

30 April 2020



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Dear Sir or Madam,

### **NPF4 Call for Ideas**

We write in relation to the ongoing 'Call for Ideas' consultation in relation to the creation of NPF4. The Savills Planning Team have compiled some comments in relation to energy, housing and retail planning matters in the context of what we view as being significant for NPF4. We've grouped comments under these sector headings further below. In addition to this, a separate paper has been enclosed with this submission in relation to ideas for rural planning matters.

### **Recent Publications and Legislative Context**

Firstly, it is useful to set out a number of recent publications and pieces of legislation which Savills believe should heavily influence the creation of NPF4 in relation to the focus on climate change, the achievement of net zero by 2045 and the drive for sustainable development. These documents and legislation include the following:-

- The Committee on Climate Change (CCC) published its 'Net Zero' report in May 2019;
- The Planning (Scotland) Act 2019;
- The Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future'; and
- The Climate Change (Emissions Reduction Targets)(Scotland) Act 2019.

Between them, these publications set out a range of matters that have a direct influence on land use planning and should be reflected strongly in NPF4.

In terms of the 2019 Planning Act, of particular importance is Section 3ZA (1) which states that '*The purpose of planning is to manage the development and use of land in the long term public interest*'. Section 3ZA(2) clarifies that '*anything which contributes to sustainable development.....is to be considered as being in the long term public interest*'. Furthermore, in bringing about changes to the content of the new National Planning Framework, Section 2(4) of the 2019 Planning Act identifies 'outcomes' for the National Planning Framework, one of which (e) is '*meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009..*'. This sets a strong expectation that NPF4 will be pivotal in achieving these national ambitions.

In its Net Zero report issued in May 2019, the CCC noted that the current policy framework within the UK is insufficient to meet the existing target of an 80% reduction in greenhouse gas emissions by 2050. It stated that '*a major ramp up in policy effort is now required*' to address the challenges of climate change. The CCC recommended that Scotland should set a net zero target for greenhouse gas emissions by 2045, with a 2050 target for the UK as a whole. In responding to the CCC report, in the opening section of her statement to the Scottish Parliament on 14 May 2019, the Climate Change Secretary, Roseanna Cunningham, stated:-

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East..

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*'There is a global climate emergency. The evidence is irrefutable. The science is clear'.*

Following declaration of the '*climate emergency*', the Scottish Government swiftly accepted the recommendations of the CCC and implemented these through the Climate Change (Emissions Reductions Targets)(Scotland) Bill. This Bill received Royal Assent in October 2019 and amends the Climate Change (Scotland) Act 2009. The amended Climate Change (Scotland) Act 2009 makes provisions for the further reduction of greenhouse gas emissions in Scotland compared to those set out in the predecessor Act, as follows:-

- The establishment of 2045 as a target date for reaching net zero greenhouse gas emissions;
- An interim target of a 90% reduction in emissions (compared to 1990 levels) by 2040; and
- A further interim target of a 70% reduction in emissions (compared to 1990 levels) by 2030.

These targets represent the most stringent statutory, legally binding greenhouse gas reduction targets anywhere in the world and represent a significant step in the Scottish Government's increasing efforts to tackle climate change. NPF4 therefore has very clear mandate to drive the policy direction toward achieving these targets.

The Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future' (the Programme) was published in September 2019. The Programme contains a number of statements and commitments relating to climate change which are of relevance to the development of NPF4. For example, in the Ministerial Foreword, the First Minister references the '*climate emergency*' and notes that the Programme '*raises our ambition in light of the emergency we face. We are leading the world in setting challenging targets, but we must also redouble our efforts to meet them*'.

Chapter 1 of the Programme 'Ending Scotland's Contribution to Climate Change' notes that '*adopting a net zero emissions target by 2045 underlines our ambition that Scotland will no longer contribute to global climate change*'. The Scottish Government clearly sees the planning system as playing a crucial role in responding to the climate emergency and the Programme notes on page 38 that one of the major commitments in the response to the climate emergency will be the introduction of NPF4 which '*will help to radically accelerate reduction of emissions*'. The Programme notes that the climate emergency necessitates a debate on '*more radical planning policy options*' and that planning '*is a vital tool in leveraging the changes we need to make to achieve our goals*'.

Sections below contain comments and ideas in relation to various sector headings.

## **Energy**

As renewable energy continues to be an important priority and focus for planning in Scotland, the challenges in achieving net zero by 2045 steps up the role that the planning system plays in relation to renewable energy development in particular and must play a significant part in shaping NPF4. The recent publication and legislative context above illustrates the major part that planning and NPF4 have to play in this.

In general terms the language in NPF4 should reflect the crucial part that planning has to play in achieving net zero via the continuing development of renewable energy infrastructure. A strong direction should be given to underline that the contribution of renewable energy proposals in achieving net zero should be of particular significance and materiality in decision-making for such development. Of course there should always be a balance in considering the development management criteria relevant to onshore wind development, for example, however it should be considered that some of the tools used in decision-making could be adapted to provide a more balanced structure of considerations.

For example SPP's Spatial Framework (Table 1) should be reconsidered in relation to the Group 1, 2 and 3 provisions. In many instances following this 'Group' approach to site selection is too generic and can cause a significant degree of uncertainty for the decision-making process. As a first example, the 2km buffer to settlements may not always be an appropriate way to plan and design a wind farm. NPF4 can contain suitable

language to ensure that the visual amenity of residents is considered properly and effectively without using an arbitrary minimum buffer distance.

As a second example, the mapped environmental interests of Wild Land Areas and carbon rich soils in Group 2 could be dealt with separately from the Spatial Framework, as these are not specific planning designations. The qualities of a particular Wild Land Area should be assessed on a case by case basis with relevance to its relationship with a particular application. Over and above this, the language used to describe how Wild Land Areas should be considered in development management terms is currently inconsistent in SPP. Placing it in Group 2 of the Spatial Framework (defined as areas of significant protection) is at odds with paragraph 200 of SPP which states that wild land is “*very sensitive to any form of intrusive human activity and has little or no capacity to accept new development*”, however paragraph 215 then states that “*development may be appropriate*” in areas of wild land. This must be clarified in NPF4. In the context that wild land is not a Group 1 interest, NPF4 must clarify how wild land should be considered in development management terms and how this should influence decision-making. At present there is a significant amount of confusion in this area and it will continue to hamper the development of renewable energy projects if clarification is not forthcoming in NPF4.

This current policy review represents an important opportunity to rethink the Spatial Framework policy and to ensure that it is fit for purpose in assisting with the furtherance of developing renewable energy infrastructure in the right places. This is key to equipping the planning system to play its part in achieving net zero targets via renewable energy development.

SPP currently states at page 9 that there should be a “*presumption in favour of development that contributes to sustainable development*”. The concept of the “*presumption in favour*” needs further clarification in NPF4. It should be made clear that there is a presumption in favour of granting planning permission for sustainable development. This should be a key element that is threaded throughout the document. In addition to this, specifically in the context of renewable energy, NPF4 should state that there is a presumption in favour of granting planning permission for the repowering of wind farms and this must also be given specific direction in local development plan policy.

Some other ideas include the following:-

- NPF4 should acknowledge that communities broadly recognise the value and importance of renewable energy development through an ongoing increase in the understanding of the role that renewable energy can play in the energy sector over recent years;
- NPF4 should contain acknowledgement of the ongoing development of renewable energy technology, specifically for onshore wind this should recognise the increased height of turbines and correlation with increased energy output. NPF4 should acknowledge that this represents positive progress in the renewable industry and that the planning system has a crucial role to play in recognising and accommodating this; and
- Landscape Capacity Studies are by their very nature overly restrictive in most cases. These could be replaced by Landscape Sensitivity Studies which would allow for the individual aspects of each area of landscape to be considered on a case by case basis but without the, often arbitrary, restrictions of a capacity study.

## Housing

While SPP and NPF3 set out a good foundation for housing delivery, NPF4 needs to build upon this to fully address the existing housing crisis in Scotland and help ensure there is a significant increase in the number of new homes being built. We fully support the thrust of the Call for Ideas representation submitted by Homes for Scotland (HFS) and most notably support the call to classify new homes as a national development within NPF4. We would also like to specifically highlight a number of the suggestions included within the HFS representation, which seek to ensure existing instances of ambiguity within SPP and NPF3 policy are addressed in NPF4.

*Housing Targets:* Generally, these are often set at levels lower than evidenced need and demand levels. NPF4 housing targets can help rectify this if they firstly, clearly describe the total number of homes required in each area, secondly, take evidenced full need and demand numbers as their starting point and thirdly, are supported by strong NPF4 policy that cannot be avoided in the preparation of LDPs.

*LDP Housing Land Supply:* NPF4 should establish key requirements firstly, to ensure no LDP passes its gate check stage without confirmation the NPF4 housing delivery target will be met, secondly, the preparation of reports to identify all sites in LDPs not yet delivered and identify the delivery barrier, and thirdly, DPEA reporters should use their powers to reject plans that allocate insufficient land to meet delivery targets.

*The Presumption:* One of the principal policies of SPP within para.28 is the presumption in favour of development which contributes towards sustainable development. However, the policy has made no notable difference to how housing applications are considered. An updated presumption policy that is less reliant on debatable concepts such as effective housing land shortfall and which, instead, presumes in favour of any development which will contribute to the delivery of homes, which will not cause adverse impacts.

*Housing Viability:* Any new provisions asking site promoters to show their sites are deliverable must be matched by a requirement for planning authorities to take responsibility for understanding the housing land markets in their area and ensure they identify sites on which homes can be built.

*Green Belt:* Para 49 of SPP can be taken to encourage planning authorities to designate new areas of Green Belt. It would be more constructive to sustainable economic growth to view Green Belts as an established designation that should be reviewed as part of an LDP review, to ensure it is not restricting options for the sustainable growth of any settlement.

*Net Economic Benefit:* Para 29 of SPP considers net economic benefit, yet there is limited evidence of consistent efforts being made in planning decisions to consider the net economic benefit of residential development such as job creation and the easing of pressures on affordability. These factors need to be considered alongside wider planning considerations.

In order to ensure new housing is seen as priority within NPF4 we request that new homes are identified as a national development. New homes can help deliver benefits to the wider economy, support further jobs, improve energy efficiency and unlock public benefits through developer contributions.

## **Retailing and Town Centres**

SPP provides a strong basis to support the role of retailing and town centres in Scotland encouraging a wide range of uses which bring people into town centres.

As is well documented, national multiple retailers are 'right sizing' their portfolios, whilst the shopping 'experience' is ever more important for physical (non-internet) leisure-based retail. This is necessitating, not only modern floorplates and interesting spaces to showcase brands and lifestyles, but increased flexibility of use to ensure all possible amenities are provided for. Moreover, macro socio-economic changes will continue to influence commercial demand and opportunities, meaning our centres need to be more dynamic and flexible than ever. Fundamentally, it is accepted by most commentators that the inherent value of town centres - or any other defined centres - lies in their place as a point of interaction and exchange in which commerce, work and leisure are intertwined. The key goal which national policy should work towards must be the creation of places which people are drawn to and want to visit.

In July 2013, the Scottish Government published the *National Review of Town Centres External Advisory Group Report* which looked at Community and Enterprise in Scotland's Town Centres, this set out a town centre first policy for encouraging all public sector bodies to prioritise the importance of town centres in plans for economic recovery and sustainable economic growth. Seven years on from this, NPF4 should identify the key city and town centres in Scotland and list these in order that additional Scottish Government and Local Authority plans, policies and funding can be prioritised to support the future role of town and city centres in Scotland.



The retail and leisure sector is an ever changing market place which will provide opportunities and threats to Scotland's city and town centres over the next 5 years. NPF4 should provide this explicit recognition of the national significance the sector plays in the Scottish economy so that other plans, policies and funding can be put in place to support their role alongside town centre renewal and regeneration.

We trust that this round-up of comments and ideas is useful and we look forward to taking part in further consultation as the development of NPF4 progresses.

Yours faithfully,

Ruth Highgate  
Associate Director