Planning Committee

2.00pm, Wednesday, 23 February 2022

Scottish Government draft 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 agrees the proposed response to the draft National Planning Framework 4 as set out in Appendix 1 and that it be submitted to the Scottish Government by 31 March 2022.

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Report

Scottish Government draft 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 draft National Planning Framework 4 as an appropriate development strategy and national policy document, subject to the considerations and proposed amendments set out in Appendix 1.

3.   Background

3.1   The Planning (Scotland) Act 2019 set out that the National Planning Framework (NPF) becomes a statutory part of the development plan which informs and has regard to Regional Spatial Strategies (RSSs) and informs Local Development Plans (LDPs). As part of this, the Act provides that the NPF would set targets for new homes as well as incorporating a revised Scottish Planning Policy (SPP), in addition to setting a national spatial strategy and designating National Developments.

3.2   Draft NPF4 was published on 10 November 2021, following an engagement process carried out by the Scottish Government which included collaborative work on interim RSSs, A Call for Ideas, a Position Statement on policy revisions and consultation on proposed default minimum housing land numbers. Planning Committee has approved responses to each of those.

4.   Main report

4.1   The Scottish Government seeks comment on the draft NPF4.

4.2   The draft sets out in its four main sections:

4.2.1   A **spatial strategy** for the country and for regional development;

4.2.2   A series of **National Developments** subject to Ministerial rather than Planning Authority decision making, with associated statutory requirements;

4.2.3   A **National Planning Policy Handbook**, replacing the current Scottish Planning Policy (2014), which are intended to replace the need for policy

statements in future LDPs made under the relevant provisions of the 2019 Act (other than for localised issues); and

4.2.4 **Delivering Our Spatial Strategy**, setting out how this might be brought about.

4.3 There is also a section containing annexes of Outcomes Statement, Housing Numbers and Glossary.

4.4 Appendix 1 to this report sets out the proposed response to the draft NPF, following the structure of the Scottish Government's consultation questions and stating where proposed strategy, National Developments and national policies should be amended to enable the NPF to properly influence how development happens and how it can contribute to emission reductions and net zero carbon targets.

4.5 The **Spatial Strategy** has been formed giving regard to updating NPF3 and the making of interim RSSs by planning authorities in collaboration with the Scottish Government. The strategy has four main themes of creating better places (sustainable, liveable, productive, distinctive) and a strong focus on the need for planning to address climate change impacts and the nature crisis. It is based on six overarching principles, compact growth, local living, balanced development, conserving and recycling assets, urban and rural synergy and just transition.

4.6 The spatial strategy has five areas of action, with Edinburgh part of the Central Urban Transformation area with a range of actions to tackle emissions by decarbonising buildings and transport, making better use of land and promoting a wellbeing economy.

4.7 The considerations of the spatial strategy are similar to those of the Proposed City Plan 2030 and if approved in this or a similar form, it will support many aspects of the plan at Examination.

4.8 The **National Developments** include some relevant to the country as a whole and some more area or site specific. Notably, the national development status in NPF3 for West Edinburgh, as an area of business led development, is proposed to be removed and there is support in the Central Urban Transformation actions for this area as an extension of the city with a wide range of uses. National Development status designations include urban mass/rapid transport, Central Scotland Green Network, National Walking, Cycling and Wheeling Network, Sustainable Blue and Green Drainage Solutions and Edinburgh Waterfront.

4.9 The National Developments, as relevant, are supportive of the objectives of the Proposed City Plan 2030 and the Granton Development Framework.

4.10 The **national planning policies** are set out across four main themes of creating better places (sustainable, liveable, productive, distinctive).and encompass the policy areas either required of LDPs by regulation or expected to be found in LDPs in terms of the planning duties of an authority. The policies are intended to deliver the four main themes of the strategy.

4.11 The policy approach is largely supportive of the objectives of City Plan 2030. Consideration needs to be given to the objectives, form and wording of these

proposed policies as to how they might be applied in making an LDP and in making decisions on planning applications, through a series of officer workshops.

4.12 On **Delivering our Spatial Strategy** the draft recognises the need for an infrastructure fist approach and a range of delivery mechanisms to bring about the strategy and policy outcomes and in this supports the approach taken in Proposed City Plan 2030.

4.13 The proposed response in Appendix 1 includes commentary on where it is recommended that changes be made to the relevant parts of draft NPF4. Overall, the strategy, national development and policy proposals of the draft are considered to be appropriate to climate change and nature crisis objectives and give support to Proposed City Plan 2030. Amendments, as proposed in Appendix 1, are intended to ensure the final NPF4 is appropriately worded to enable its objectives to be secured in the assessment of proposals and decisions on planning applications. Therefore, it is recommended the draft should be supported subject to the proposed amendments.

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 Scottish Government, including through any post-consultation process which follows.

6.   Financial impact

6.1 This report has no direct financial impacts, with the final stages of NPF4 requiring parliamentary approval.

7.   Stakeholder/Community Impact

7.1 The content of the draft NPF4 has been shaped by consultation and engagement with stakeholders throughout 2020 and 2021 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 or through the LDP process.

8.   Background reading/external references

8.1   [Scottish Government National Planning Framework 4 Housing Land Figures – City of Edinburgh Response.](#)

8.2   [Scottish Government Position Statement on National Planning Framework 4 – City of Edinburgh Response.](#)

8.3   [Scottish Government Call for Ideas for National Planning Framework 4 – Interim Regional Spatial Strategy.](#)

9.   Appendices

9.1   Appendix 1 – Response to Scottish Government draft National Planning Framework 4 .

9.2   Appendix 2 – [Draft National Planning Framework 4.](#)

Scottish Government draft National Planning Framework 4 – City of Edinburgh Council Response

Spatial Strategy

We welcome that the spatial strategy is informed by the collaborative work between local authorities and the Scottish Government through the interim Regional Spatial Strategies (iRSS). We consider that the work done by the South East Scotland authorities has generally been taken account of and the emphasis on meeting net carbon zero emissions by 2045. It would be beneficial if the drive to net zero could be expressed as something to be reached as soon as possible within that timescale rather than the 2045 target, given the severity of the climate emergency and its impacts; this would enable those authorities that have committed to reaching net zero earlier, including the City of Edinburgh Council, as a significant contribution to the national target, have support in their objectives and how to reach them.

NB text in italics is from draft National Planning Framework (NPF) 4 for context to assist in Members' consideration of the issues. The full draft NPF4 is available [here](#).

Sustainable places

Our future net zero, nature-positive places will be more resilient to the impacts of climate change and support the recovery and restoration of our natural environment. This will help Scotland's places to thrive within the planet's sustainable limits and will maximise the new economic and wellbeing opportunities from a just transition to a net zero, nature positive economy. The United Nations Intergovernmental Panel on Climate Change has made clear the very real threat and heightened risk the climate emergency poses to the planet; and the health of the planet's ecosystems is declining faster than at any point in human history. Scotland must play its full role in tackling these crises and invest in reducing carbon emissions and restoring the richness and resilience of our natural environment. Our strategy is to transform the way we use our land and buildings so that every decision we make contributes to making Scotland a more sustainable place. In particular, we want to encourage low- and zero-carbon design and energy efficiency, reduce the need to travel unsustainably, and diversify and expand renewable energy generation. We will secure positive effects for biodiversity, creating and strengthening nature networks and investing in nature-based solutions to support nature recovery and create multiple benefits for our natural capital, health, wellbeing, resilience and jobs. And we will encourage sustainable design and use of resources, including circular economy approaches to construction and development.

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

Agree with the aims, however, there is a need to ensure that objectives, and the polices to secure them, do more than 'encourage'. The strategy must require action by all stakeholders to ensure the objectives are met and the language has to be sufficiently strong to do so. In general, many policies are worded in terms of 'should' rather than as a policy requirement 'must'.

Liveable places

Our future places, homes and neighbourhoods will be better, healthier and more vibrant places to live. This will ensure that we live in communities that are inclusive, empowered, resilient and safe. It will also help us to be healthy and active, creative and diverse, so that people grow up loved, safe and respected, and realise their full potential. The COVID-19 pandemic has left a social legacy that requires urgent action, and longer term restructuring. Although these are unprecedented challenges, they also create an opportunity to significantly improve our places, address longstanding inequality and eliminate discrimination, helping to transform our country for the better. We will need better places to create the conditions for lifelong health and wellbeing for all, restore biodiversity and strengthen our future resilience. Our strategy is to change the way we live in the future – transformative social and economic change will be needed. We will create places with good-quality homes close to local facilities and services by applying the concept of 20 minute neighbourhoods. We want to make better use of our spaces to support physical activity, relaxation and play, to bring people together and to celebrate our culture, diversity and heritage. We hope to empower more people to shape their places.

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

The aims are supported, however, it should be made clear in the text that the concept of 20 minute neighbourhoods needs to include references to the practical means of bringing them about, through higher density, mixed use development as the businesses, services, opportunities for active travel and linkage of areas with viable public transport can only flourish where there is sufficient density and mix to support them. It should be clear that new neighbourhoods must be built in this way and that retrofitting to existing areas lacking in facilities and linkages requires consideration of how this can be made viable.

Productive places

Our future places will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working – improving economic, social and environmental wellbeing. This will help us to have a globally competitive, entrepreneurial, inclusive and sustainable economy, with thriving and innovative businesses, quality jobs and fair work for everyone. A new National Strategy for Economic Transformation will set out how we can work together to recover from the COVID-19 pandemic and build a sustainable economy in the longer term. By helping to deliver this, planning will contribute to our short-term recovery, as well as our long term just transition to a net zero, nature-positive economy. Our strategy is to build a wellbeing economy that benefits everyone, and every place, in Scotland. The transformations needed to tackle the climate and nature crises, together with the impact of the pandemic, means that green investment is a key priority for the coming years. The way we work is changing, and we will need to be flexible to facilitate future business and employment that benefits communities and improves places. We will play to the economic strengths and opportunities of each part of Scotland. We want to encourage development that supports the prosperity of key sectors, builds community wealth and creates fair work and good green jobs where they are most needed. We will need to support, and be supported by, businesses and communities across Scotland.

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?

The approach is supported, it is critical that detailed policy to achieve it is robustly and practically worded to ensure that it is meaningful and can be appropriately measured and applied in the assessment of proposals, rather than being aspirational and difficult to achieve. Again, the language needs to be stronger and reflect requirements rather than aspirations.

Distinctive places

Our future places will be distinctive, safe and pleasant, easy to move around, welcoming, nature-positive and resource efficient. This will ensure that people value, enjoy, protect and enhance their environment. Scotland has a rich and high quality natural and historic environment. We must also tackle challenges in some parts of the country. This may mean changes at local, regional and national scales, for example where there has been past decline, where the pandemic has exacerbated inequalities, or where there is a need to make more efficient and equitable use of our assets. To respond to the global biodiversity crisis, nature recovery and connected blue and green infrastructure must be at the heart of all our future places. Our strategy is to value, enhance, conserve and celebrate our best places and to build better places for future generations. A stronger commitment to place-making, through a design led approach and a focus on quality, will ensure every new development improves the experience of our places. We will reshape future city and town centres, reuse vacant and derelict land and buildings, enhance our natural and

cultural heritage, and create new rural opportunities. We will restore the richness of Scotland's natural environment, protect and enhance our historic environment, and safeguard our shared heritage for future generations. We will work together to ensure that development onshore aligns with national and regional marine plans so that we can protect and enhance the marine environment and unlock the potential of our coastal assets.

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?

Agree that the commitments set out here will deliver those objectives, subject to suitable worded detailed policies that can be practically applied to the assessment of proposals.

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

The spatial strategy has the potential to improve the quality and sustainability of our places. To do so it is critical that it is backed by policies which have the robustness and practical applicability to ensure that development is carried out in the right places, in the right way and there are not loopholes or caveats that allow for developments which do not meet the standards required.

Overarching Principles

Within the overall strategy, the draft NPF sets out six overarching principles, for: compact growth; local living; balanced development; conserving and recycling assets; urban and rural synergy and just transition.

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

Whilst respecting the overall strategy it has to be recognised that there are regional disparities in demand for homes and jobs and that locational considerations need to be carefully considered to respond to as well as to try and mange growth spatially. Particularly in regard to affordable housing and funding for it, there needs to be a strong focus on where there is greatest need as the allocation of funding by area is critical to ensuring that appropriate developments are happening in the key areas such as south east Scotland and Edinburgh where growth, demand and housing prices and rentals are out of balance with earnings and affordable need is acute. It is essential to support key sectors of the economy in the region that housing need is addressed through appropriate levels of funding.

Spatial Strategy Areas for Action

The strategy considers five areas for action, Edinburgh is within the Central Urban Transformation Area – Transforming and pioneering a new era of low carbon urban living. This area broadly covers central Scotland from the Glasgow city region and the Ayrshires in the west to Edinburgh city region in the east, including the Tay cities, the Forth Valley and Loch Lomond and The Trossachs National Park.

The other areas are: North and West Coastal Innovation; Northern Revitalisation; North East Transition and Southern Sustainability.

For Edinburgh, the default minimum housing land figure has been set at 41,300 as submitted in the response to the relevant consultation, approved by Planning Committee on 19 May 2021.

In this area actions will be to:

• pioneer low-carbon, resilient urban living;

• reinvent and future-proof city centres;

• accelerate urban greening;

• rediscover urban coasts and waterfronts;

• reuse land and buildings;

• invest in net zero housing solutions;

• grow a wellbeing economy;

• reimagine development on the urban fringe; and

• improve urban accessibility.

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

Agree that the areas are appropriate and in some reflect longer term strategic regional planning areas. The actions are critical factors for all the areas and particularly for South East Scotland where they need to be matched by investment strategies, particularly in sustainable transport, infrastructure and affordable housing.

Q8-13 cover other action areas

No comment is given on these

Central Urban Transformation Area

Edinburgh has similar challenges [to Glasgow] and opportunities for positive change. High interest in investment and associated demand for new homes means that planning will need to help deliver sustainable development that supports the quality of life of existing and future residents. As a capital city with a World Heritage Site at its core, it will be crucial that future development takes into account the capacity of the city itself and its surrounding communities and makes the most of its exceptional heritage assets, places and cultural wealth. The City Centre Transformation Plan supports a move away from a car-based city centre to create a more liveable and attractive place to live, work and visit. The Forth Bridge is also an inscribed UNESCO World Heritage Site, and our rich industrial and cultural heritage remains apparent across the area.

The Central Scotland Green Network will continue to bring together environmental enhancement projects. Initiatives such as the John Muir Pollinator Way demonstrate

how nature networks can help restore and better connect biodiversity and enhance green infrastructure at a landscape scale.

Edinburgh's waterfront regeneration is ongoing with Granton benefiting from an ambitious masterplan, the tram extension to Leith progressing and potential development at Seafield helping to redefine the city's relationship with its coastline, reusing existing assets and helping Edinburgh to become a more liveable city. A master planned approach to regenerating the Edinburgh Waterfront can take into account opportunities for the Port of Leith to service the offshore energy sector.

Edinburgh has committed to building a significant share of future housing development on brownfield sites…

Edinburgh has committed to building affordable homes at scale and will need to work with the region to accommodate wider need and demand in a strategic way. Seven strategic sites, supported through the Edinburgh and South East Scotland City Region Deal, could accommodate up to 45,000 homes and associated economic and employment benefits including: Blindwells, Calderwood, Dunfermline, Edinburgh Waterfront, Shawfair, Tweedbank and Winchburgh. The need for proposals to be supported by low carbon transport solutions, in line with the Infrastructure Investment Plan and National Transport Strategy investment hierarchies and infrastructure first approach, will be critical to their success. The Edinburgh and South East Scotland City Deal identifies infrastructure investment and includes a commitment from partners to put in place a regional developer contributions framework building on work undertaken to look at cross boundary transport challenges. These interventions and commitments, taken with the additional transport investment made through the Deal, will ensure the city region continues to grow and flourish. Regionally significant services including healthcare and social care facilities and investment in the learning estate is also planned to support future growth and sustain the wellbeing of existing, new and expanding communities.

Engineered solutions to adapt our water and drainage infrastructure will be required in some circumstances, but should support more natural benefits as far as possible. There is scope to continue, and extend, the lessons from the Metropolitan Glasgow Strategic Drainage Plan to future proof infrastructure in support of the long term growth and development of Edinburgh. The Lothian Drainage Partnership is taking this forward with projects emerging within Edinburgh and at the ClimatEvolution Zone in East Lothian.

The Edinburgh City region supports investment in significant clusters including the Bioquarter, Mid Fife, Dunfermline, Guardbridge St. Andrews, Galashiels, Cockenzie, Midlothian and the M8 corridor. A strategy for West Edinburgh is emerging which guides a wide range of uses to create a sustainable extension to the city, with added benefit from associated improvements to the quality of place of existing communities. Proposals focus on locating development on and around existing transport corridors and work is ongoing to improve accessibility including the Edinburgh tram extension. Further investment should take into account the impact of new development on potentially compounding existing capacity constraints and congestion, and prioritise sustainable choices.

Whilst predominantly urban, this part of Scotland benefits from a rich and diverse rural area and there are many areas where town meets countryside. These green areas and natural spaces are key assets, sustaining communities that could become better places to live if we can achieve this in a way that is compatible with our wider aims for climate change, nature restoration and 20 minute neighbourhoods.

A focus on community wealth building, together with growing opportunities for longer term remote working, could address the high levels of transport movement by private car and challenges of congestion and air pollution across the area. Local living, including 20 minute neighbourhoods, will help to minimise future commuting and ensure jobs and income can be spread more evenly across the area. Accessibility and transport affordability can support more resilience which benefits communities who are less connected. By putting in place mass transit systems for Edinburgh through plans to extend the tram network, and for Glasgow including the Glasgow Metro and multi-modal connectivity, we have an opportunity to substantially reduce levels of car based commuting, congestion and emissions from transport at scale Connections to the rest of the UK will be strengthened in the longer term through high speed rail connectivity, with stations expected in Glasgow and Edinburgh.

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

The Council generally agrees. For West Edinburgh it would be appropriate to add reference to shorter and longer term timescales, given Proposed City Plan 2030 applies the approach of the Main Issues Report (Choices) preferred strategy of higher density, residential led, mixed use neighbourhoods to its sites.

A strategy for West Edinburgh is emerging which guides a wide range of uses to create a sustainable extension to the city, with added benefit from associated improvements to the quality of place of existing communities.

In line with that emergent strategy, the existing land allocations and adjacent brownfield sites provide opportunities for significant delivery of affordable and market homes as part of a sustainable mixed use neighbourhood based around the existing tram and rail connectivity, providing for homes and employment uses.

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

The strategic actions are considered appropriate as a development of collaborative work on Regional Spatial Strategies.

Q16-17 are on other action areas

No comment is given on these.

National Developments

Eighteen national developments are proposed to support the delivery of our spatial strategy. These national developments range from single large scale projects or collections and networks of several smaller scale proposals. They are also intended to act as exemplars of the place principle and placemaking approaches.

Some of the proposals are Scotland - wide and some area or site specific. Relevant to Edinburgh are:

1. *Central Scotland Green Network This national development is one of Europe's largest and most ambitious green infrastructure projects. It will play a key role in tackling the challenges of climate change and biodiversity loss including by building and strengthening nature networks. A greener approach to development will improve placemaking, can contribute to the roll-out of 20 minute neighbourhoods and will benefit biodiversity connectivity. This has particular relevance in the more urban parts of Scotland where there is pressure for development as well as significant areas requiring regeneration to address past decline and disadvantage. Regeneration, repurposing and reuse of vacant and derelict land should be a priority.*

2. *National Walking, Cycling and Wheeling Network This national development facilitates the shift from vehicles to walking, cycling and wheeling for everyday journeys contributing to reducing greenhouse gas emissions from transport and is highly beneficial for health and wellbeing. The upgrading and provision of additional active travel infrastructure will be fundamental to the development of a sustainable travel network providing access to settlements, key services and amenities, employment and multi-modal hubs. Infrastructure investment should be prioritised for locations where it will achieve our National Transport Strategy 2 priorities and outcomes, to reduce inequalities, take climate action, help deliver a wellbeing economy and to improve health and wellbeing. This will help to deliver great places to live and work.*

3. *Urban Mass/Rapid Transit Networks This national development supports low-carbon mass/rapid transit projects for Aberdeen, Edinburgh and Glasgow. To reduce transport emissions at scale, we will require low-carbon transport solutions for these three major cities that can support transformational reduction in private car use. Phase 1 of the second Strategic Transport Projects Review (STPR2) recommended the development of the Glasgow 'Metro' and Edinburgh Mass Transit in these cities and their associated regions. In Aberdeen, the North East Bus Alliance has been awarded funding through Transport Scotland's Bus Partnership to develop the Aberdeen Rapid Transit system identified in the Regional Transport Strategy and being considered in the STPR2. This will support placemaking and deliver improved transport equity across the most densely populated parts of Scotland,*

improving access to employment and supporting sustainable investment in the longer term.

4. *Urban Sustainable, Blue and Green Drainage Solutions This national development aims to build on the benefits of the Metropolitan Glasgow Strategic Drainage Partnership, to continue investment and extend the approach to the Edinburgh city region.*

5. *Circular Economy Materials Management Facilities This national development supports the development of facilities required to achieve a circular economy. This sector will provide a range of business, skills and employment opportunities as part of a just transition to a net zero economy.*

6. *Digital Fibre Network This national development supports the continued roll-out of world class broadband across Scotland*

13. *High Speed Rail This national development supports the implementation of increased infrastructure to improve rail capacity and connectivity on the main cross-border routes, the east and west coast mainlines. Rail connectivity that can effectively compete with air and road based transport between the major towns and cities in Scotland, England and onward to Europe is an essential part of reducing transport emissions, making best use of the rail network and providing greater connectivity opportunities. There can be significant emissions savings of approximately 75% to be made when freight is transported by rail instead of road.*

17. *Edinburgh Waterfront This national development supports the regeneration of strategic sites along the Forth Waterfront in Edinburgh. The waterfront is a strategic asset that contributes to the city's character and sense of place and includes significant opportunities for a wide range of future developments. Development will include high quality mixed use proposals that optimise the use of the strategic asset for residential, community, commercial and industrial purposes, including support for off-shore energy relating to port uses. Further cruise activity should take into account the need to manage impacts on transport infrastructure. This will help maintain and grow Edinburgh's position as a capital city and commercial centre with a high quality and accessible living environment. Development locations and design will need to address future resilience to the risks from climate change, impact on health inequalities, and the potential to incorporate green and blue infrastructure.*

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

The proposed national spatial strategy sets out appropriate ambitions and objectives, however, this needs to be reflected in the strength of the policies which are required to deliver the ambitions, strategy and objectives. Further comment is given through the remaining questions. The proposed National Developments reflect a range of national priorities and spatial actions which build on regional cohesion and opportunities for inclusive growth.

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?

No.

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 a national development?

Yes.

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

No.

National Planning Policy Handbook

The national policies set out in NPF4 draft follow the strategy approaches set out above. They are intended to replace Scottish Planning Policy and as part of the statutory development plan would not need to be repeated in future Local Development Plans (LDPs), though there is scope for further locally based policy which remains compliant with the universal policies.

The four policy strands give a good thread through the plan, with strong link to 'Place' and placemaking, and strong focus on net zero, adaptation and nature positive themes. However, some of the policies within the categories seem better related to others and consideration should be given to this e.g. sustainable transport policy is not in sustainable places.

Sustainable Places

Policy 1: Plan-led approach to sustainable development

All local development plans should manage the use and development of land in the long term public interest.

Q23: Do you agree with this policy approach?

The principle of the plan – led approach is fully supported, though given it is an integral provision of legislation there may not be a need to add this provision to national policy. The policy also reflects the statutory purpose of planning set out in the Planning (Scotland) Act 2019. An alternative approach would be to refer to the plan-led approach, purpose of planning and role of LDPs in the preamble to the following policies. As with most of the policies that follow, to be effective reference to 'should' needs to be reconsidered. In this instance it dilutes the requirement of the Act for planning to manage the development and use of land in the long term public interest. Options would be that LDPs 'are required', or 'must' manage the use and development of land in the long term public interest.

Policy 2: Climate Emergency

Policy 2 has 4 sections which cover aspects of how climate emergency considerations need to be part of the decision making process. Consideration needs to be given to how this policy is structured and made effective. Wording needs to reflect a requirement rather than be 'should'.

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

Part a) on giving significant weight to climate emergency for all proposals, this should be the overall policy requirement with parts b) – d) as parts a) to c) of the policy to give it effect.

Part b) that all developments should be designed to minimise emissions over their lifecycle needs to include a measure or reference to a measure for assessing this, including how it interacts with viability of the development. Without clarity on this it could become a point of dispute as to whether or not emissions are minimised and it is not clear if the decarbonisation pathways referred to will provide this or provide to a sufficient standard to meet targets prior to 2045. There is scope to provide for local pathways. Proposed City Plan 2030 sets out Policy ENV7:

For proposals involving the replacement of existing buildings proposals should be accompanied by a carbon assessment setting out the 'whole-life' carbon footprint of the proposed development compared to the option of re-using the existing building to a accommodate the proposed use. Where this comparative assessment fails to show an overall lower carbon footprint then it must be set out why the developer considers the proposal justified, for example because the new development provides additional floorspace and/or dwellings compared to the existing building.

Part c) that development proposals which generate significant emissions should not be supported unless they are the minimum level that retains viability and need to demonstrate this is in the long term public interest.

To be workable this needs consideration of how 'significant', 'minimum' and long term interest can be measured and assessed, along with what skills are needed to assess it.

Reference to 'in combination' is repetitive and could be simplified.

The reference to 'scale of contribution' in regard to national and major developments is unhelpful in that this proportionality could be seen as writing into the policy a get out clause It is not clear if this is what's intended? Whether accidental or intended, any such case should be treated by exception should material considerations justify it rather than be written into policy.

In referencing 'off setting' measures this needs a caveat that mitigation itself may have significant historic or natural environment consequences and impacts. As such although the general principles are supported there must be policies to assess these off-set locations through the planning process to avoid potential significant impacts.

Part d) that development be designed to be adaptable to future climate change impacts, this should refer to resilient adaptable rather than adapted and ready.

Adaptation measures should be designed to avoid significant adverse impacts on the historic environment assets (e.g. archaeology, buildings pre 1919, listed structures) which by their definition are finite and often not suitable for adaptation. Support research in this area to find adaptation solutions which respect the historic environment and meet Climate Change objectives.

Policy 3 Nature Crisis

The policy in 5 parts seeks to enhance biodiversity to redress loss.

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

Scotland's landscapes, even the wildest areas have been influenced by humankind since after the last Ice age and contain evidence of our past, the vast majority (95%) of which is undesignated but contribute significantly to our sense of place and well-being. As such although schemes which will enhance and seek to restore natural habits and wildlife are welcomed, badly planned proposals can have a significant impact with loss of potentially nationally important archaeological remains and degradation of historic landscapes. Carefully constructed polices can avoid this and secure the protection and enjoyment of national heritage.

For part a) the principle of it being a matter for LDPs to facilitate enhancement of biodiversity is supported, however, this needs to be a requirement of LDPs and not that they 'should' do this, if the principle is central to the philosophy and strategy of NPF4.

For part b) that proposals should contribute to enhancement, again this is supported but needs to be a requirement, not should. The wording would benefit from reference to protecting as well as enhancing biodiversity. It should also reflect the nature.scot mitigation hierarchy.

In part c) that any potential impacts of proposals should be minimised, this should instead refer to designing around constraints and avoiding adverse impact, the starting point as written seems to be that there will be impacts protect against. Any exceptions can be dealt with by reference to other material considerations rather than being written into policy with an assumption of adverse impacts.

Part d) on supporting Environmental Impact Assessment (EIA) /Major/National/Appropriate Assessment development if biodiversity if conserved or enhanced – the bullet points are the wrong way round so it doesn't flow logically. Assessment should be first. Also, the third bullet point goes against the nature.scot mitigation hierarchy.

For part e) that local applications should only be supported if including appropriate enhancement, this appears to exclude householder developments and not being applied to these would omit a significant level of impact given the scale and sensitivity of many householder application environments as can local development.

For both there needs to be consideration of the value and scale of context and how much it is affected. This needs to go in conjunction with a review of permitted development rights (PDR) to mitigate the impacts of PDR developments. This would benefit from nature.scot guidance and a nature based solutions approach.

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?

Whilst there is no issue with supporting rights and equalities, there is the consideration of whether these issues are covered by legislation, including the purpose of planning, and whether or not this needs to be expressed in a national policy to have effect. Section 270B of the Act requires planning authorities to perform their functions in a manner which encourages equal opportunities and in particular the observance of the equal opportunities requirements as defined by Section L2 of Part 2 of schedule 5 of the Scotland Act.

For part a) to be effective there need to be a measure of assessing how planning should respect, protect and fulfil human rights, seek to eliminate discrimination and promote equality.

In part b) the provision that stakeholders should consult and engage collaboratively, meaningfully and proportionately is also covered by requirements of planning law. If the intent is to guide how this is gone about then that needs to be set out in the policy with relevant criteria that can be used for assessment. As worded, it lacks precision and could be used by parties in the process to challenge proposals.

Policy 5 Community Wealth Building

Q27: Do you agree that planning policy should support community wealth building (CWB), and does this policy deliver this?

This seems to be about the non-physical aspects of land use decisions whereas community benefits in Liveable Places is more about physical assets. It needs further distinction and explanation. It could be a strong overarching principle but ere is potential for misunderstanding around what the concept is. Case studies would help with practical interpretation and how it could be delivered.

For part a) that LDPS should address community wealth building, explanation is needed as to how the policy objective might be brought about and how it might be assessed. It also needs cross referred to Productive Places and consideration of what a land use plan can achieve, and be a requirement, not should, if it is to have effect.

In part b) that proposals should contribute to CWB objectives, there needs to be a way of measuring and assessing the effect of proposals on their contribution to CWB objectives for the policy to be effective.

It is noted that the Proposed City Plan 2030 does not include a policy on this, though it's economic policies support social enterprises and other community based approaches. That needs to be considered as City Plan progresses through its stages

Policy 6 Design Quality and Space

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

It is unclear if this is to be a universal policy and it and needs to be cross referenced with Policy 9 on housing. It also needs clarity as to what policy measures are applied to placemaking and what to individual homes.

For part a) that proposals should be to a high quality and contribute positively, there would be a clearer logic to making this the overarching policy with parts b) to e) then forming the clauses beneath that, giving principles to assess whether a proposal meets the policy requirement through them.

In part b) the key principles of Designing Streets and other national guidance are referred to as and also reference to Planning Authority guidance. This raises a question as to why local guidance is seen as appropriate here, but not in other policy areas e.g. Nature crisis/biodiversity. This needs a consistent approach.

In part c) which needs demonstrating how the 6 qualities of successful places are incorporated, it's welcome this does not have a caveat on householder development, though noted that there is inconsistency between this and the biodiversity provisions.

At part d) poor design which doesn't address the above should not be supported, there needs to be a requirement to achieve the policy objective.

For part e) protecting amenity, this captures the need to consider daylighting impacts of development whereas the similar provision of Policy 9 does not, so consistency should be sought.

LIVEABLE PLACES

Policy 7 Local Living [20 minute neighbourhoods]

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

The policy needs to be stronger emphasis on developments contributing to infrastructure which supports 20 min neighbourhood creation, i.e. active travel/public transport infrastructure, mobility hubs etc – it seems to focus more on the context of development that will supported if it fits into existing infrastructure/is accessible. Recognition needed that developments must provide this infrastructure if appropriate, where development needs require going beyond existing infrastructure.

In part a) that LDPs should support 20 minute neighbourhoods, this should refer to density and mixed use and to discouraging single use, low density occupancy. There is a need for greater emphasis on designing routes, Active Travel should be

designed in not added on and needs to be a policy priority rather than a consideration.

For part b) that development proposals consistent with the principles of 20 minute neighbourhoods should be supported, this needs to be a requirement rather than 'should' to be effective and again should prioritise the need for actual safety and perception of safety and for alternative routes (permeability). It should refer to needing mixed use development on a human scale but with density. In terms of uses it would be beneficial to set out how we prescribe for and provide for uses. There is a need to have parameters on local/locally accessible and levels of provision and uses are distributed in communities.

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?

Structure-wise this would make more sense as Policy 7, swapping places with Local Living.

For part a) that LDPs should be based on the infrastructure first approach, this needs to be a requirement, not should, and the definitions need to be wider to include infrastructure for health, for the bluegreen network and to cross refer to 2019 Act definitions, and needs to up front and clearer. It also needs to refer to new provision and cumulative impacts so as to capture true infrastructure needs. It also needs to have consideration of and reference to timing of infrastructure to allow for managing public funding and the timing of developer contributions.

Part b) that where proposals create an infrastructure need, they should demonstrate that account is s taken of the national investment hierarchy. No guidance is given for how this might be assessed, or whether it takes account of adaptation. Practically, it is not clear how this would consider, for example, a new unit on an existing out of centre shopping development as part of the investment hierarchy. Additionally, it must make reference to sustainable mitigation of any impacts.

In part c) that proposals which contribute to LDP infrastructure should be supported, the use of should is appropriate here, as it would be only one criterion used.

For part d) that proposals should mitigate their impact, this needs to be phrased as a requirement and needs to reference sustainable mitigation measures that are not contrary to other policy requirements.

The policy would also benefit from referencing the contribution that converted buildings can make as well as new build. That would support the adaptation principle and the reuse of existing infrastructure.

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?

The policy needs to say more on what are the right locations. It needs to be cross referenced with Policy 6 and be clearer between the two what is about placemaking and what is about homes. That raises the question as to whether there should be a separate part on the technical aspects of housing numbers, land supply etc.

For part a) this needs to require LDPs to deliver the housing land requirement, not that they 'should' deliver it.

In part b) that LDPs should provide a deliverable pipeline of sites/land for short/medium and long term, this needs to set out how and with what mechanisms a land supply can be robustly managed in this way. As written, it recognises an issue but doesn't provide a solution. It isn't clear if this would come from a policy provision that land be categorised in certain ways and only phased otherwise if other sites weren't deliverable. As written, it will likely lead to considerable debate over new LDP gateways and examinations. There is also a need to consider how a brownfield first principle fits with a phasing approach if for some off that land supply the likely timescales for starting development are longer than for some greenfield sites, and what mechanisms need to be in place to enforce this if required. It may be that 'should' provide is appropriate if no mechanisms to manage the land supply are appropriate or sufficiently robust.

Part c) that land for the housing land requirement should be allocated in sustainable locations and be consistent with 20 minute neighbourhoods and an infrastructure first approach needs greater definition and clarity if not in this policy then the individual policies on those criteria. There is no mention of any balance of types of locations and no mention of brownfield land so it is unclear how this works with part b)

Part d) needs to require that proposals meet the six qualities of good places and be adaptable to change rather than saying that they 'should'. This policy also needs to be more about layout, spaces and design and require that developments be tenure blind. It needs also to refer to attractive, varied and sustainable design and materials.

Part e) that proposals of more than 50 dwellings (major housing development) should include a statement of community benefit, this needs to refer to 50 homes or more to properly reflect the hierarchy of developments and to require such a statement if it is to be effective. Any such statement realistically needs to relate to either an LDP or a Local Place Plan for legitimacy, needs to be linked to an engagement process, needs to have a measure of proportionality to the scale of the development.

Part f) needs to be carefully worded as proposals for new homes that provide for affordability and choice should be supported mustn't override other policy considerations, and provisions on choice need to be carefully assessed. The policy gives no criteria for assessing this.

In part g) that proposals that provide for Gypsy/Traveller accommodation should be supported, subject to criteria, this needs to be clarified as being subject to meeting other plan policies.

In part h) that affordable housing should be at least 25% of the total number of homes, this needs definition of affordable in the glossary, and definition between 'affordable' and affordability. A significant part of the paragraph seems to be defining ways to avoid providing affordable homes, as with other significant policy provisions, exceptions should be considered on the basis of the relevant material considerations, not written into policy as an exception.

Part i) as to proposals for housing on land not identified in the LDP for housing should not be supported unless certain criteria apply, the criteria are generally supported, however, the policy is too negative for application good brownfield windfall sites. It needs to be worded to support those.

Part j) that householder development supported subject to amenity considerations is appropriate to its subject in principle but seems out of place in this part of the NPF. There is also a consideration as to whether the NPF should be looking at householder development or whether it is more appropriate for this to be left to LDPs. If retained, it needs to consider daylighting impact issues and householder development in the green belt context. It would also need a review of PDR to consider impacts of that on sustainability and climate change.

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?

The policy needs a better flow and should be cross referred to 20 minute neighbourhoods. It may be better to place it in the sustainable places section rather than this one. The wording should be more positive, about requiring sustainable solutions rather than just reducing unsustainable travel and addressing accessibility and mobility in terms of need to travel and travel distances. Also, it addresses trunk roads first before active travel, rather than being set out in line with the people, wheels/cycle, bus, car hierarchy of the National Transport Strategy

Part a) sets out that LDPs should aim to prioritise locations by sustainable modes, this needs to be more directive, for example, LDPs must prioritise. Exceptions can be addressed by weight of other material considerations and shouldn't be written into policy.

Part b) specifies that LDPs should have a Transport Assessment (TA). It should be worded as must and identify satisfactory ways of meeting the sustainable transport requirements in line with the National Transport Strategy (NTS) 2 hierarchies, again with positive wording. The reference to Development Planning and Management Transport Appraisal Guidance is considered out of date in the context of NTS2.

In part c) the ask of a transport assessment for development proposals which are likely to generate a significant increase in the number of person trips needs to be stronger and clearer as to what might constitute a significant number of trips so as to

minimise debate about the requirement for any particular proposal, there needs to be a method which forms the basis of the assessment and mitigation required. The reference here to the NTS and the National Investment Hierarchy is helpful but overall the language needs to require things to be done rather than 'should' be.

For part d) the above comments apply in respect of travel plans for significant generating uses and these need to be informed by TA/design and access statement as a source of data. Monitoring requirements of travel plans will need to be more precise on measures rather than 'arrangements' and targets should be set by LDPs and local transport strategies, relating to national ones but allowing for local circumstances. Again, Transport Scotland guidance needs to be updated for cross reference.

Part e) refers to the assessing development impacts on the operation and safety of the strategic transport network and need for mitigation. It needs to be clearer as to whether this refers only to Transport Scotland interests and would be more sensibly directed to the local network also, including all modes. Where mitigation is required this needs to be sustainable mitigation.

In part f) the consideration that new trunk road junctions will not normally be supported but can be justified where there are significant prosperity or regeneration benefits seems to be contrary to the spirit of the NPF and NTS transport hierarchy. This needs strengthening and clarity on the scale of justification if it is to be retained; as with other policies, exceptions can be considered in the light of other material considerations rather than specified. It also needs clarity in references to mitigation that this be sustainable.

Part g) states that development proposals should put people and place before unsustainable travel where appropriate. The principle is supported but needs stronger prioritisation for all circumstances rather than making suggestions for managing traffic in some circumstances. It needs to be more specific in requiring actions to be effective, as worded it would not be clear, precise or prescriptive to bring about change towards the policy objectives.

For part h) which sets out that proposals for significant travel generating uses should not be supported at locations which would increase reliance on the private car, where not mitigated by active travel provision, public transport and meeting NTS2 hierarchy. There is much unclear and imprecise in the wording that could not be used to assess proposals objectively. The wording needs clarity and to specify what needs to be done and what specific criteria would be used to assess whether or not that has been achieved.

Part i) seeks that proposals should demonstrate meeting the NTS hierarchy, integrating modes, public transport use and low emission targets. Without wording to require proposals to achieve targets and measures of this the policy it would not be effective.

Part j) in supporting development where it is enabling active travel infrastructure, public transport, and modal hubs if deliverable and effective. This needs more prominence and priority along with reference to the targets are in national policy.

Part k) has a consideration that all new and upgraded transport infrastructure must consider the needs of users of all ages and abilities and refers to relevant equalities legislation. If a legal requirement then the question arises as to whether there is a need for this to be part of policy. If it should be, then the wording should define what priorities need to be met and how this is assessed otherwise the provision to 'consider' means the policy will not be effective.

In part l) on provision of Cycle Parking there is no policy strength in having proposals 'consider' the provision of cycle parking, to be effective it must require a level and type of cycle parking to be able to bring this about.

For part m) development proposals need to be required to comply with or propose low or no parking provision rather than the policy just encouraging it, otherwise the policy objective will not be delivered.

Additionally, this policy needs to provide for infrastructure provision of **electric, hydrogen, and other low or zero-emission vehicle and cycle charging points** that are provided in safe **accessible** and convenient locations. This should be proportionate to reducing levels of private car use rather than promote such use.

On travelling safely in relation to personal safety, rather than road safety per se, this should feature here as well lit, overlooked routes ae an essential consideration for sustainable travel modes to be used more widely. There is debate on women's safety in particular so this needs strong consideration.

The proposed policy refers to mode share targets, however Scottish Government does not set mode share targets. City Mobility Plan (CMP) is attempting to do so, but meeting challenges. Is NPF4 suggesting that LDPs need to have mode share targets, and if so, guidance on this would be helpful – not necessarily in NPF4, but as a connected piece of guidance linked to national targets of 20% reduction in car kms. There is only one refence to this target (page 47).

Support could be given for provision for sustainable freight, here potentially in terms of provision for deliveries which can be undertaken sustainably – last mile deliveries, and the policy should specifically mention mobility hubs as a way of mitigating significant travel generating uses (Part J) – this would give a practical steer for delivering this infrastructure as set out in the Council's City Mobility Plan (CMP).

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?

Part a) sets out that LDPs should take into account the area's Local Heat and Energy Efficiency Strategy (LHEES) and areas of heat network potential and any designated heat network zones (HNZ) when allocating land. This should be a requirement.

Part b) supports development, including retrofitting, connecting to existing heat networks. It needs to say that new developments must not only connect to existing heat networks, but also facilitate the expansion of the network through the new

development to that subsequent development (or existing areas which are currently unserved by the network) can make future connections.

Part c) provides that development proposals in locations where a heat network is planned but not yet in place should only be supported where they are designed to allow for the cost-effective connection at a later date. To be effective it needs to specify a level of requirement rather than refer to what 'may' be required.

Part d) covers that proposals with no demonstrable effective solution to connecting to a heat network should provide an alternative low or zero emissions heating system. When this refers to 'no demonstrable effective solution' is available it should clarify if this means the proposal is not able to meet either criteria b or c above.

Part e) to h) cover a range of scenarios where heat or heat source types might be applicable. Whilst the principles of these are supported they could only be made effective by ensuring the policy text is sufficiently prescriptive to require the relevant actions to be taken by the relevant developer.

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?

Generally, support as the policy should achieve positive outcomes across a range of the benefits that green and blue infrastructure should provide. It might benefit from being split into two so that green and blue infrastructure are covered in one policy and then play/sport facilities/loss of open space are covered in a separate policy. That would keep the policies a more manageable length.

There should also be a mention of how green infrastructure is an important part of creating, enhancing and extending green networks that are important for walking and cycling as they can make the experience more enjoyable/welcoming as well as safer when the infrastructure is designed appropriately.

Part b) whilst it is good for LDPs to include reference to new/enhanced play opportunities, there should probably be an acknowledgement that the primary responsibility for that job will be in the Open Space Strategy (OSS) which will become a statutory document and generally precede an LDP in cycle.

Neither LDPs nor OSSs should be identifying informal and incidental spaces for play as this is impractical; virtually anything could comprise such a space depending on the point of view of the child.

For part c) there is a concern that this allows for eroding the network since 'eroding the overall network' is a very difficult thing to establish for an individual proposal in the context of a network spanning a whole city for example. Most developments will argue their individual proposal would not, in itself, result in harm at the overall network scale. It would benefit from removal of the second part of this this policy paragraph. If any loss of GB infrastructure is considered acceptable then this should

only be allowed if this is wholly off-set by contributions to the network elsewhere in the local area in line with opportunities identified by the planning authority either in its LDP or other documents e.g. Open Space Strategy. Also, if the policy designed to cover when loss of open space can be considered it is certainly weak on that too.

Part d) is supported but needs a reference to Culture and Historic Environment.

Parts e) to g) reference the potential loss of types of open space provision to development and presume against this, and support temporary uses. This is all supported, though the language does need to more prescriptive to enable effective policies.

In part h) the historic environment should be cross referenced here. There should be some expansion on what multifunctional means here as this isn't fully covered by the six qualities of a successful place. The six outcomes in the draft Open Space Strategy regulations would be a good reference. There should also be a reference to the importance of making sure the location and form of green blue infrastructure should link to and complement the networks and infrastructure in the surrounding area.

Part I) reference to maintenance information being required 'wherever necessary' is a little vague and means there may be quite a lot of onus on Local Planning Authorities to make judgements about that (for developers to argue about it too). Management and maintenance information might not always be needed but is often important even at a small scale. I would suggest making the default that information is provided unless it is actively demonstrated that it is not required due to the nature of the green infrastructure.

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?

Remove the reference to 'encourage' in promoting the use of natural flood risk management. This should be the default first option looked at. At the end of the first paragraph where it refers to the benefits of natural flood risk management then it should cross-refer back to this as mentioned in Policy 12.

Part a) this should refer to precautionary principle rather than 'cautious approach'.

In part b) there should be a reference to the SEPA flood risk guidance and any applicable local guidance to be taken into account of.

Part c). use of terms like small scale and 'significant impact' are imprecise and open to interpretation. This could be considered in terms of the hierarchy of developments. Equally, 'significant effect' on the flood plain is imprecise and could be quantified in terms of a threshold of the volume of water displacement. It should conclude by saying if smaller extensions are to be considered within the scope of this policy then they are to be assessed in line with the rest of the policy principles.

Part d) greater precision of language needs to be used for 'additional measures to make safe' or guidance used to clarify further what is meant.

In part e) in bullet points one and three add 'fully' or 'wholly' successfully mitigated and refer to this mitigation should be in the form of nature based solutions.

For part f) the second bullet point of should say provide drainage *and* attenuation of surface water and remove the reference to adequate as the reference to 'wherever practicable' should be the defining factor for how maximising and defining how much of the site is given over to SUDS. Once again, a reference to local and/or national guidance in relation to surface water flooding and SUDS should be made.

Part g) the reference to 'wholesome' water supply needs clarified.

Part h) is supported.

Policy 14 Health and Wellbeing

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

Whilst generally welcomed and supported, the health and wellbeing policy should not be at the end of liveable places. It needs to be one of the overarching policies and link to the infrastructure first section too. It seems to be rushed, poorly structured and last minute. It should be a universal policy.

Part a) provides that LDPs should aim to create vibrant, healthier and safe places. If health facilities and infrastructure are a key consideration then they should be included in the definition of infrastructure within the section.

For part b) that development proposals should not be supported where significant adverse health impacts are likely to occur this reinforces the need for health and welling being to be given much more priority in this section and the whole NPF4. This seems unduly negative, development should be able to support positive health outcomes and development that does not should be treated as an exception on the basis of the relevant material considerations and not be written into policy.

The requirement for a health impact assessment needs to be clarified as to the threshold, should this be EIA, national or major development criteria as without definition this is likely to lead to debate as to whether or not assessment is needed.

In part c) on air quality there needs to be more consideration of the need for air quality assessments and how these are appropriately required and assessed, including for cumulative impacts.

For part d) the issues are similar to those set out for c) above.

Policy 15 Safety Major accident hazard sites

This is not a general policy on safety, it relates to specific land uses and hazards of those uses and should be with business and/or infrastructure policies.

Productive Places

Policy 16 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 policy preamble says a lot about the need to provide for sustainable and inclusive growth but needs definition of many of its terms e.g. greener, wellbeing, fairer, nature positive without a suggestion of the means of assessing these.

In part a) on LDPs setting out how to meet requirements for employment land, infrastructure and investment the above point is relevant, it needs consideration of how these attributes are measured.

Part b) on supporting business and employment on sites allocated for those uses seems unnecessary and the caveats around assessing impacts are in principle the process of determining a planning application, though notably the consideration of net economic benefit comes with no clarity as to how this might be assessed.

In part c) on proposals for home-working, live-work units and microbusiness being supported subject to compatibility with surroundings, this doesn't add to what can be achieved in terms of mixed use under current policy. Equally it could be used as loophole to allow development of employment land for homes by virtue of saying employment can be provided within homes. There is no comment on the difficulty of enforcing such a policy if employment use in a home is not continued.

For part d) on proposals for business, general industrial and storage and distribution uses being supported there is reference to compliance with other plan policies which is not referred to in any other policy.

Part e) on use of planning condition in appropriate circumstances to secure site restoration the wording is general and vague. It is unlikely that it would be enforceable as written or specific enough about which developments that it applies to.

Part f) covers business and employment uses on non-allocated sites and largely restates the principles of assessing such an application adding only that there be a presumption in supporting it subject to assessment of impacts.

Part g) is similar to the above though more specific in terms of which impacts to assess. It does not specifically refer to noise, though the intent may be that this is covered in reference to amenity. The reference to the historic environment is welcomed.

Policy 17 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 netzero and nature commitments?

Subject to the comments below the policy approach is generally appropriate for land use planning policy, however, there is little to it which would in itself inspire visits. In terms of net zero and nature the comments below apply.

Part a) on LDPs supporting the resilience of the tourism sector, including identifying tourism proposals for tourism development should be expressed as supporting any identified tourism related opportunities, it is more appropriate for a plan to do this than to research opportunities.

Part b) no comment.

Part c) should also refer to built and natural heritage. The reference to new development including measures to alleviate existing pressures goes against a principle of the planning system that new developments should only be required, proportionately, to mitigate their own impacts or the cumulative impacts of new development. This appears contrary to the principles of the relevant circulars and case law on planning conditions and obligations. There also needs to be reference to how factors such as impact on quality of life can be assessed.

Part d) it is not clear what evidence there is to justify a national policy on huts and hutting development whilst other leisure pursuits are only considered collectively.

Part e) is welcomed as support for areas under pressure from the impact of short term lets on the housing supply, on communities and on local amenity.

For part f) on change of use of a tourism related facility, this could be assessed on the basis of material considerations and its unclear why a policy is seen to be required.

In part g) there are number of factors for assessment of proposals, most of which are either standard technical assessments or other plan policies. The policy could be more precise by referencing only factors unique to the development type. Should add new bullet point 'impacts upon Natural and Historic Environment' e.g. high visitor numbers may require new paths/ infrastructure and have negative impacts upon sensitive sites e.g. footfall erosion leading to loss of assets.

Policy 18: Culture and creativity

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

Part a) on LDPs supporting the cultural and creative sectors is supports and reflects existing and proposed plan policy of City of Edinburgh Council.

For part b) on the principle of having public art provided in new or changed open spaces is supported, however, there needs to be more clarity in the policy over

requiring it where justified and what level of funding should be sought. It should also refer to interpretation of the historic environment as a form of public art.

Part c) on supporting temporary cultural and creative uses in vacant spaces and property, this can be helpful as a means of maintaining the vitality and viability of areas.

For part d) on criteria for considering proposals which would result in the loss of an arts or cultural venue there is concern as to whether as worded they are sufficiently robust and workable, and whether the criteria need to be strengthened.

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?

This policy doesn't mention energy conservation, which is a significant omission.

Part a) on LDPs seeking to ensure an area's full potential for renewable energy is achieved has no caveat on landscape or other impacts and as worded supports renewable energy developments in all instances. Reference needs to be made to factors which need to be taken in to account in assessing an area's full energy potential in the context of constraints. Also, it isn't clear how that potential can be calculated.

For part b) and support in principle for proposals for all forms of renewable energy and low carbon fuels and their enabling works needs to be clear that it only supports in principle the parts of any proposals which include renewables but only as a part of an overall proposal.

Part c) refers to presumption against wind farms in National Parks and National Scenic areas and this is supported.

In part d) the requirements for environmental and visual impact reports for wind farms are supported. However, it mentions only nationally important sites and non-designated assets make up some 95% of heritage assets and may be of more than local importance in terms of sense of place The wording should change to significant heritage assets not just national ones.

Part e) on the presumption for repowering, extending or expanding existing wind farms subject to assessment of impacts is supported.

Part f) presumes in favour of any proposals for small scale renewable energy generation technology and is too simple as worded. Small scale is not defined and it implies all proposals of this type would be supported without caveat or consideration for other issues which need to be taken into account. This part in particular needs clear linkage to part k) as regards natural and built heritage.

In part g) there is a consideration that areas identified for wind farms should be suitable for use in perpetuity. This needs consideration of existing consents where impact has been assessed as acceptable when temporary and it shouldn't be

assumed that these become permanent sites, rather they should be reassessed if this provision remains in the NPF.

Part h) on decarbonisation strategies for major energy, manufacturing or industrial developments needs to be worded to require them as part of their application. There also needs to be clarity on definition of the term 'appropriately abated.'

Part i) presuming in principle for support negative emissions technologies and carbon capture needs to be clarified with reference to assessment of potential impacts.

In part j) the consideration of criteria for assessing solar arrays is supported.

Part k) includes a range of criteria for assessment of renewable energy developments. These should be cross referenced to the other relevant parts of Policy 19 to ensure they are properly linked and interpreted by developers, decision makers and other stakeholders. They are supported in principle but given the complexity of many of them will require guidance to be published on what should be submitted with proposals and how that information can be effectively assessed. On historic environment assets the wording should refer simply to impacts on historic environment assets and their settings rather than singling out designated assets, as a clearer, inclusive approach.

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?

Policy should make more of the positive carbon capture retaining historic assets can play here e.g. reuse of old buildings, conservation of old field boundaries.

In part a) on LDPs identifying appropriate locations for new infrastructure whilst LDPs might play a role in this it would be better to have a more strategic approach through regional spatial strategy working and the NPF should therefore take that approach.

Part b) will only have effect if the wording requires development proposals to evidence how they minimise waste and emissions, including embodied emissions and has a means of compelling adherence to this. As worded its aspirations are supported but it needs a different approach to make change happen.

For part b) the above comments also apply to the range of actions sought in terms of national and major developments and their operation. There is also the issue of competence of this part of the policy on things which are not necessarily within the established remit of planning, particularly the ongoing and future use of the development in terms of waste efficiency.

As regards part c) similar concerns arise as to how the ongoing operation of a development can be controlled in this way.

In part e) on development of waste infrastructure proposals and assessment of them this should refer to built and natural as well as historic environments in the first bullet point.

Part f) on location of new waste infrastructure on business, industrial or storage and distribution sites this is supported subject to the caveats set out.

Part g) has a presumption against new or extended landfill sites and this is supported.

Part h) on capture and use of gas from landfill or waste water sites should be justified in terms of associated carbon impacts and how they might be mitigated.

Part i) on energy from waste the approach is supported subject to the caveats in and actions required by the policy. This approach should be extended to part h).

Policy 21 Aquaculture

Q42: Do you agree that this policy will support investment in aquaculture and minimise its potential impacts on the environment?

In respect of the four part policy proposed the only comment is that it should include reference to the need to include assessment and consideration of the Historic Environment, both marine and land based.

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?

The four part policy on minerals, including the presumptions against fossil fuel extraction and unconventional oil and gas is generally supported, however, it would be stronger if the exceptional circumstances qualification in regard to fossil fuel extraction was removed. Any case could be considered as an exception based on other material considerations and it should not be written into policy.

Policy 23 Digital Infrastructure

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

This five part policy is generally supported, however, it should recognise that the specific siting or routing of new infrastructure can have significant localised impacts. Although this policy in particular 23D recognises that setting needs to be considered it does not mention physical impacts. The extension of PDR for taller mobile phone installations has met with considerable opposition and the policy needs to find ways in which to integrate new infrastructure with a placemaking approach to ensure that public space and visual amenity are not diminished by installations. The NPF is an appropriate mechanism to seek better outcomes from the industry as well as improved connectivity.

Distinctive Places

Q45: Do you agree that these policies (24-27) will ensure Scotland's places will support low carbon urban living?

Policy 24 Centres

Part a) sets out that LDPs should support sustainable futures for city, town and local centres and identify a network of centres. This needs to be a requirement of LDPs.

For part b) and support for development proposals that improve the vitality and viability of city, town and local centres this needs to reference character as well as uses or functions and include the value of the historic environment which is at the core of many places.

Policy 25 Retail

In part a) on location of retail development which will generate significant footfall (centre first, edge of centre if supported by the development plan, out of town locations not supported) the wording needs to be clearer in terms of ways of assessing 'significant footfall' and on meaning of 'out of town' in a city/local centre context. Another key issue is that there is no reference to retail impact assessments to gauge the impact of a proposal on a centre, which would take proportionality into account for the relevant area. The wording also needs to have more emphasis on mixed use and the interaction of retail market with other use, and consideration of the potential for effective concentrations and clusters of retail types. The policy would be more meaningful if it can be tailored to locality.

Part b) on assessing the impact of retail development on areas is supported.

In part c) the presumption against clustering of some non-retail uses (hot food takeaways, betting offices, high interest money lending premises) is supported. To be stronger this would benefit from a review of the use classes order on such uses to enable control of changes of use.

For part d) on proposals for neighbourhood shopping the reference to 20 minute neighbourhoods is supported.

Part e) supports ancillary retail use linked to existing uses is island and rural areas, This is supported. It needs to be considered whether similar provisions in urban areas might enable the retrofitting of 20 minute neighbourhoods alongside part d).

Policy 26 Town centre first assessment

In part a) on location of other uses which will generate a significant footfall has a clearer sequential approach with reference to site assessment options and presumption against out of centre locations, and to the scale, proportionality and impact of the proposal. Consideration should be given as to whether it should refer to food and drink uses also. There is a need to clarify how to measure impact and footfall, including whether a proposal will generate more than local reach. It also needs to address where there is scope to develop a historic asset which generates footfall but is in a specific location.

Part b) sets out that a town centre first assessment should identify the potential relationship with the network of centre identified by the development plan, and sets out a range of factors for developers to consider. This part needs to be much more focused, detailed and prescriptive so that developers are required to do an assessment and are clear on the data needed.

In part c) further commentary is given on how town centre first assessment should be used for community, education, health and social care and sport and leisure facilities, relating to 20 minute neighbourhood principles and accessibility. This is supported.

Policy 27 Town Centre Living

Part a) sets out that town centre living be encouraged and supported and that a proportion of the housing land requirement be in city and town centres. This is supported though should acknowledge that in successful centres with high demand and costs this may not always be feasible.

In part b) on new residential proposals in city/town centres should be supported, whilst this is appropriate it needs also to have a strong presumption for providing a mix of use on vacant sites as well as the presumption given in protecting existing building uses.

Part c) supporting conversion or reuse of upper floors as residential is supported and consideration should be given that where there is development of a building this is required unless the upper floors are needed to support the ground floor use.

In part d) support is given for ground floor residential use, subject to amenity and vitality and viability considerations. This should be framed as a presumption against the loss of non-residential ground floor space as loss to residential is usually permanent whilst 20 minute neighbourhood principles will promote a variety of uses.

Part e) states that residential developments in city/town centres should ensure suitable residential amenity can be achieved, this needs to be stronger, that it must be demonstrated it can be achieved. This seems to allude to the agent of change principle (as referred to in Policy 18 Culture and creativity), which should be clearly stated and cross referenced as a protector of amenity. It also needs to be considered in terms of the level of adaptability of the historic built environment.

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?

Overall this needs editing and cross referencing with Natural Heritage policy and the preamble misses the reference point that the historic environment is a finite resource.

Part a) sets out that LDPs and their spatial strategies should identify, protect and enhance locally, regionally, nationally and internationally valued historic assets and

places and this is supported, however, it should also reference the Historic Environment Record that planning authorities have a duty to hold.

Part b) refers to what assessment should be required of proposals with a potentially significant impact on historic assets or places and gives planning authorities some discretion on this. Part b) is key to the successful delivery of Policy 28, yet it lacks detail reflecting and updating on the current Scottish Government PAN 2/2011. It should be considered whether these principles should apply to undesignated historic environment also. The reference to HES's Managing Change Guidance Notes is also at odds with the rest of the draft in terms of Key Agency policy and guidance or Planning authority guidance.

Part c) on the presumption against demolition of listed buildings or other works that adversely affect the special interest of a building or its setting is supported.

Part d) on the basis of assessing proposals for the reuse, alteration or extension of a listed building is supported, though needs to be stronger, must not should.

Part e) that development proposals should preserve or enhance the character and appearance of conservation areas and their settings is supported though needs to be stronger, must not should.

Part f) on demolition of buildings in a conservation area which make a positive contribution to its character not being supported is appropriate, though needs to be stronger, must not should.

In part g) that proposals should ensure that existing natural and built features which contribute to the character of the conservation area and/or its setting are retained especially structures, boundary walls, railings, trees and hedges, is supported but needs to be stronger, must not should.

Part h) the presumption against development that affects scheduled monuments is supported though again needs to be strengthened by replacement of should with must.

For part i) on sites within the Inventory of Gardens and Designed Landscapes the comment on part h) applies.

For part j) on sites within the Inventory of Historic Battlefields the comment on part h) applies.

Part k) applies to the preservation objectives of Historic Marine Protected Areas, the comment on part h) applies and a more precise term that 'not significantly hinder' those objectives is required.

For part l) on development that affects a World Heritage Site or its setting is supported subject to should being replaced by must.

Part m) refers to the Buildings at Risk Register (BARR) and supports proposals that sensitively repair, enhance and bring back into beneficial use historic environment assets identified as being at risk. Some concerns are raised at the focus on BARR as it is very specific in focus on listed buildings and buildings in conservation areas.

As such it is limited in scope and does not cover a whole range of other historic buildings and areas which could benefit from investment, particularly in poorer communities. The Local Authority Historic Environment Record should also be recognised here, or the specific reference to BARR amended or removed.

Part n) refers to cases of enabling development for historic assets or places that would otherwise be unacceptable should only be supported where it can be demonstrated that development will secure the future of a historic place or asset at risk of serious deterioration or loss and what is being proposed is the minimum necessary to secure its restoration, adaptation and long term future. As with other policies the should needs to be changed to must. There are concerns that this part would still result in unacceptable impacts on historic assets and should be dealt with by exception rather than written in to policy as drafted.

Part o) sets out that proposals should avoid adverse impacts on non-designated historic environment assets, areas and their setting. A concern is raised that it is too narrow in definition and scope and by only referencing excavation represents a significant weakening of current planning policies in this area. Consideration needs to be given to replacing it with wording of the Proposed City Plan 2030 for Edinburgh.

Env 17 Development of Sites of Archaeological Significance

Proposals will be supported by this policy on sites of known or suspected archaeological significance if it can be demonstrated that either:

> *a. no significant archaeological or historic features are likely to be affected by the development, or*
>
> *b. any significant archaeological or historic features will be preserved in situ and, if necessary, in an appropriate setting with provision for public access and interpretation, or*
>
> *c. the benefits of allowing the proposed development outweigh the importance of preserving the remains in situ. The applicant will then be required to make provision for appropriate archaeological mitigation (for example historic building recording, environmental sampling, excavation, conservation, recording, and analysis, and publication of the results) before development starts, all to be in accordance with a programme of works agreed with the Council which should include provision for public benefit including public engagement.*

> *Assessment against the above criteria will be based on information derived from either*
>
> *a Desk-Based Assessment, Historic Building Assessment and, if requested by the Council, an archaeological evaluation and survey, forming part of an Environmental Impact Assessment, Heritage Statement and Historic Impact Assessment, or a Design and Access Statement.*

Part p) refers to the need to report archaeological discoveries made in the course of development to the planning authority. The wording needs should to be replaces with must. Greater sense and clarity could be given by rewording it as per the aims of Para 31 of PAN 2/2011 on unexpected discoveries of archaeological remains. The issue of enforcement and resourcing of this needs also to be addressed in any revision of PAN 2/2011.

Policy 29 Urban Edges

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?

In respect of the policy preamble, this needs to mention should mention historic environment and landscape as key issues.

Part a) advises that LDPs should consider use of green belts where appropriate in some of the most accessible or pressured rural or peri-urban areas. This is to manage significant danger of unsustainable growth in car-based commuting or suburbanisation of the countryside with a more restrictive approach to development, to benefit quality of life and environment in our cities and towns, increase urban density and minimise the need to travel using unsustainable modes. This approach to managing the sustainability of development has a different emphasis from existing green belt policy and is supported.

Part b) sets out a general presumption against development but with a list of development types and purposes that might be acceptable depending on a range of criteria including whether non green belt sites are available. Established need is one criterion and this could be used to justify new housing developments so therefore should refer to the need for any such development to be built at a density to support a viable level of sustainable public transport accessibility and local services under 20 minute neighbourhood principles. For reuse and conversion of historic environment assets and buildings there is a concern that the wording is too open and needs to be stricter in terms of appropriate uses and that these not be significant traffic generating uses. The interaction of this policy and its objectives with PDR also needs careful consideration. A further concern is that the wording appears to be open to any type of renewable energy proposal without consideration of impacts and this needs to be clarified. There is no mention of traditional green belt objectives such as managing coalescence and retaining landscape setting of settlements and openness in the green belt. Again, this needs consideration and clarification.

Part c) requires a justification in any of the above cases as to why a green belt location is essential and consideration of assessment of impacts, which is supported subject to the comments on part b).

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?

Part a) sets out that LDPs should seek to reuse vacant and derelict land and redundant buildings as a priority including in proposals to creatively and sustainably repurpose buildings and structures. This is supported in principle but needs more clarity of definition on the differences between brownfield and derelict land and restored but vacant land to make implementation more practical.

In part b) support in principle is given for proposals for these types of sites, which is appropriate.

Part c) presumes against greenfield development unless allocated through an LDP, or is explicitly supported by development plan policies and there are no suitable brownfield alternatives. This is supported but would benefit from defining how brownfield sites are assessed as suitable.

Part d) requires demonstration of appropriate remediation of contaminated or unstable land, which is supported.

In part e) support is given for reuse of existing buildings with demolition being the least preferred option. Again, this is supported by should be cross referenced with requirements on carbon life cycle assessment. This part of the policy could create incentives which would see the retention and reuse of historic buildings, especially non-designated ones, which help create attractive location and sense of place, which would otherwise be demolished. However often these sites in particular brown field sites are by their very nature often important archaeological sites. Accordingly, the impacts of developing these sites must be assessed at an early stage in the development Plan system so that appropriate selection and or mitigation is put in place. Also, brownfield sites can be of high ecological value, particularly if they meet the classification of Open Mosaic Habitat on Previously Developed Land (OMHPDL) which is a UKBAP classification. The impacts of developing these sites on ecology must be assessed at an early stage and adverse impacts avoided and/or mitigated through site layout and design.

Policy 31 Rural Places

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

Part a) sets out that LDPs should set out proposals to support the sustainability and prosperity of rural communities and economies, which is supported.

In part b) support is given for development proposals that support the resettlement of previously inhabited areas, where the proposal is consistent with climate change mitigation targets. This is supported, though would benefit from cross referencing with key sustainability policies to ensure an appropriate form of development and consider 20 minute neighbourhood principles.

Part c) sets out a range of scenarios where rural development should be supported. This is largely supported, however, the first bullet point needs to be reworded to be more precise and to remove the sense that it supports proposals that 'reflect the development pressures…of the area' which could be interpreted as supporting suburbanising development in areas where there is pressure for growth but which may otherwise unsuitable or could undermine the wider NPF sustainable development objectives. Also, there are concerns at the potential impact on archaeological sites through support of enabling development as stated in the fourth bullet point. It is recommended that clearer wording is undertaken along with updated guidance PAN 2/2011.

In part d) support is given for proposals that contribute to the viability, sustainability and diversity of the local economy, with a range of examples of appropriate development. This is supported, though the historic environment needs to be a factor alongside the natural environment in terms of promoting improvement or conservation and restoration.

For part e) circumstances for appropriate development of new homes in rural areas are listed, with the caveats that this is not applicable in accessible areas or areas of pressure identified in LDPs. This is supported, though greater definition of 'accessible areas' is required, notwithstanding part f). In respect of reuse of historic buildings there needs to be a consideration that this be undertaken sensitively and with appropriate mitigation.

Part f) presumes against proposals in accessible or pressured rural areas where they are consistent with the spatial strategy set out in the local development plan and do not lead to the unsustainable growth in long-distance car based commuting or suburbanisation of the countryside. This is supported, though the wording needs to say must only be supported rather should only be supported.

Part g) supports development in remote rural areas, with a range of qualifying criteria, and this is supported.

Part h) presumes against proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, with a range of criteria as to where this may be appropriate. In the most part these are acceptable, however, the last bullet point on developments 'that can demonstrate that the layout and design of the proposal minimises the amount of good quality land that is required as far as possible' is too vague and open and could be used to justify a significant level of development. This should either be removed or related only to the other bullet points in this part rather than to development generally.

Policy 32 Natural Places

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

There is nothing in the preamble or policy wording to require restoration or enhancement so as proposed it is significantly lacking and only covers 'protection'. There is also no requirement stated here for development proposals to extend nature

networks and deliver positive effects for biodiversity. These requirements are contained in Policy 3 and so this needs to be very clearly cross referenced.

No, it offers some protection but the requirement to restore/enhance is contained within policy 3 and not here. Also, there are too many caveats for the true protection of natural places and too much dependency on designated sites. Protection for important habitats and features outside of designated sites is required.

This should also take account of ongoing Nature.Scot work: https://www.nature.scot/doc/consultation-developing-nature-guidance

In all parts of this policy there is a need to emphasise the importance of the precautionary principle as it applies to environmental considerations.

The structure and ordering of the policy parts needs to be reviewed. It should also be linked to nature crisis policy and to Biodiversity Actions Plans.

In part a) LDPs should identify and protect locally, regionally, nationally and internationally valued natural assets, landscapes, species and habitats. This is supported, there should however be mention of geodiversity and duty of LDPs to consider this.

Part b) presumes against development proposals that would have an unacceptable impact on the natural environment including biodiversity objectives, and this is supported though the wording need to be stronger by replacing should with must.

Part c) protects European designation sites and requires 'appropriate assessment' and refers to the relevant statutory tests for such developments. This is appropriate and supported.

Part d) protects National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve designations and refers to relevant statutory regimes. This is supported though the wording of 'should only be supported' needs to be stronger i.e. must only be supported.

In part e) similar protection is given to protected species and the relevant legislation and this is supported subject to the caveat given in part d).

Part f) refers that developers should take into account legislation on non-native species and this is supported if the word should is replaced by must.

For part g) where protection is given for a Local Nature Conservation Site or a Local Landscape Area, this would be better done by saying that development proposals will not be supported unless, referring to the acceptable approaches.

Part h) refers to the precautionary principle and as stated earlier this should be emphasised for the whole policy and not left to this part. Also, given that such landscapes are often valued for their historic environment such studies such be linked with the assessment of the Historic Environment.

For part i) the protection offered to wild land is supported.

Policy 33 Soils

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

Part a) sets out that LDPs should protect locally, regionally, nationally and internationally valued soils, this is supported in principle and can be achieved by the further parts of the policy subject to appropriate wording to require the outcomes rather than that they 'should' happen and appropriate methods of assessment.

Part b) provides that proposals should only be supported if they are designed in a way that minimises the amount of disturbance to soils on undeveloped land and protects them from damage including erosion or compaction. This needs clarification as to how an assessment of impact could be quantified or measured to be effective.

In part c) as regards development on peatland, carbon rich soils and priority peatland habitat a list of acceptable development types is provided with a presumption against others, along with requirements for assessment of impacts and mitigation. This is supported, though the cultural and historic value of this resource also needs to part of the assessment and mitigation process. Peatland bogs and soils are not only a valuable environment and source of carbon capture, but they are locally and nationally significant archaeological resources, containing not only evidence of past environments but also records of the impact of humans on the local, regional areas. They may also contain within and beneath then important archaeological remains form buried landscapes dating back to early prehistory to human remains, artefacts and settlements. The significance of these impacts and importance of restoring them sensitively was recognised at COP 26.

Policy 34 Trees, Woodland and Forestry

Q52: Do you agree that this policy will expand woodland cover and protect existing woodland?

The policy needs to make reference to trees in urban areas, their role in character, historic environment, climate change mitigation and in green-blue networks and flood risk mitigation. It also needs to make reference to where it requires woodland expansion rather than just supporting it.

Part a) sets out that LDPs should identify and protect existing woodland and potential for its enhancement or expansion, with the spatial strategy linking with the Forestry and Woodland Strategy required under the 2019 Act, this is supported but needs to be a requirement.

In part b) which sets out protection for a range of tree and hedge assets the wording should be amended so that proposals must not be supported where they result in loss or adverse impacts as listed.

Part c) on removal of woodland areas there needs to be greater clarity on the 'additional public benefits' which might justify removal rather than protection but essentially there should be a presumption in favour of retention, and acceptable proposals handled by exception. Compensatory planting should be required not

generally expected. The wording should refer to trees as well as woodland given the role of trees in carbon mitigation.

In part d) on opportunities for new or expanded woodland associated with new development, the wording should refer to this being prioritised rather than considered.

In part e) the support for proposals which bring about enhancement, expansion and improvement of sustainably managed woodland is supported.

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?

Part a) sets out that LDPs should consider how to adapt coastlines to the impacts of climate change. This should be a requirement where relevant and must do so in the context of regional working where relevant through Regional Spatial Strategies, given that coastal impacts are dynamic and affected by change. It also needs to consider that nature based solutions might conflict with historic environment concerns so needs alignment with these.

In part b) on proposals that require a coastal location being supported in developed coastal areas subject to not requiring coastal protection measures or adding to flood risk, this is supported. This though needs to be clearer as to what requires a coastal location rather than just being a development opportunity in a coastal area and if there is any reason not to support such an opportunity subject to other policy or technical requirements.

Part c) addresses circumstances in which proposals in the undeveloped coat might be supported, The principles of this are supported, however, the language needs to be much more prescriptive to deliver the desired policy outcomes, with use of 'should' replaced by 'must' to be more protective.

Q54: Do you agree with our proposed priorities for the delivery of the spatial strategy?

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

Delivering our strategy and realising our collective ambitions requires collaborative action from the public and private sectors and wider communities. Actions will range across different scales and include a mix of strategic and project investments. It will be important to focus implementation and monitoring on delivering strategic actions and key developments.

We expect that our approach to delivery will draw on the following key delivery mechanisms:

Aligning Resources

Infrastructure First

Delivery of National Developments

Development Plan Policy and Regional Spatial Strategies

Local Place Plans

Planning obligations

Land assembly

Masterplan Consent Areas

Investing in the planning service

Overall this part as developed has to be realistic about what Planning can deliver within its powers. It would be helpful if the policy direction set out delivery responsibilities – developer/community/Scot Govt/others as well as Local Authority responsibilities.

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?

Agree that these will contribute to the outcomes but as already stated it is critical that robust policy measures are written in to the plan in practical form to enable this to come about as fully as possible. The policy measures must be prescriptive, otherwise the outcomes will only be partly met.

Housing Numbers

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

This is agreed following the consultation process.

Glossary

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

See individual policy comments.