

Report

Report to:	Planning Committee
Date of Meeting:	21 March 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject	National Planning Framework 4 - Update
---------	---

1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise the Planning Committee of transitional arrangements for National Planning Framework 4 that have been published by the Scottish Government
- ◆ summarise the key issues contained within the document and their contribution to future decision making in relation to planning matters

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the transitional arrangements for National Planning Framework 4 that have been published by the Scottish Government and the implications for decision making in relation to planning matters be noted.

3. Background

- 3.1. A report was presented to the Planning Committee on 24 January 2023 advising of the approval by the Scottish Parliament of National Planning Framework 4 (NPF4) on 11 January 2023.
- 3.2. NPF4 includes 33 policies on separate topics for the development and use of land which are to be applied in the preparation of local development plans (LDPs); local place plans; masterplans and briefs; and for determining planning applications. All of the policies should be taken and applied as a whole.
- 3.3. NPF4 was formally adopted and published by Scottish Ministers on 13 February 2023. At the same time provisions in the Planning (Scotland) Act 2019 gave NPF4 the status of being part of the statutory development plan alongside Local Development Plans with immediate effect. There is a 6-week period from that date when a legal challenge can be made to the Courts.

4. Transitional Arrangements

4.1. A letter from the Chief Planner and the Minister for Public Finance, Planning and Community Wealth was published on 8 February 2023 which sets out the transitional arrangements for NPF4. A copy of this letter is attached as an appendix to the report. The main implications in terms of the development plan can be summarised as follows:-

- ◆ NPF4 has superseded the previous National Planning Framework 3 and Scottish Planning Policy

- ◆ Strategic Development Plans (SDP) have ceased to have effect and no longer form part of the development plan. The Planning (Scotland) Act 2019 and NPF4 allow local authorities to come together to prepare Regional Spatial Strategies in order to inform the direction of Local Development Plans. Regulations on how they are to be prepared have not been published.
- ◆ Local Development Plans already adopted will continue to form part of the development plan. Existing LDP land allocations will be maintained. Legislation states that in the event of any incompatibility between a provision of NPF4 and a provision in an LDP whichever is the later of them is to take precedence.
- ◆ The Act requires planning authorities to prepare a LDP for their area at least every 10 years. The letter from the Chief Planner and Minister advises that it is expected the new style of LDPs introduced under the Act will be in place within around 5 years of the new development plan regulations coming into force. This is anticipated to happen in the Spring.

- 4.2. The letter highlights that the 33 national policies in NPF4 must be read and applied as a whole when assessing applications. Potential conflict between policies can be expected and in such cases the factors for and against development should be weighed before coming to a judgement. It should be noted that the 6 spatial principles described in the previous report to this Committee (Just Transition, Conserving and Recycling Assets, Local Living, Compact Urban Growth, Rebalanced Development and Rural Revitalisation) are to be used in developing the strategy and proposals in Local Development Plans and not applied unilaterally to decision making on planning applications.

5. Next Steps

- 5.1. The adoption of NPF4 forms a significant element of the Scottish Government's reform of the planning system. It seeks to align decision making on planning applications (and the future direction of LDPs) to the wider policy agenda for Scotland. There is a clear expectation that the planning process will contribute to delivering the national outcomes in the National Performance Framework and the UN Sustainable Development Goals. Key themes include radical change to tackle and adapt to climate change, restore biodiversity, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create high quality places.
- 5.2. The adopted South Lanarkshire Local Development Plan 2 is part of the development plan and will continue to have a significant role in decision making. An initial assessment has found that for the majority of themes NPF4 and LDP policies are generally complimentary although there are differences which will become apparent through their application. However, there are several areas in NPF4 where there is no, or very little, policy position in SLLDP2. In these cases the further guidance from the Government will be critical in ensuring the national policies are fully and properly taken into account.
- 5.3. In the longer term, the Government has advised that the regulations for the preparation of Local Development Plans, Open Space Strategies and Play Sufficiency Assessments will be laid before the Scottish Parliament during the Spring and Summer and thereafter approved and published. At this point, work on the preparation of the Council's Local Development Plan 3 will start formally and a report will be brought to this Committee at the time outlining the steps and timescales involved.

6. Employee Implications

- 6.1. The implementation of NPF4 will have implications for officers in the Planning Service in terms of preparing the next Local Development Plan and decision making on planning applications. A number of 'new' issues have been introduced that the

planning system is required to address which will require appropriate skills and knowledge currently unavailable. Equally officers within other Council services will be required to understand any new requirements within the approved NPF4 for their projects and strategies.

7. Financial Implications

- 7.1. The costs of the preparation and production of the next Local Development Plan and Open Space Strategy/Play Sufficiency Assessment will be expected to be met from existing budgets. However, while the increase in planning fees introduced in April 2022 are intended to achieve full cost recovery for the planning application process, this fails to address the need to deliver the aims and ambitions of NPF4 and the next Local Development Plan / Open Space Strategy. This is a matter that is subject to separate discussion between CoSLA, Heads of Planning Scotland and Royal Town Planning Institute and the Scottish Government.

8. Climate Change, Sustainability and Environmental Implications

- 8.1. The theme of tackling the Global Climate Emergency, meeting the Scottish Government's targets for net zero emissions and the promotion of sustainable developments are central to the spatial strategy in NPF4 and, in turn, through the preparation of the Council's next Local Development Plan and in decision making on planning applications.

9. Other Implications

- 9.1. Once adopted NPF4 will form the Development Plan for the Council as Planning Authority alongside its adopted SLLDP2. It will be a material consideration for determining all planning applications while the next Local Development Plan must accord with it. Where there is conflict between NPF4 and SLLDP2 the former will be given priority.

10. Equality Impact Assessment and Consultation Arrangements

- 10.1. The original consultation on the draft NPF4 and the revised draft subsequently approved by the Scottish Parliament were subject to Equalities Impact Assessment, Child Rights and Wellbeing and a Fairer Scotland Duty Assessment.

- 10.2. Consultation by the Council is not required.

David Booth

Executive Director (Community and Enterprise Resources)

10 March 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ Good quality, suitable and sustainable places to live

Previous References

- ◆ Planning Committee – National Planning Framework 4 – 24 January 2023

List of Background Papers

- ◆ Planning (Scotland) Act 2019
- ◆ National Planning Framework 4 approved by Scottish Parliament on 11 January 2023
- ◆ Letter from Chief Planner and the Minister for Public Finance, Planning and Community Wealth dated 8 February 2023

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tony Finn, Planning and Building Standards Manager (Headquarters)

Ext: 5105 (Tel: 01698 455105)

E-mail: tony.finn@southlanarkshire.gov.uk