

Consultation Title	[REDACTED]
Date	30 April 2020
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1.0 Introduction

1.1 [REDACTED] members across Scotland make a significant contribution to rural development, including leading high-quality new town development and building homes to the highest possible energy efficiency standards. See [here](#) for examples. Development like this is a costly undertaking with a significant amount of risk shouldered by landowners who seek to provide good quality homes for affordable rents in rural locations. Significant challenges mean that not everyone is in a position to deliver housing or other development in this way.

1.2 Barriers to development have only increased over the years with higher standards in construction and conservation leading to longer consenting periods and higher costs. From Environmental Impact Assessments (EIA) to bat surveys and from developer obligations to building regulations, the regulatory framework in relation to every aspect of development has become dramatically more complex in recent years. High upfront costs and risk are also compounded by a lack of existing infrastructure often making site delivery in rural areas more complex.

2.0 A National Strategy for Rural Development

2.1 [REDACTED] seeks an efficient and enabling planning system that is fit for purpose in a rural context. With the challenges raised by the COVID-19 outbreak, the climate emergency and the uncertainty of Brexit, there has never been a more crucial time for a planning system to work with rural businesses to help deliver resilient and thriving rural communities. To move toward achieving this, we consider that rural development must be shaped by the following key principles:

1. NPF4 must set out a thorough blueprint for rural development in Scotland with emphasis on enabling sustainable development that creates resilient and thriving communities. It should set out coherent policies which recognise the challenges of development in a rural context and establish an appropriately flexible approach that enables those challenges to be overcome.
2. Climate action must underpin NPF4. The NPF4 should promote an approach to planning which links the three goals of conserving the natural and historic environment, responding to the climate emergency and sustaining more resilient communities.
3. Increasing the rural population. In supporting this, there should be a presumption in favour of sustaining rural populations in planning decisions. Allowing for flexible and enabling policy regarding housing spatial strategy should also support the viability of rural businesses to ensure that the rural population is a working population that does not need to commute to urban centres.
4. A 'rural infrastructure first' approach will drive delivery. Recognising infrastructure as a major hurdle to overcome in delivering development, we are keen to see a 'rural infrastructure first' approach which facilitates longer term strategic planning and addresses future transportation, health, education and community facility requirements.

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5. Better design and placemaking. Ensuring quality of life, health and wellbeing are crucial if we are to retain and attract people to live and work in rural Scotland. NPF4 needs to ensure that planning better supports quality of life through better design and place making, and this must be properly applied and enforced at Local Development Plan level.

3.0 Scottish Planning Policy Objectives

3.1 As an organisation representing many rural land-based businesses we consider the following to be key priorities for the planning policy going forward:

- Aim to have a thriving rural economy, with an increasing population that is more balanced in terms of age structure.
- Planning authorities adopt a proactive approach to providing land for development.
- Planning policy should protect high quality environment, but not at the expense of high-quality, modest growth which can in turn, improve the environment.
- Rural diversification should be embraced to help businesses, land managers and farmers expand or start new enterprises in appropriate circumstances and at an appropriate scale.

3.2 In order to achieve the above and meet the challenges rural Scotland faces today and in the future ■■■ is of the view that planning policies will need to enable development in some areas which have not previously been considered suitable for development. This may require more innovative planning policies that deliver low-impact development which allows workers to live closer to their place of work, or it might mean reviewing restrictions placed on designations, and instead giving much more weight to impact assessments in the decisions making process, for example.

3.3 A more positive approach to development in rural Scotland must be complimented and not hindered by a focus on regulation. A consistent approach to decision making must be adopted so that individuals, communities, conservation and development interests are clear about what will be allowed.

3.4 Alongside the Scottish Government's Place Principle, ■■■ considers NPF4 should imbed place-based approaches specific to rural areas, ensuring that rural communities are well designed and have reasonable access to good quality services as a minimum.

3.5 Key to our approach to the NPF4 is delivery of infrastructure. In our view, government needs to plan for facilitative infrastructure particularly road improvements and electricity and water infrastructure at a national level, targeting 'infrastructure deprived' areas as a priority. This translates into a rural infrastructure first approach, one which will better enable all forms of rural development and will allow for improved infrastructure planning at national and regional level, through greater co-ordination and involvement for all stakeholders in the planning process.

3.6 The following sets out our policy priorities for a variety of categories we consider the NPF4 should take forward in delivering for rural Scotland.

4.0 Digital and Telecommunications

4.1 NPF4 should continue to support development of the digital fibre network and enhanced telecommunications infrastructure. Ideally, the roll-out of the next phase of digital technology (5G and beyond) could be done on a rural-infrastructure first basis. A presumption in favour of appropriate digital development, including community-led development in rural areas, should be included in NPF4.

4.2 Supportive planning policy in this area will reduce the need for work-related travel and contribute to tackling climate change. The necessity of remote working has been acutely highlighted by the COVID-19 outbreak.

5.0 Renewable Energy

5.1 NPF4 should provide a clear steer on planning policy in regard to new waves of renewable energy development, in particular in relation to areas that are identified as having significance in terms of



their landscape, biodiversity and/or carbon sequestration values (e.g. National Scenic Areas, 'Wild Land Areas', peatlands).

5.2 We consider more weight should be given to the EIA process as a determining factor for renewable development, including development on peatland. A statement of peat depth or spatial maps of peatland cannot and should not be relied upon by a planning authority to determine the positive or negative impact any renewable development might have.

5.3 NPF4 should support the installation of taller turbines and have the flexibility to accommodate the speed of technological change within the turbine development industry.

5.4 National policy should reflect the Scottish Government's clear support in principle for repowering at existing sites, as stated in the Onshore Wind Policy Statement. It should also include a presumption in favour of repowering and life extensions, recognising the likely sustainability benefits in doing so.

5.5 It is recognised that the constraints set out in SPP Table 1, categorising land as either Group 1, 2 or 3, has assisted, to some degree, in site selection and the delivery of consents for onshore wind to date. However, it is our view that it will not be possible to achieve the level of onshore wind development needed to achieve net-zero, without changes to Group 2, either to remove highly subjective considerations like wild land or to change the way they are dealt with in policy to achieve positive development outcomes. Furthermore, a more permissive approach should be taken toward Group 3 areas in light of our net-zero targets.

5.6 NPF4 should remove wild land from Table 1 or ensure that the accompanying policy position is significantly more positive towards consenting renewable energy development in Group 2 areas. The current policy wording in essence creates a no-go designation for commercial scaled wind energy developments – this is proven by the fact that no consents have been forthcoming for any turbines on wild land.

5.7 NPF4 should recognise that landscape capacity and landscape accommodation are subjective matters that should be weighted in the planning balance with more certain matters such as the climate emergency and the need for sustainable rural energy development to address it. As above, more weight should be given to the EIA process.

5.8 NPF4 should include presumption in favour of solar developments on brownfield sites in order to bring them back into productive economic use.

6.0 Tourism & Recreation

6.1 In NPF4, consideration should be given to how best to provide guidance to local authorities on supporting and managing the development of tourism facilities and infrastructure, and on balancing the need to ensure there is adequate and appropriate housing for rural populations.

6.2 A presumption in favour of appropriate tourism development that creates local employment resulting in the increasing or sustaining of the rural population should be included. Exceptions to this can be where the planning authority deems a particular type of development to be over-catered for in a certain geographical area.

6.3 Specifically, in relation to huts, NPF4 should support this type of development by ensuring that local development plans include a 'huts policy' specific to their own circumstances. National policy should be more explicit in its promotion of appropriate hut developments on their own merits (i.e. without the need to justify on other grounds such as rural housing, rural development, tourism enterprises etc.).

6.4 We would like to see an expansion of the support for hutting already set out in Scottish Planning Policy and we would like to see a stronger requirement for planning authorities to reflect this national support for hutting in their policies, guidance and decisions.



7.0 Economic and Business Development

7.1 We consider an important function of the planning system should be to facilitate business development. In doing so, planning authorities should support a wide range of economic activity in rural areas and seek environmental enhancement through development at every opportunity. However, the viability of small schemes in rural communities should not be impacted by unnecessary mitigation such as over-estimating the impact of roads schemes, for example. NPF4 can explicitly state that implementation of such policies should be flexible in a rural context.

7.2 Where possible, planning authorities should support the development of the tourism and leisure industries to complement (and not to the detriment of) traditional industries. Where economic development is reliant on provision of housing, planning authorities should seek to enable appropriate housing development to facilitate that economic development.

7.3 Supporting small businesses to survive and grow is essential for rural areas. Live/work interlinked facilities should be catered for by the planning system in order to attract new incoming workers and business facilities to allow people to meet and collaborate. Particular recognition should be given to the retention and attraction of value-adding processes in rural areas.

8.0 Climate Change & Conversation

8.1 NPF4 should promote an approach to planning which links the three goals of conserving of the natural and historic environment, responding to climate emergency and sustaining more resilient rural communities. (See also, section on Renewable Energy).

8.2 Some parts of Scotland's valued environments (natural & cultural heritage etc.) can accommodate certain types of development, where it can be demonstrated that there will be no adverse environmental impact or where it can be demonstrated that there will be net-gain in biodiversity. This is why it is important that primacy must be given to EIAs when determining applications. National planning policy and advice should emphasise how the distinctive character of the area should be enhanced by the design and landscaping of new development.

8.3 NPF4 has to consider the impact on development delivery of reducing carbon – the added cost of delivering development that includes heat pumps or car charging points etc. may frustrate development and policies aimed at resolving this must be embedded in the NPF4. Positive policies on rural design should be prepared, building on themes such as landscape character, village plans and design statements. These policies should prioritise combating climate change, for example, tarmac roads/pavements should not be explicitly required on every small rural development when an existing road surface or different alternative would be more environmentally sound.

8.4 Biodiversity net gain – local authorities can enforce landscape guidelines to ensure tree and other planting takes place to help blend rural development. This will enhance quality of places as well as impacting positively to climate change.

8.5 Transport. The geography of rural Scotland means that for many people accessing services will require access to a car. Therefore, access to vehicles is the only way to ensure many of Scotland's remote rural communities are sustainable. If public transport is not viable, making these journey's carbon neutral should be a priority for Scottish Government/local authorities. We suggest planning authorities implement strategies for a rural first approach to roll-out of electric vehicle charging infrastructure (or hydrogen infrastructure if that becomes a feasible option for public transport).

8.6 Accessibility to public transport cannot be a binary test as to whether housing can be built in a village or town. Thinking about sustainability in this manner, we suggest changing or removing the restrictive policy in paragraph 81. of the current SPP which seeks to prevent "unsustainable" growth in long-distance car-based commuting.

8.7 NPF4 needs to focus on employment creation and retention in rural areas, which together with good telecoms can limit the need for commuting.



9.0 Land-based Industries and aquaculture

9.1 Land based industries retain an important role in managing Scotland's environment and in providing a range of benefits for wider society. They also have potential as part of the future diversification of the rural economy. Planning and other policy areas impacting on land-based industries should support their viability wherever possible.

10.0 Diversification

10.1 Rural planning should be more permissive where there is a need for diversification, as part of a pro-active process that is plan-led and that identifies key types and examples of development that will support diversification and meet the needs of rural communities and businesses.

10.2 Further diversification of the rural economy should be encouraged, and planning policy should be in tune with the local economic reality. To better understand the local reality, planning authorities should liaise closely with landowners and farmers etc., who can help promote and support targeted business opportunities in their development plans. Developments with the added value of employment generation, community benefit and environmental benefit should be encouraged – this includes adding value to existing industries that will create more resilient local communities.

11.0 Housing and Settlement

11.1 Planning should rely more on fine-grained approaches in rural areas which can identify untapped housing demand and place less reliance in these areas on traditional measures of need and demand. Planning should also recognise and develop housing policies suited to rural areas, where housing is perceived as a transformational form of development in relation to the wider rural economy and societal needs. In order to address the needs of rural communities and economies, there is a need to allow settlements to develop in line with more locally based diagnoses of where growth is appropriate. Accordingly: NPF4 should offer explicit encouragement to using place sensitive approaches to settlement, which determine the development of existing and new settlements in response to the particular challenges, needs and opportunities of different areas.

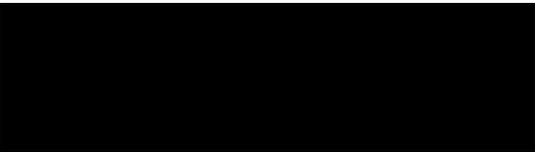
11.2  is of the view there is more scope for small-scale housing development including clusters and groups in close proximity to settlements, replacement housing, and plots on which to build individually designed houses in rural Scotland. This should be expressed in the development plans, either as part of a general settlement policy or as a separate sub-set on rural housing policy.

11.3 Design standards and architectural guidance should comply with published advice, including building with sustainable materials and building for energy efficiency, unless there is a demonstratable good reason for not doing so. If there is a demonstratable reason, this must be thoroughly considered by the planning authority.

11.4 Where local authorities recognise a need for holiday, weekend and second homes in their area, in recognition of the significant economic role that they can play, planning authorities should allocate land in their development plans to help meet demand, but this should not be to the detriment of provision for other homes.

11.5 Succession housing for rural businesses. Agriculture has an ageing workforce in Scotland and the transfer of business control and ownership to the next generation is one of the most critical stages in the development of the business. We consider that national planning policy should explicitly recognise that building a new home in the countryside is justified when it will enable a farmer to retire and transfer a farm to the next generation. [Scotland's Agricultural Census: June 2019](#) showed that 67% of farmers were over the age of 64 while only 19% were under 41. Recognising the housing needs of farming families would remove one of the barriers that prevents the next generation from taking over the business.

11.6 Succession is a critical stage for a farming business which can be both financially and emotionally difficult. Having a home on the farm for the retiring farmer to move into would enable the retired farmer to continue to provide advice and support. It would also enable a farming family to



provide care for an elderly farmer. Brexit/COVID-19 and the change it will bring to the agricultural sector may be the catalyst for many farmers to retire. Having positive policies that remove barriers to this is a sensible step to take at this time.

11.7 Succession is the process of transferring the management of business assets, it is not a single event but should be a process that takes place over an extended period of time. Succession may take months or years and an additional home can play an important role in easing this transition as well as providing for accommodation needs at the end of the process. It should also be noted that in some circumstances the retiring farmer may continue in some form to contribute to the family business, either by retaining a financial interest, advising on the local agri-environmental conditions or by involvement in some form of business diversification.

11.8 Supporting new entrants into farming and providing a way for older farmers to stay on the land preserves an intergenerational connection on a farm. It provides important benefits such as helping to build responsibility for the land and retaining location specific information and how to deliver effective agricultural and environmental management.

11.9 It is important to note that the intention of this proposal is not to provide every farmer with an automatic right to build an additional property on their land when they retire. The intention is to minimise exposure to existing barriers at local level where the need arises. This is highlighted in a recent CAAV report "[Retirement Housing for Farmers in the United Kingdom: A review of the issues, experiences and possible answers](#)" which notes that the issue of housing concerns can lead the occupier to remain farming long into old age, with the potential for increasing infirmity.

11.9.1  considers the conversion of steading development as an important contributor to the provision of rural housing. Such development not only lends itself to providing housing for employees, but it can also contribute to the conservation of traditional buildings. Policies which facilitate **steading development** e.g. no Developer Obligations or affordable housing contributions, scope for phased development, should therefore be included in NPF4.

11.9.2 Local Place Planning and use of **Masterplan Consent Areas** should select housing sites which work best for the community, landowner and place. These will tend to focus on settlements and clustered communities but could also be used at a wider scale.

11.9.3  considers **Area Capacity Evaluations** could be used to assess applications for housing in the countryside (single houses and clusters) based on balancing a range of factors including landscape capacity, settlement pattern, social and economic need and a presumption in favour of sustaining populations in rural areas.

11.9. 4 Exception sites for affordable housing, including in **Green Belts**.  considers it appropriate to include affordable housing rural exception sites in green belts so long as evidence is submitted to support local need.

11.9.5 In addition, NPF4 should include '**Entry level exception sites**' for rural areas which could provide entry level homes suitable for first-time buyers (or equivalent, for those looking to rent). They can be suitable:

- For first-time buyers
- On land not allocated for housing
- Adjacent to existing settlements and be no larger than 1 ha in size or exceed 50% of the size of the existing settlement and comply with local design policies and standards
- Comprise of entry-level homes that offer one or more types of affordable housing (being affordable housing for rent, starter homes, discounted market sales housing or provide other affordable routes to home ownership).

11.9.6 Importantly, Entry Level Exception Sites are not reliant on a shortfall being demonstrated in a Local Authority's 5-year housing supply. Instead, they are focussed around a lack of housing suitable for first-time buyers or renters in the area, which is an issue that is known to be particularly acute in rural locations.



11.9.7 Small sites. Planning authorities could ensure at least 20% of the sites identified for housing in their plans are half a hectare or less. A supply of small sites is important if rural settlements are to grow organically. We consider such an approach will encourage smaller builders back into the market.

11.9.8 Where small sites are used to deliver self-build homes there should be agreed delivery programmes with authorities to ensure sites are completed within reasonable timescales and to appropriate standards.

12.0 Local Development Plans

12.1 The preparation of Local Development Plans and other subnational plans and policies should take account of existing data on socio-economic performance and well-being, to support the development of place-based policies. The selection of indicators should be determined at local or regional level, allowing for variation in local circumstances, but it would usefully be supported by national guidance relevant to planning contexts.

12.2 NPF 4 should offer explicit encouragement to using place sensitive approaches to settlement, which determine the development of existing and new settlements in response to the particular challenges, needs and opportunities of different areas.

12.3 In addition to keeping or amending the current considerations under 79. of the current SPP,  would like the following to be prioritised:

12.4 Acknowledge diversity in rural Scotland and ensure that one 'countryside' policy is unlikely to be suitable for the whole of a rural area. A vision for the rural area needs to be expressed clearly and concisely in the development plan. Policies in development plans should be evidence-based and integrated with other plans and programmes.

13.0 Developer obligations

13.1  believes the use of Section 72 agreements need to be more sensitive to individual sites. Blanket contribution approaches are too easy on some sites and too hard on others. They can be appropriate but as costs rise faster than prices some Section 75 demands will become increasingly unaffordable.

13.2 Local authorities should be encouraged to minimise and/or cap developer obligations based on the micro economic context of specific rural areas within their administrative boundary. This is to reflect the fact that there is 'market failure' across much of rural Scotland. In towns where there may be a need and demand for private affordable homes, housebuilders and developers are not delivering due to viability concerns and uncertainty surrounding Developer Contributions, which inevitably prohibits the supply of new homes.

13.3 Providing more clarity on developer contributions removes a layer of uncertainty for developments in rural areas which assists house builders and small builders.

13.4 Road standard requirements in rural areas need to be more relaxed. Local authorities ask for inappropriate specifications based on traffic models which tend to over-estimate future flows before they will adopt roads which can stall developments.

14.0 How might COVID-19 pandemic affect the changes we need?

14.1 There are a considerable number of ramifications to consider following the COVI-19 outbreak, not least how people interact with the planning system. In general, as a country we will be looking to support local enterprise to recover post-COVID and enabling planning policy needs to reflect this requirement while balancing the need to mitigate the climate emergency. We consider our suggestions are appropriate to meet this balancing act.



14.2 It will also be likely that a quicker move to remote and home working will account for a larger percentage of the working population, resulting in less commuting. It is important that Scotland's planning system both enables this and is flexible enough to manage future change.