

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

**Title: CNPA CONSULTATION RESPONSE TO DRAFT
NATIONAL PLANNING FRAMEWORK 4**

Prepared by: GAVIN MILES, HEAD OF STRATEGIC PLANNING

Purpose

This paper provides a brief overview of the draft National Planning Framework 4 for Scotland and sets out the proposed CNPA response for agreement by the Board.

Recommendations

The Board is asked to:

- a) Note the scope of the draft NPF4; and**
- b) Endorse the proposed CNPA response to draft NPF4 contained in paragraphs 4-15 of this paper.**

Background

1. The Scottish Government published a draft '[Scotland 2045 – the Fourth National Planning Framework](#)' (NPF4) for consultation in November 2021. NPF4 will be a long-term plan that will guide spatial development, set out national planning policies, designate national developments and highlight regional spatial priorities. It sets out the Scottish Government's proposed approach to how planning and development will help to achieve a net zero, sustainable Scotland by 2045. The NPF4 will replace both the third NPF and Scottish Planning Policy (SPP) that were adopted in 2014. The consultation on draft NPF4 runs until 31 March 2022.

Implications for CNPA

2. The adoption of NPF4 will mean changes to the way the planning system operates in Scotland. It will lead to changes in the development plan and development management decisions and have ongoing resource implications for the CNPA. The Scottish government has indicated that it intends for planning authorities to be able to achieve full cost recovery in time. Of particular note for the CNPA is the fact that it is likely that NPF4 will be adopted before the CNPA adopts a new Local Development Plan and so policies in NPF4 will override policies in the current adopted LDP.

Overview of draft NPF4

3. Draft NPF4 has five sections summarised below:

Part 1 - National Spatial Strategy

The national spatial strategy sets out a shared vision where each part of Scotland can be planned and developed to create: Sustainable, Liveable, Productive and Distinctive places. Underpinning the national spatial strategy are a series of spatial principles. The spatial strategy also highlights five action areas, with the Cairngorms National Park located mostly in the 'Northern Revitalisation' area.

Part 2 - National Developments

National developments are significant developments of national importance that will help to strongly support the delivery of the spatial strategy. Designation as a national development establishes the need for it, but does not remove requirements for relevant consents to be obtained before development can begin.

Part 3 - National Planning Policy

The fourth National Planning Framework (NPF4) will incorporate Scottish Planning Policy which will contain detailed national policy on a number of planning topics. For the first time, spatial and thematic planning policies will be addressed in one place. It is

structured with four sections of: Sustainable Places (Universal policies); Liveable Places; Productive Places; and Distinctive Places

Part 4 - Delivery

Delivering the NPF4 strategy and realising collective ambitions will require collaborative action from the public and private sectors and wider communities. Actions will range across different scales and include a mix of strategic and project investments. This section will be developed into a standalone, live delivery programme once NPF4 has been approved and adopted

Part 5 – Annexes

Annexes provide information on how statutory outcomes are being met, Minimum All-Tenure Housing Land Requirement (MATHLR) for each planning authority in Scotland, along with a Glossary of terms

CNPA response to the consultation

4. Each of the five sections in the draft NPF4 has questions about the content, intention and direction of the individual points, statements and policies within it. There are 70 questions in total. However, there is significant overlap in both content, questions and the points or issues that appear to officers to be significant to the Cairngorms National Park. The following paragraphs contain officers' recommended response to the consultation.

Part 1 - National Spatial Strategy (relevant NPF4 questions 1-6, 10-11)

5. The CNPA welcomes the shared vision, strategic context and direction to support the creation of Sustainable, Liveable, Productive and Distinctive places and the spatial principles. They provide a sensible and flexible overview for NPF4 that recognise the global pressures of climate change and the biodiversity crisis in an appropriate way. However, we don't consider that they are sufficient in their own right to deliver what they seek to. The remainder of draft NPF4 contains more specific spatial strategy, policy and direction that will need to be effective in order to deliver the National Spatial Strategy effectively.
6. The CNPA understands the rationale for the action areas identified but considers the section most immediately relevant to the Cairngorms National Park (Northern revitalisation) to provide more narrative than real direction. It appears that in selectively combining different planning authorities' indicative Regional Spatial Strategy thoughts, this section has little impact, with some of the established regional distinctiveness in issues and carefully considered responses to them being lost. The regional actions section seems to lack strong direction and contain what are already

broadly accepted generic priorities. We are not convinced of the value of this section of the draft NPF4 as it is currently presented (relevant questions 10 & 11).

7. The CNPA also considers that this section of NPF4 should provide stronger reinforcement about the role of National Parks in Scotland. While the two current National Parks are places for some people to live and work, they are also a substantial area of Scotland with an important role in Scotland's visitor economy, in providing places for people to enjoy their special qualities, in conserving and enhancing biodiversity, mitigating and adapting to climate change, and are experienced by many more people and visitors to other parts of Scotland passing through on national road, rail and cycle networks.

Part 2 - National Developments (relevant NPF4 questions 19-21).

8. The CNPA has few specific comments on this section apart from the observation that the importance of National Parks could be strengthened here and that the way rural Scotland is addressed is very general. In reality rural Scotland is very diverse with multiple challenges and often requiring bespoke solutions or investment to address them. We agree that the 'All Scotland' National Developments are important priorities, but the sections don't seem to reflect the distinctively different routes they may be delivered in different parts of Scotland. We consider that there is a case for identifying National Parks as national developments in this section, highlighting their role in Scotland both because of their importance to Scotland and as examples of places where local circumstances can mean different solutions. It would help if the section also reflected the role of National Park Plans in setting the strategic context for the development plan and management strategy for the National Park.

Part 3 - National Planning Policy (relevant NPF4 questions 23-53)

9. The CNPA welcomes the broad content and intention of the four sections here and the introduction of some new topic areas such as the nature crisis and biodiversity enhancement, human rights and equality, community wealth building or culture and creativity. Our comments within this part of the draft NPF4 are generic and can be applied to many of the topic areas.
10. The sections currently combine text relating to development plans and to development management decisions which is confusing. Separating the sections that are for development plans and for development management decisions would improve the document. We also consider that the sections relating to development plans should be clear that development plans should be able to create planning policy that reflects local circumstances and distinctiveness appropriately.

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11. As an example, paragraph 121 of the current SPP contains an explicit recognition that National Parks have some flexibility in meeting the housing land requirement identified through Housing Need and Demand Assessments (HNDAs). Although this flexibility has not been used to date, it reflects the unique circumstances of National Parks and the potential for different approaches within them. We consider this flexibility should be maintained, particularly given the top down approach the Minimum All-Tenure Housing Land Requirement (MATHLR) proposed. We have made a further comment on this under the Annexes section.
12. The language used in many of the policies and some supporting text is vague or uses words with multiple or contentious meanings. In some cases this appears to be an explicit way of indicating general support and in other cases it may simply be the way language and term are used. While we expect planning authorities will understand the intention of most sections and the policies within them, we consider that other stakeholders and actors in the planning process may interpret in other ways because the language used appears to suggest more open policy than has been the established in the past. We consider that on a wide range of policies, this would unintentionally lead to appeals, reviews and challenges to decisions where people consider NPF4 policy has possible alternative interpretation.
13. Bearing in mind that NPF4 will be part of the development plan, and that at least for a time, will be more recent than many development plans, we consider these policy sections should be tightened up to reduce unnecessary debate and delay in the planning process. We assume that in using NPF4, decision-makers will be able to apply some discretion in the weight they give policies to reflect local circumstances. However, as it is currently written, some policies cross reference others, while others appear to give primacy to one objective over others. This should be clarified.

Part 4 – Delivery (relevant NPF4 questions 54-55)

14. The CNPA welcomes the intention to develop a separate live delivery programme.

Part 5 – Annexes (relevant NPF4 question 57)

15. The CNPA has one comment on the Minimum All-Tenure Housing Land Requirement (MATHLR). We agree with the number calculated for the Cairngorms National Park because it is comparable to the housing land requirement calculated for our recently adopted LDP. However the route to calculating the MATHLR was substantially different and could lead to differences in numbers in future calculations. We consider the flexibility in relation to housing land requirements in National Parks referred to in paragraph 121 of SPP should be maintained in relation to MATHLR numbers.

Next Steps

16. Subject to any changes agreed by the Board, the proposed consultation response set out in paragraphs 4-15 of this paper will be submitted to Scottish Government by officers prior to 31 March 2022.

Gavin Miles

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gavinmiles@cairngorms.co.uk