

Planning and Access Committee

Meeting: 28th March 2022

Agenda item: 4

Paper for decision

Summary

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| Submitted By: | Director of Place |
| Subject: | Draft National Planning Framework 4 – Loch Lomond and The Trossachs National Park Authority Response |
| Lead Officer: | Kirsty Sweeney, Development Planner 01389 722622 |

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1. Introduction

- 1.1. This report seeks the Planning and Access Committee's approval of the proposed response to the Scottish Government's consultation on the draft National Planning Framework 4.

2. Recommendation

- 2.2. Members are asked to:
- a) **Consider and approve** section 4 of this report to be the key areas of comment in the Park Authority's response to the Scottish Government's consultation on the draft National Planning Framework 4
 - b) **Delegate to the Director of Place** to submit the Park Authority's response and include any supporting statements or text to reflect the content of this report.

3. Background

Purpose and scope

- 3.1. The Scottish Government published Scotland 2045: Draft National Planning Framework 4 (draft NPF4) on 10th November for consultation up to the 31 March 2022. The draft NPF4 consultation document can be accessed via a link [here](#).
- 3.2. Members may recall the two previous short briefings on this which were provided to the full NPA Board meetings in December and earlier this month at the Board meeting on the 14th March. These outlined to purpose and scope of the draft NPF4 as well as highlighted some emerging key considerations identified from internal staff engagement across teams and specialities.
- 3.3. To briefly re-cap, the draft National Planning Framework 4 (NPF4) is a long-term plan for Scotland that sets out the Scottish Government's approach on how planning and development will help to achieve a net zero, sustainable Scotland by 2045. It is very broad in scope and introduces several new policy areas. It will inform our work to prepare our new suite of plans and strategy for the National Park as we move towards preparing our next National Park Plan, Regional Spatial Strategy and Local Development Plan.
- 3.4. The draft NPF4 is clear on the level of ambition and change needed and the role of the planning system in Scotland to support this. It highlights that:

“Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, build a wellbeing economy and create great places.”

Status of NPF4

- 3.5. The draft NPF4 sets out an overarching spatial strategy and set of principles for Scotland to 2045. It proposes 18 national developments to support this strategy and contains policies for the development and use of land that will be used to guide the preparation of Regional Spatial Strategies, Local Development Plans and Local Place Plans. The strategy will also be relevant to wider policies and strategies relating to land use, with the expectation that planning and development will play a critical role in supporting nature restoration and recovery, as well as safeguarding of the natural systems on which our economy, health and wellbeing depend.
- 3.6. As part of the reformed planning system, NPF4 will incorporate current Scottish Planning Policy and has enhanced status as part of the statutory development plan, directly influencing planning decisions. One to the main benefits of this is that Local Development Plans will not have to duplicate policies that are very standard at a local level and this is welcomed.
- 3.7. Once the draft NPF4 is adopted, it will take precedence over our current Local Development Plan. However, once our Local Development Plan has been updated, as it will be the newer plan then it is expected to take precedence. The Local

Development Plan is required to contain a spatial strategy, matters as may be prescribed by legislation, and other matters the planning authority consider it appropriate to include.

Previous engagement on draft NPF4

- 3.8. The current draft NPF4 consultation builds on two previous rounds of stakeholder engagement – the Calls for Ideas (Feb/May 2020) and the NPF4 Position Statement (Nov 2020/Feb 2021).
- 3.9. In addition, we submitted our [indicative Regional Spatial Strategy](#) to Scottish Government in September 2020 to inform the drafting of NPF4. This was an opportunity to informally highlight key strategic priorities for the National Park area in relation to its wider regional setting grouped within three themes set by the Scottish Government on Place, People and Work. For the National Park area we identified *natural capital, carbon sequestration and climate resilience* as priorities under the Place theme; *recreation, health and wellbeing and rural living and working* under the People theme and *tourism, investment in visitor and low carbon infrastructure and green recovery* under the work theme. We identified at this point that there are opportunities to strengthen partnership working at regional scale on several of these areas with linkages identified to the wider Forth Valley region (decarbonisation) and Glasgow and central belt for recreation, health and wellbeing.

4. Proposed response – key areas

- 4.1. The Park Authority's response to the draft NPF4 consultation has been coordinated by our Development Planning team following staff workshops. This focussed on the draft national planning policies from staff with specialist expertise in development management, access and recreation, sustainable travel, visitor management, climate change, legal and conservation and land use.
- 4.2. Overall, it is recommended that the National Park Authority broadly welcomes and supports the draft NPF4 and its ambition to set a clear national and area based approach. In particular, the significant weight given to the climate emergency and nature crisis is welcomed.
- 4.3. There are several aspects of the draft NPF4 for which it is recommended the Park Authority submits specific comment on. These include the following considerations which are in turn considered more fully in the sections below:
 - a) National Parks delivering for Scotland – there is opportunity in NPF4 to acknowledge and highlight the significant role that National Parks have as nationally strategic assets for Scotland.
 - b) Reference to Loch Lomond and The Trossachs National Park – this is in relation Part One of the draft NPF4's inclusion of Loch Lomond and The Trossachs National Park in the Central Urban transformation region instead of the Northern revitalisation region.
 - c) National Developments – this section provides some consideration of the bearing and relevance of the proposed National Developments to the National Park
 - d) Reference to land use – there is an opportunity to consider and provide stronger direction and guidance on the role of planning and linkages with sustainable

land use and land use change, for example through requirements for stronger integration with the Land Use Strategy and emerging Regional Land Use Partnerships and Frameworks.

- e) Community Wealth Building and Community Empowerment – there is opportunity for NPF4 to provide more overt and explicit guidance on how these national policy agendas integrate and can be supported by the planning system, particularly how local development plan spatial strategies can support this and the extent to which policy can deliver for these.
- f) Policy Considerations in the National Park context– there are several policies that are of significant relevance to the spatial strategy for the National Park. These could hinder the ability to develop a bespoke policy framework for the National Park designed to reflect its unique characteristics, challenges and opportunities. There are others where we have some minor concerns regarding the policies as currently drafted.
- g) Resource considerations – it is clear that there are number of additional duties and requirements for both Development Management and Development Planning functions, all of which will have resource implications.

(a) National Parks delivering for Scotland

- 4.4. There is no reference to National Parks in Scotland in any of the introductory sections or mapping. This is a considered to be an important missed opportunity, particularly at a time where the Scottish Government is actively considering at least one further National Park within Scotland. Scotland's two National Parks are nationally significant and deliver strongly against national outcomes and for the people of Scotland. At a national policy level recognition should be given to this as well as reflecting the role and contribution that National Parks in Scotland have towards delivery of various national policy agendas, specifically for the environment, climate and nature.
- 4.5. Whilst not requesting that they are identified as National Developments it is recommended that they should be referenced more overtly in Part One of the document as areas that help delivery of the spatial strategy, particularly for climate and nature, as well as welcoming and accommodating many millions of people per year and offering opportunities to connect with nature, improving welling and quality of life.

(b) Reference to National Parks

- 4.6. The draft NPF4 sets out a National Spatial Strategy for Scotland which is split into five geographic action areas. Loch Lomond and The Trossachs National Park is currently included within the 'central urban transformation area' with priorities for this area summarised as being on transforming and pioneering a new era of low carbon urban living. This area includes 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. Whilst mainly an urban area, the narrative for this section highlights that this part of Scotland benefits from a rich and diverse rural area and there are many areas where town meets countryside, including Loch Lomond and The Trossachs National Park.
- 4.7. The narrative for the National Park includes the following: "There are landscape-scale opportunities within Loch Lomond and The Trossachs National Park to restore and enhance nature and respond to climate change, including through woodland

creation and peatland restoration, as well as natural flood risk management. The National Park will continue to support the quality of life and health of the urban population and its future priorities include new infrastructure provision to provide a quality visitor experience and support people to connect with nature, as well as a greener tourism sector supported by innovative low carbon transport solutions. Long-distance active travel and rail routes have untapped potential to provide sustainable tourism solutions. The area's communities can adapt to support more localised living and working opportunities, with improved digital connectivity and affordable housing. More integrated planning and land management offers opportunities to support land use change and reduction of greenhouse gas emissions. The approach also links with and relates to the action area to the north.”

- 4.8. The northern action area includes the Cairngorms National Park and has priorities around revitalisation including growing low carbon rural communities, capitalising on digital innovation and making the most of exceptional natural and cultural heritage. In terms of areas, the draft NPF4 states that this includes “Highland with parts of Argyll and Bute, Moray and much of the National Parks. There are links west and north to the island communities.”
- 4.9. Our draft Indicative Regional Spatial Strategy submission to the Scottish Government earlier in 2021 (prepared to help inform the draft NPF4) was asked to consider the role of the National Park in the wider region within which it is set. This has clearly been picked up on in the draft NPF4 with recognition being given to the Park’s strategic location and relationship with the central belt and west of Scotland. This is supported, however the locational priorities and actions identified for the northern spatial area in draft NPF4 are more relevant to the Park than those identified for the central urban area.
- 4.10. It is therefore recommended that the Park Authority responds to ask that the narrative on Loch Lomond and The Trossachs National Park is moved to sit in the northern revitalisation section alongside the Cairngorms National Park for which the regional area priorities identified are more akin to those for both the National Parks than those identified in the central urban transformation area. This offers the opportunity to provide narrative for both National Parks and perhaps include a new specific action for National Parks, whilst also identifying individual contributions from both, for which it will be important to ensure Loch Lomond and The Trossachs strategic location close to the central belt is acknowledged and this role and relationship the Park has with this adjoining area.

(c) National Developments

- 4.11. In total there are 18 National Developments and of these there are 6 that are nation-wide including:
 - 4.11.1. National Walking, Cycling & Wheeling Network,
 - 4.11.2. Urban Rapid/Mass Transit
 - 4.11.3. Circular Economy Materials Management Facilities,
 - 4.11.4. Pumped Hydro Storage
 - 4.11.5. Digital Fibre Network and
 - 4.11.6. Strategic Electricity Generation and Transmission Infrastructure
- 4.12. Some of the above may fall within the National Park, such as new or existing national walking networks and pumped hydro storage. We support the inclusion of

these as national developments but it would be more useful if any maps are expanded and included to cover all existing sites/routes and potential new routes/sites i.e. West Highland Way, Cross Pilgrim Way or Sloy which has the potential to become a pumped storage. This would provide clarity. We would also wish, possibly not within this section, but somewhere within the NPF4, reference to be made to how any conflict with National Developments and National Park aims would be handled and which would take precedence.

(d) Reference to Land Use

- 4.13. There is welcome content in Part One of draft NPF4 on the need to invest in nature based strategies and nature restoration and also a welcome steer showing a strong expectation that the planning system should be not only be protecting but also contributing to the enhancement of biodiversity. However, it is considered that there is the potential to show and require clearer links between planning and land use. This is particularly within the context of the significant scale of rural land use change that is required across Scotland if we are to achieve our collective ambitions for climate and nature. It is recommended that further guidance is requested on the role and requirement for Local Development Plans to include content on land use (consideration of both existing land use and envisaged changes). This could be supported via seeking alignment between LDPs spatial strategy and forthcoming Regional Land Use Frameworks. NPF4 could also include suitable wording on this in relevant policies such as Policy 3 Nature Crisis, Policy 32 Natural Places or in Policy 31 Rural places and seek to more closely integrate the approaches to these topics with land use change.

(e) Community Wealth Building and Community Empowerment

- 4.14. Community Wealth Building has been weaved through the draft NPF4 and is mentioned under all the different area strategies referring to its role in both urban and rural context which is welcomed.
- 4.15. As with the rest of Scotland, within the National Park, community wealth building is extremely important for our communities and our economy over the next few decades. The area experiences significant pressures and demand for development and often our role as planning authority is to try and balance competing interests arising between external investors, landowners, businesses and rural communities. It is considered that the NPF4 could expand more on how community wealth building could help deliver a new type of wellbeing and green economy. It is suggested that it would be very helpful if NPF4 could consider and set out how aspirations for community wealth building, alongside the policy aspirations arising from the Community Empowerment and Land Reform portfolios, such as more community control over land, can be secured through planning. Consideration and guidance on the planning system's role in supporting the development that is led by communities and which delivers significant and demonstrable community wealth building outcomes would be advantageous, particularly for areas experiencing significant development pressure yet where community sustainability goals are still a priority.

(f) National Planning Policy Considerations in the National Park Context

- 4.16. Overall, general support is expressed for the draft policies. However in a few instances it is felt that support for the principle of development across the business and employment policies, and also tourism, without clear links to potentially conflicting policies needs clarified. In particular, there should be more links made to the Rural Places policy.
- 4.17. There are also improvements that should be made to the layout of the policy section as the policies contain a mix of policy principles for preparation of Local Development Plans and specific development management policies for handling applications. The former is important but we consider that the readability of NPF4 would improve if there was specific development management policies separate from these policy principles.
- 4.18. There are also a number of development categories which have been identified in relation to access rights, hot food takeaways, cafes and display of advertisements that are not included- these could be handled at a National policy level rather than Local Development Plan.
- 4.19. There are seven policies where officers consider there are missed opportunities in terms how the policies will affect the role and aims of the National Park. The following provides a summary of the main points recommended to be included in the Park Authority's response:
- Policy 3: Nature Crisis - We strongly support this policy but consider that there is a missed opportunity to strengthen the links to the need for Local Development Plans and accompanying spatial strategies to reflect and integrate with wider land use change, particularly for rural areas where this will be significant. Land use change will be required to not only protect but also restore the area's natural assets and the planning system has a role in assisting regional land use priorities.
 - Policy 5: Community Wealth Building – As mentioned above, comment should be made on strengthening this policy by responding to how the role of planning relates to community wealth building in rural areas, where stronger guidance is required on the extent to which local development plan spatial strategy can seek to support this - for example development may be permitted in certain circumstances only where a proposal is community led, controlled and demonstrated as supportive to community wealth building (similar to the current affordable housing exceptions policy).
 - Policy 7: Local Living – This is a significant shift and we welcome and support this approach. There are issues of resourcing and significant support is needed in rural areas, like the National Park, to realise this policy. The type of support we are referring to is investment in local services and facilities in rural village hubs to enable them to achieve the function of providing for the village itself and its hinterland.
 - Policy 10: Sustainable Travel and Transport – The policy is urban focused and makes no mention to the issues around travel for leisure and the high levels of car-based leisure journeys to rural hotspot destinations. The policy does not recognise the complexity of travel in different parts of the country and if rural is highlighted then recognition is needed over the rural-low-volume of travel and rural-high-volumes which is driven mostly by visitors in the National Park. The policy could also be stronger in the requirements for development around modal shift.

- Policy 16: Business & Employment – The policy needs to recognise that a local approach can be applied and it needs to make reference to Rural Places policy, particularly in part (f) where there is strong support for business/storage outside allocated sites but no reference to other policies and support for live-work units, which would conflict with Rural Places policy if this was in a pressured area.
- Policy 17: Tourism - This policy seems to potentially give blanket support for tourism proposals that deliver economic benefits. Again this policy needs to cross-reference other policies, in particular the Rural Places. The guidance for Local Development Plans could be strengthened and they should be given the scope to determine the spatial strategy for tourism and also given a role in identifying areas of pressure. This should not be left to Development Management.
- Policy 31: Rural Places – this key policy is a criteria based policy for rural areas. It is felt to have some potential inconsistencies. For example, it does not appear to provide the scope to develop localised approaches where justified. There is particular concern that affordable housing on small sites is supported in rural areas with no consideration over location or the type of rural area. It is envisaged that a Local Development Plan would have a role in identifying suitable locations such as building groups or small rural communities, fragile communities in order to protect pressured areas. The mention of brownfield in both part c and part e does not incentivise the reuse of existing buildings and this causes significant concern given there is no planning control over demolition (apart from in conservation areas and for listed buildings). Many traditional non-listed buildings in the countryside could be lost potentially and it does not support other policies in terms of zero waste and climate emergency. In addition, all brownfield land is capable of returning to a natural state (depending on how long the site is left) so this could be refined.

4.20. There are a number of policies where comments are recommended in relation to the detailed wording. Many of these officers are very supportive of and these are suggested minor adjustments or points of clarity. This is for the following policies:

- Policy 1: Plan-led approach to sustainable development
- Policy 2: Climate Emergency
- Policy 3: Nature Crisis
- Policy 4: Human Rights & Equality
- Policy 6: Design, Quality & Place
- Policy 8: Infrastructure First
- Policy 9: Quality Homes – b rural areas factoring in windfall.
- Policy 11: Heat & Cooling
- Policy 12: Blue and Green Infrastructure, Play & Sport
- Policy 20: Zero Waste
- Policy 23: Digital Infrastructure (incs Telecommunications masts)
- Policy 25: Retail
- Policy 27: Town Centre Living
- Policy 30: Vacant and Derelict Land

4.21. There are a number of policies where very little or no comments is considered necessary, and these include:

- Policy 13: Flooding

- Policy 14: Health and Wellbeing
- Policy 15: Safety
- Policy 18: Culture and Creativity
- Policy 21: Aquaculture
- Policy 22: Minerals
- Policy 24: Centres
- Policy 26: Town Centre First Assessment
- Policy 29: Urban Edge
- Policy 28: Historic Assets and Places
- Policy 32: Natural Places
- Policy 33: Peat and carbon rich soils
- Policy 34: Trees, Woodland & Forestry
- Policy 35: Coasts

(g) Resource considerations

- 4.22. Planning fees will be increased across Scotland from 1st April 2022, which is a recognition by Government of the need for additional resources, however it is recommended the Park Authority's response reiterates the importance of ensuring there is a continued dialogue to ensure a well-resourced planning system to deliver additional duties and requirements included in the draft NPF4.

5. Conclusion

- 5.1. The draft NPF4 is welcomed and supported in particular in relation to its emphasis on the climate emergency and nature crises. There are a number of areas which would benefit from being strengthened, such as the role and reference to National Parks, the reference to linkage that could be made between land use and planning, and a number of detailed comments on specific policies such as Sustainable Tourism and Rural Places which are particularly relevant to the National Park context. Members are being asked to approve this report as a basis for the National Park Authority's response to the draft NPF4.