

Heads of Planning Scotland's (HOPS) response to the Scottish Government's consultation paper on the Draft National Planning Framework 4

Dear Minister,

I am pleased to attach a copy of the HOPS response to the consultation exercise, following extensive consultation with our members. As the consultation response online is limited to specific questions and there is no opportunity to provide our overall, strategic thoughts, we thought it would be helpful to you and your colleagues to set out our broad areas of support and our areas of challenge, for your further consideration.

We have copied this letter to the Chief Planner as we are in regular and ongoing discussions with her and her Team on Draft NPF4 and related matters.

Firstly, we want to say how much we appreciate the effort and work gone into this publication from all the parties involved. It was a hugely challenging and ambitious undertaking, and we are pleased to see the focus being placed on sustainability, reaching Net Zero, the climate emergency, nature and biodiversity, place making, an infrastructure first approach, 20-minute neighbourhoods and references to the circular economy and community wealth building. These are all priority areas we support.

HOPS shares the Scottish Government's vision for NPF4 to be ambitious, ground breaking and forward looking to 2045 but we also want it to be clear, effective, legally robust, practical, well - funded and able to be implemented in a streamlined way which avoids placing unnecessary additional burdens and further unfunded responsibilities on local authorities.

We acknowledge that it has been a busy period completing the planning modernisation agenda and the related consultations on Local Development Plans (LDP) and Local Place Plans (LPP) are an integral part of this agenda. HOPS are submitting separate responses on these and related matters.

HOPS Areas of Support

1. HOPS are pleased to see the scrutiny process being adopted by the Scottish Government covering all relevant Committees and we appreciated the earlier opportunity for our Chair, Pam Ewen, to present HOPS initial thoughts and feedback for consideration by the Committee.
2. The clarity, ambition and radical approach taken by the Scottish Government in its draft publication of NPF4 is very welcome and it reflects many of the emerging themes and priorities already identified by local authorities in current and emerging Local Development Plans.
3. HOPS very much welcome the publication of the NPF4 draft, and we look forward to working further with Scottish Government to fulfil the ambitions it presents by putting forward constructive comments and challenges so that we can all individually and collectively change Draft NPF4 to be the best it can be for the future of Scotland.
4. HOPS are aware of the crucial change in direction being signposted in Draft NPF4 from earlier NPFs and we believe that the journey is an exciting one and that all the stakeholders share a huge responsibility to strengthen the Draft NPF4 and make it more practical and forceful.
5. HOPS welcome the approach taken by Scottish Government on Housing Land and its focus on national minimum figures which gives all local planning authorities the option to deliver local solutions for their own needs and aspirations beyond this.
6. HOPS also welcome the focus on brownfield sites derelict land and how they can be transformed into liveable, and productive places, although we are aware there are a lot of discussions to be had on providing a business model to help deliver these difficult sites. Progress on issues such as land reform initiatives and compulsory land sales will be crucial to success in challenging areas, including town centres.

HOPS Areas of Challenge and Improvement

1. HOPS do not feel, as currently drafted, that the Draft NPF4 is strong or clear enough to provide the necessary tools for planning staff to help deliver the NPF4 ambitions within future developments.
2. HOPS recognise that the robust policy framework presented will need to go hand in hand with the further **upskilling of planning staff** and investing in new skill areas, making the difficult decisions needed to meet Scottish Governments future targets.
3. As the “devil is very much in the detail” for such a complex document, HOPS has focussed on what the detailed National Planning Policy section will mean for LDPs and the practical implications for decision making in Development Management. HOPS feel that the **policies are not strong or precise enough** in their detailed wording to defend planning decisions and appeals or be able to be implemented in LDPs in a coherent manner, as they will have to pick up on any missing policy areas. This is a crucial transitional area to be resolved and it is linked to our concerns about the new planning hierarchy and the respective roles at the national and local levels. HOPS support a move away from an over centralised approach to one which is locally and community based.

4. HOPS are particularly disappointed by **the absence of a Delivery Plan** and supporting financial commitments for both capital and revenue funding streams. This is a critical test area for the effectiveness and deliverability of NPF4 and we look forward to seeing its inclusion in the final NPF4 version with an effective timetable. In addition, an indication of further guidance and support for the NPF process would be welcomed.
5. Related to the Delivery Plan HOPS is requesting an **urgent review of all funding and resourcing** due to the reducing financial and staff resources which planning authorities have experienced in recent years. In this regard we are pleased to see the recent announcement on an increase in planning fees, effective for 1st of April 2022, as part of this increase in overall resourcing.
6. HOPS have concerns about the actual **identity** of the NPF4 as it is variously referred to as a Plan, a Strategy, and a Framework. It is clearly set out in legislation as part of the Development Plan and HOPS would prefer it to be recognised as the National Development Plan for Scotland rather than a part of the Development Plan to avoid any legal or contextual ambiguities.
7. DPEA Reporters and many local authorities have recently asked about the **status** of Draft NPF4, and some legal opinions have already been sought by Planning Authorities who are in the process of LDP Examinations. The status of the Draft NPF4 at this stage is considered to be minimal but, as it progresses towards Parliamentary approval this will change in a material way and Planning Authorities will need to monitor the status shift over time to reflect the up-to-date position in its emerging LDPs. In this regard **transition arrangements and timing will be crucial to avoid abortive work by Councils who are in the final preparation stages of their LDPs.**
8. The planning reform process has all been about **“simplifying the planning system”** and there is a danger that the complexity and comprehensive coverage set out in the Draft NPF4 does not assist this aim.

HOPS overall view is that the Draft NPF4 requires some reconsideration in terms of structure, approach and content but more fundamentally Policy Section 3 requires fundamental reworking and revision to provide the sound and unambiguous policy basis we all want to achieve. This will take time to get right, with further consultation, and we do not feel the current timetable is achievable on that basis. We urge the Scottish Government to take the time needed to get it right rather than rush the work to follow a pre-determined timetable. HOPS is happy to support this revision and “sense checking” process, and work with the Government and officers as necessary.

It is in all our best interests to make the NPF 4 the best document that it can be, and HOPS remain committed to submitting suggested improvements and enhancements to Draft NPF4 as outlined above to make it truly radical and ambitious, but also practical to implement and to be legally robust. To this effect we have prepared a Technical Appendix with comments from HOPS development management and development planning practitioners, which although not presented as HOPS formal views, nevertheless it contains comments, queries and suggestions which may prove beneficial to the officer team in their reassessment work.

HOPS will continue to share our more detailed and fine grain comments to Scottish Government officers in our ongoing conversations with them on the practical application of

the policies and we have some suggestions for re-formatting and tidying up. This includes suggestions for improved formatting and structure, the need for paragraph numbering, some suggested diagrammatic additions and proposed additions to the Glossary and a reference list, with hyperlinks to all the related documents cited in Draft NPF4. HOPS would also like to see more connectivity across Draft NPF4 and better internal linkages and interactions between the different sections and policies within Draft NPF4.

We hope that you find these comments helpful in moving work forward on the Draft NPF4 and HOPS will continue to work with the Scottish Government and support and assist this process where we can.

Yours sincerely,

**Pam Ewen,
Chair, Heads of Planning Scotland**

c.c. Fiona Simpson, Chief Planner, Scottish Government