliver consistent decisions.

Monitoring - In developing better measuring planning performance, we continue to recommend measures of effectiveness are prioritised. Rather than focussing on how quickly applications are processed and determined, monitoring should be focused on whether the right decisions are being made. This will enable a more robust assessment of NPF4's progress to achieve national outcomes.

Monitoring also requires appropriate longitudinal data to be managed and analysed. In this respect, we believe we need to define appropriate landscape quality standards and indicators to deliver positive health and wellbeing, environmental outcomes to address climate change action and biodiversity, and inclusive growth and reduced inequalities. This includes mapping degraded landscape (urban, rural and coastal) to inform decision-making.

Behaviour change – We believe that NPF4 needs to be supported through a wide-ranging approach to change behaviours if we are to address the climate and biodiversity emergencies at any think like the pace required. This will require investment in communications, education and engagement, and in incentivisation to encourage change. We can look to the Green City, Clean Waters programme of local laws and tax breaks delivered a rapid reduction in unused, non-permeable surfaces to help address surface water management issues. Behaviour change takes time, and this should be an urgent priority for Government so that the policy ambition in NPF4 is supported by communities, landowners and developers.

VAT – The Scottish Government should maintain dialogue with the UK Government around the levelling up (or down) of VAT to remove the unfair bias toward new build capital projects versus repair and renewal of existing buildings.

Q55. Do you have any other comments on the delivery of the spatial strategy?

The success of NPF4 will rely on the quality of associated guidance, and a number of methodologies, plans, and guidance will need to be updated to support planners in the delivery of this framework. These include:

- Scotland's National Marine Plan (2015)
- Designing Streets (2010)
- Creating Places (2013)
- Development Planning and Management Transport Appraisal Guidance (2011)
- Town Centre and Retailing Methodologies (2007)
- Historic Environment Scotland Managing Change Guidance Notes

We would also like to see the Historic Environment Policy for Scotland incorporated into Part 3 of NPF4. Guidance affecting the historic environment, including HES Managing Change, should continue to be material matters in the consideration of planning applications, and must therefore clearly signposted in the final NPF4 document.

It is essential that a clear and articulated understanding of where NPF4 sits within the wider policy landscape should be included.

Part 5 - Annexes

Annex A – NPF4 Outcomes statement

Q56. Do you agree that the development measures identified will contribute to each of the outcomes identified in Section 3A(3)(c) of the Town and Country Planning (Scotland) Act 1997?

We would prefer to see how the application of the NPF supports the delivery of the UN Sustainable Development Goals and their targets along with the National Performance Framework outcomes. To further support this approach, there is a need to develop and report on national indicators for landscape within the National Performance Framework.

Part f) securing positive effects for biodiversity refers back to Policy 3: Nature Crisis stating “development plans and proposals that contribute to the enhancement of nature networks should be supported in principle”. This statement is misleading as the wording of Policy 3 does not explicitly state this. Additionally, we would note that development plans cannot be “supported in principle”, particularly when the development plan will include the NPF4 itself.

We support the delivery of positive effects for biodiversity through the planning system and NPF4 must provide the policy to ensure this can be successfully delivered. For the final NPF, the wording should be strengthened to ensure the opportunity to deliver positive effects for biodiversity is not missed.

Annex B – Housing numbers

Q57. Do you agree with the Minimum All-Tenure Housing Land Requirement (MATHLR) numbers identified above?

The proposed housing targets stand in isolation from the rest of the text, and it is essential that any substantial new housing developments come forward as part of the Local Development Plan. This will help ensure that environmental and social interests are considered, and adverse outcomes are avoided.

Annex C – Glossary of definitions

Q58. Do you agree with the definitions set out above? Are there any other terms it would be useful to include in the glossary?

We would recommend the following additions/amendments to the Glossary:

- Expand the definition of “nature network” to include reference to nationally and internationally important landscape types, i.e. Wild Land.
- Include a definition of “ancient woodland” to support consistency in the application of Policy 34.
- For the definition of “green infrastructure”, the list of green features should be included as is the case for the definition of blue infrastructure.
- The definition of “ecosystem services” should include the range of benefits derived from ecosystems in the final document.
- Definitions of National Nature Reserves, National Scenic Areas, Ramsar sites, and Sites of Special Scientific Interest should all be included.

- Definition of National Parks should be included in full.
- The European Landscape Convention should be included and the 5 Principles:
 - **All landscapes** - Every landscape is important because everyone has a right to live in and enjoy the benefits of vibrant surroundings.
 - **Shared landscapes** - Scotland's landscapes are a common asset and everyone has rights and responsibilities for looking after them.
 - **Your landscapes** - People and communities should always be involved in decisions that shape their landscapes.
 - **Understanding landscapes** - Decisions need to be based on understanding and awareness of both the cultural and natural dimensions of our landscapes.
 - **Dynamic landscapes** - Landscapes will continue to change, but change needs to be informed and managed to ensure they remain resilient.
- Multifunctional landscapes should be included and defined by the delivery of multiple benefits (climate and food resilience/ community cohesion/ health & wellbeing/ energy/ education/ economy).