

Planning Committee

2.00pm, Wednesday, 3 February 2021

Scottish Government Position Statement on National Planning Framework 4 – City of Edinburgh Response

Executive/routine	Executive
Wards	All
Council Commitments	1, 2, 4, 10, 11, 12, 18, 26

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 notes the Scottish Government's Position Statement on National Planning Framework 4 (NPF4);
 - 1.1.2 notes that the Ministers see this as a consultative document that does not replace National Planning Framework 3 (NPF3) and that only once NPF4 is adopted by Scottish Ministers will that be the case;
 - 1.1.3 approves the proposed response to the consultation (Appendix 1) setting out the Council's broad support for the policy proposals set out in the Statement, with the provisos set out in the Appendix, including that the Position Statement be considered a significant material consideration; and
 - 1.1.4 agrees that the proposed response be submitted to the Scottish Government by 19 February 2021.

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Scottish Government Position Statement on National Planning Framework 4 – City of Edinburgh Response

2. Executive Summary

- 2.1 The purpose of this report is to seek approval for a supportive response to the Scottish Government's Position Statement on NPF4 as set out in Appendix 1.
- 2.2 This supportive approach includes suggestions in respect of strengthening proposed policies and that there should be urgency to give weight to the Position Statement as the Scottish Ministers' direction of future policy frameworks at all levels of the planning system.

3. Background

- 3.1 National Planning Frameworks (NPFs) should be updated every five years.
- 3.2 The most recent, NPF3, was published in 2014.
- 3.3 Work on NPF4 has been held back due to the Covid-19 pandemic and the need for the Scottish Government to address other significant matters.
- 3.4 In the interim, the Planning (Scotland) 2019 Act was approved and put the NPF on a different foundation, as a statutory part of the development plan which informs regional Spatial Strategies and Local Development Plans and has regard to them.
- 3.5 The Position Statement is published for comment and makes reference to NPF3 remaining in place until Ministers adopt NPF4.
- 3.6 The legislation also provides that a reviewed Scottish Planning Policy will form part of NPF4.

4. Main report

- 4.1 The Scottish Government seeks comment on the policy measures set out in the Position Statement to inform the draft NPF4.
- 4.2 The direction of the Position Statement reflects many of the themes and considerations of Council decisions, particularly on action to address climate change and inequality.

- 4.3 The direction of the Statement also reflects those agendas as set out in the Council's draft City Mobility Plan and in the preferred approach of Choices for City Plan 2030.
- 4.4 However, whilst it is recommended that Committee approve a response broadly supportive of the Position Statement it is also recommended that a number of key points are made over concerns at the framing and content of it.
- 4.5 This raises a concern that, whilst the direction of travel expressed in the Statement is appropriate, the qualification that no decisions have yet been made and that until NPF4 itself is adopted by Scottish Ministers then NPF3 remains in force means standstill in the planning landscape.
- 4.6 Whilst it is intended that NPF4 be adopted and come into force in 2022, the effect of the Position Statement being no more than a consultative document with little or no weight would mean that any plans or policies made in the interim would have to accord with NPF3 rather than the considerations of the Statement. For the Council, this means that careful consideration would need to be given as to how preferred approaches from Choices which go beyond NPF3 and current Scottish Planning Policies (SPP) could be framed and how they will be considered at Examination of the proposed plan.
- 4.7 The potential effect for this and other plans is that forward looking policies essential to the delivery of climate change action and other agendas could be seen to be pre-emptive.
- 4.8 Any delay to the introduction of such policies would mean a delay to them having effect on the ground and shaping development.
- 4.9 Given the declaration of a climate change emergency by the Council and the Scottish Government and the relative proximity of carbon neutral targets, then it is essential that national policy change begins to inform plans and policies as soon as possible. It is therefore recommended that Ministers ensure that the Statement is given the weight that the climate emergency requires.
- 4.10 In more detailed analysis it is clear that whilst the Council's existing decisions and policies mean it can support the policy agenda of the Statement, there are a number of areas where policy is framed as being supportive of change rather than requiring it. That support can be given under existing national policies. For new policies to be effective it is essential that they require the changes that will ensure that development will have the desired outcomes rather than simply support them.
- 4.11 Therefore, the response set out in Appendix 1 refers to where policies should be framed to require actions rather than support them. With that broad change, what is set out in the Statement would affect change rather than just suggest it.
- 4.12 The draft response as set out in Appendix 1 also notes where it is recommended that that the Council propose changes in detail as to how the Statement is taken forward. Those proposed changes in detail also seek to reinforce the shared agendas of the Council and the Scottish Government as expressed in the Position Statement.

5. Next Steps

- 5.1 Subject to approval of the proposed response this will be submitted to the Scottish Government as the Council's formal response on this consultation. Officers will continue to promote these principles to the Government, including through any post-consultation process which follows.

6. Financial impact

- 6.1 This report has no direct financial impacts. There is the potential for resource pressures on the Council's Planning and other Services to lessen where there the plan-led system is robustly supported by Scottish Government policy, including National Planning Framework.

7. Stakeholder/Community Impact

- 7.1 The content of the Position Statement have been arrived at through engagement with stakeholders throughout 2020 and the Government now seeks comment on it.
- 7.2 The Scottish Government's proposals are clearly set out and communicated, allowing all stakeholders the opportunity to comment further.
- 7.3 There are no direct sustainability impacts arising from this report.
- 7.4 Any required assessment of impacts would be addressed by the Scottish Government.

8. Background reading/external references

- 8.1 [Scotland's Fourth National Planning Framework Position Statement](#)

9. Appendices

- 9.1 Appendix 1 – draft Response to Scotland's Fourth National Planning Framework Position Statement.

Appendix 1 - City of Edinburgh Council – Response to the Scottish Government’s Scotland’s Forth National Planning Framework Position Statement

Overall the Council welcomes the policy principles and direction of travel of the Position Statement. The Council considers that the climate change issues which lie at the heart of the document are such that the policies which form National Planning Framework 4 and its revision of Scottish Planning Policy must be firm and prescriptive whilst allowing for local circumstances and must be brought into play as significant material considerations in the planning system as soon as possible. Further detail of this is given in the responses to each of the questions on the Statement.

1. Do you agree with our current thinking on planning for net-zero emissions?

The Council agrees with the aspiration for net zero emissions, though itself seeks to achieve this by 2030 rather than 2045 and suggests that the target be revised. Recent evidence on climate change and its impacts suggest there is a need for action now and the issues arising from the current pandemic supports this. The Council agrees with the focus on the new National Transport Strategy Hierarchy, emerging Regional Spatial Strategies and updating the Climate Change Plan and Land Use Strategy to set a clear direction for targets and land use principles to underpin how planning can be empowered to contribute more strongly to emission reduction.

Building solutions will require the proposed alignment with Building Standards, but also requires a real push for those Standards to be upgraded as soon as possible. Buildings represent a significant proportion of carbon emissions and there is little purpose in allowing today’s generations of development to contribute to emissions rather than achieving carbon neutrality. It is acknowledged that new development is only a small proportion of the overall building stock and that retrofitting existing stock is a bigger challenge, but this shouldn’t be compounded by continued investment in emissions producing buildings. It is also not enough to encourage and support emission reduction, it must be required to allow planning authorities to ensure that the today’s generation of developments are future proofed.

The pursuit of nature based solutions and infrastructure for emission free energy/heat generation are supported. For the former there is again a need to do more than promote them so as to ensure they actually happen. This will require further regional and strategic working on flood risk management, green networks across council boundaries through drainage partnerships and regional planning.

The proposed policy measures are supported but the Council considers these must be requirements of policy rather than supportive statements.

2. Do you agree with our current thinking on planning for resilient communities?

The Council supports the approach to achieving more resilient communities. This is a key requirement to support the reduction of emissions. The Council shares the view that this requires commitment to the 20 minute neighbourhood idea, and that in order to provide for it, density of development in cities and towns needs to be considered at levels sufficient to provide a viable market for goods and services and for frequent public transport services for journeys out of the area. Standard housebuilder development models are typically too low in density, particularly where greenfield development is needed, to support that approach.

The Covid crisis has emphasised locality as a foundation of resilient communities and the benefits of traffic reduction on air quality as a significant component of well being and health. The Council considers that a planning focus on health and well being and inclusivity is welcome and that the proposed policies can help meet those objectives. An infrastructure first approach with a proactive approach to providing land for homes and jobs with an appropriately assessed understanding of need and demand for housing provision is essential. This will need to go with a longer term perspective for the future of settlements, using safeguards or land strategy to direct any future further release of land if needed in that plan lifetime. The Council welcomes the principle of potential land releases based on performance and completions rather than because development hasn't happened.

This may require additional consideration, including through the Land Use Strategy, of how land is brought forward for development and how the land value uplift derived from this is distributed, to ensure there are mechanisms to ensure that both short and longer term strategies are viable and deliverable.

The proposal to set out a framework for infrastructure assessment and clearer and simpler approach to developer contributions is also welcomed and the Council notes the ongoing collaborative working to facilitate this.

3. Do you agree with our current thinking on planning for a wellbeing economy?

The Council welcomes the approach towards a greener, wellbeing based economy and this as a basis for post Covid recovery. Digital infrastructure will be of critical importance to maintain and enhance the growth of home working and reduction in travel and opportunities for rural settlements to be more competitive. The Council particularly recognises and supports the need for policies which support sustainable tourism and allow for greater control of short term lets where these take homes out of the market in areas of high demand and create amenity issues for communities, especially where tenements and flats have shared access and communal areas.

Support for creative and cultural industries and establishments is also welcomed as a significant economic sector.

Putting zero carbon infrastructure at the heart of heat networks, transport and energy as reflected also in other policy areas is considered essential as part of the planning policy context. As stated earlier, the Council considers strongly that there must be formal policy requirements to ensure these are brought about, rather than just support given to them.

4. Do you agree with our current thinking on planning for better, greener places?

Place, be it rural or urban, new or old, is critical to tying together the other policy approaches set out in the Position Statement. The Council supports this and looks forward to further detail of how policies will require sufficient density of development, range of housing types, mix of uses, design quality, connectivity and heritage protection to ensure new development and change to places will fulfil these objectives.

The Council largely supports the policies set out here, though urges caution on how policy on repopulating the countryside is framed. This must ensure that in areas where there is significant pressure for new homes in the countryside that there are mechanisms to control sporadic countryside development that doesn't have a locational justification. For the south east Scotland authorities, there is a need to ensure the countryside remains sufficiently rural to maintain its value and not become a location for unsustainable development.

5. Do you have further suggestions on how we can deliver our strategy?

Delivery of the strategy is dependent on the strength of the policy wording that is taken in to NPF4, and the Council's view is that there should be much greater use of requirements for change rather than support for change; the wording of the position statement in many cases suggests the former rather than the latter. To give robustness to policy, and its informing of Local Development Plan policies, this needs to be carefully considered.

The Council also considers that a true and timely delivery of the strategy requires action as soon as possible. Comment is made on timescales to reach carbon neutrality earlier in this statement. The Council is therefore disappointed that the Government considers that the principles set out in the Position Statement will not gather weight as they go through the process in the way that policies and proposals of other parts of the development plan do. There is a clear sense of direction expressed which responds to existing government strategies and policies. Given the importance of all of this, it is critical that Local Development Plans being formed can relate to this policy context. Delay in policy influence will mean a longer delay in

translation into LDPs and therefore greater delay into delivery through development on the ground, counter to commitments on climate change.

6. *Do you have any comments on the Integrated Impact Assessment Update Report, published alongside this position statement?*

No comment is given on this.

7. *Do you have any other comments on the content of the Position Statement?*

The introduction to this statement will form the answer to this question in the consultation hub submission.