

**The Highland Council's
Response to The Scottish Government's
Consultation on
Draft National Planning Framework 4
(Draft NPF4)
31 March 2022**

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INTRODUCTION TO THE HIGHLAND COUNCIL'S RESPONSE TO DRAFT NPF4

The Highland Council is pleased to submit... its response to Draft National Planning Framework 4. The introductory text provided here forms part of our response... .

The Highland Council has, from the outset, embraced the opportunity to help shape NPF4, particularly through preparation of our Indicative Regional Spatial Strategy for which we secured support from across elected members and council services on Highland's vision for the future and our significant ongoing contribution to national outcomes.

At this time our comments are centred on how well the Highland region can and will contribute to national outcomes, and where NPF4 might merit from some improvement or amendment to make sure the national outcomes are delivered. In particular:

- We are very disappointed and concerned that in Draft NPF4, Highland's priorities are not fully represented in the spatial strategy and are substantially unmapped, despite our Indicative Regional Spatial Strategy (IRSS) and candidate National Developments (cNDs) submissions. NPF4 should be truer to our IRSS and cNDs. Furthermore, we consider that for cNDs with merit but not achieving National Development status, NPF4 needs to provide a clear way of acknowledging and lending weight to these additional, nationally important priorities. Furthermore we note the consultation provides no opportunity to comment on the scoring and assessment of candidate national developments and there is a lack of clarity on the specific rationale for each of the cNDs either selected and represented or those not identified in Draft NPF4.
- We consider that Draft NPF4 fails to recognise the unique and disproportionate contribution that Highland already makes, and will increasingly make in the future, to addressing national ambitions for net zero and particularly the decarbonisation of energy networks. In short, Highland's contribution now and in the future is vital and relied upon by the nation for success - and that contribution is hosted and enabled by Highland and its communities.
- Finalised NPF4 must better reflect the recent Scotwind announcements that have lined up much more offshore wind energy development potential (additional to existing and consented offshore windfarms) and be more certain and committed to this massive deployment than the draft suggests. It should reflect the potential of the entire north-eastern coastline, especially the existing assets and potential developments within the Moray and Cromarty Firths. The Scottish Offshore Wind Energy Council's recently published Strategic Investment Assessment noted that "...the Cromarty Firth emerges as the primary location suitable for both assembly/marshalling and fabrication based on existing as well as additional capacity..." with both Invergordon and Nigg being highlighted, and ".....the Cromarty/Moray area as the most suitable location for a Scottish Floating Offshore Wind Port Cluster.....". Given this, for NPF4 to pay as little attention to this nationally important focus as it does in the draft, and for it to remain so narrowly focussed on limited opportunities at Aberdeen, would be untenable going forward. The Highland Council is therefore also particularly disappointed that Opportunity Cromarty Firth, for which we previously suggested National Development status, is not given the level of recognition that it deserves in NPF4.

- We also note support dedicated to island communities, for example through the need for island impact assessment, but would highlight that many mainland communities experience similar issues of fragility and isolation. We would query how these communities might receive the dedicated focus and actions that has been applied to our island communities.
- Notwithstanding that Highland is an important contributor to renewable energy generation, forestry and woodland, peatland protection and restoration and the tourist sector, we feel that Draft NPF4 does not adequately recognise our communities and Highland as, first and foremost, a home for people and a place to grow up, live and work, with services to support that. Nor does it fully recognise the opportunities provided by the region's urban areas. We are also concerned at the lack of clarity over how rural Scotland will be supported and Draft NPF4 fails to give us confidence that there will be equality of access to services across Scotland's wide spectrum of communities, rural and urban. Indeed, it is felt that NPF4 and the strategy and action areas could do much more to address the disparities and inequalities between communities across Scotland.
- There needs to be clear alignment and transparent 'joining up' of NPF4 with other national plans and strategies, such as STPR2 and Scotland's National Strategy for Economic Transformation that was recently published. We also propose that a stronger national steer be given on some issues, for example our call for a national energy plan with clear spatial expression for each 'sector' which would set out what is required for national targets (and requirements) to be met for decarbonisation.
- NPF4 and the reformed planning system as a whole will only deliver the outcomes sought if the planning system is properly resourced both for its development planning activities and development management – including to address the whole host of new duties, responsibilities and expectations set out in statute and national policy.

We welcome the principle being pursued by Scottish Government of a stronger, more outcome-focussed National Planning Framework that will form part of the development plan in law. We acknowledge the scale and breadth of the undertaking in shaping Draft NPF4 and appreciate the challenges of expressing national outcomes at the regional level and formulating a single policy set to serve a diversity of areas.

We welcome NPF4's drive towards creating: sustainable places, where we reduce emissions and restore and better connect biodiversity; liveable places, where we can live better, healthier lives; productive places, where we have a greener, fairer and more inclusive wellbeing economy; and distinctive places, where we recognise and work with our assets.

However, NPF4 as drafted risks falling significantly short on some of the outcomes sought and objectives and the time needs to be taken to improve it significantly before finalising it. This is a view shared by Highlands and Islands Regional Economic Partners. We would welcome discussion and liaison with Scottish Government at different levels to assist the process of refining and finalising NPF4.

We close this introduction by now pointing you to our more detailed responses to the individual consultation questions... .

PART 1 – A NATIONAL SPATIAL STRATEGY FOR SCOTLAND [Q's 1-18]

Sustainable places

Our future net zero places will be more resilient to the impacts of climate change and support recovery of our natural environment.

Q 1: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE NET ZERO PLACES WHICH WILL BE MORE RESILIENT TO THE IMPACTS OF CLIMATE CHANGE AND SUPPORT RECOVERY OF OUR NATURAL ENVIRONMENT?

[NB. The preceding introduction to The Highland Council's response to Draft NPF4 appears at this point in the response as submitted to Scottish Government via the consultation portal.]

The Highland Council strongly supports the principle of a headline statement around climate change and the natural environment but we believe that the language could be stronger in order to best ensure that targets will be met. For example, "we will encourage sustainable design and use of resources" should read "we will require...". It is reassuring that the need for resilience and nature-based solutions are being seen as necessary contributors to Scotland's response to climate change, rather than the focus simply on meeting net zero goals.

The Highland Council also takes the opportunity of this response to Q1 to raise a number of general matters in respect of Draft NPF4 as follows, which apply across a number of its provisions (not solely or necessarily to the Sustainable Places section in Part 1 that is focus of Q1).

Firstly, an overall sense-check of the draft policies should be made to ensure that any potential conflicts or questions over precedence can be ironed out; for example it is noted that there appears to be an unqualified support for the principle of development across various different, and potentially conflicting, policy themes. The general caveat on Page 3 of Draft NPF4 should be repeated at the beginning of Part 3.

Secondly, many of the policies in Draft NPF4 adopt the use of the word 'should' in terms of what the policy is trying to achieve, whereas use instead of the word 'must' would help drive transformation. The Highland Council is concerned that the language used in Draft NPF4 significantly weakens some policies, causes ambiguity over whether the policy must be complied with and as such, the wording needs to be 'tightened up' in the final NPF4.

Thirdly, there is a lack of cross-reference between policies and the Council considers this does not aid understanding and use of the document as drafted. Cross-referencing ought to be included within the policies if possible but, if deemed not to be appropriate, should at least be included in the relevant paragraphs of introduction to the respective policies.

Fourthly, it is noted that frequent use of a bold typeface is evident throughout the draft policies; The Highland Council is unsure of the relevance of the emboldening of words – whether it is to aid user accessibility or for some other reason – and contends this

emboldening should be removed in the final NPF4 to avoid user confusion, or the purpose of the emboldening otherwise explained in the introduction to NPF4.

Liveable places

Our future places, homes and neighbourhoods will be better, healthier and more vibrant places to live.

Q 2: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES, HOMES AND NEIGHBOURHOODS WHICH WILL BE BETTER, HEALTHIER AND MORE VIBRANT PLACES TO LIVE?

The Highland Council strongly supports the principle of creating places, homes and neighbourhoods that are better, healthier and more vibrant. However the Council recognises that much of the principle is geared towards the urban living ('...we live in communities..(and)...we will create places with good-quality homes close to local facilities and services by applying the concept of 20 minute neighbourhoods...') and the Council would stress that much of Highland is rural in nature which is not referenced at all within this guiding principle and that many of the aims are less achievable in the more rural and dispersed areas. Furthermore, such urban principles seem at odds with the Scottish Government's rural repopulation agenda.

Additionally, the principle seems to suggest all communities need to '...change the way we live in the future...'. Highland Council contends that many of our communities, do not require '...transformative social and economic change...' to deliver on the local living agenda/liveable places principle and in fact the majority of our towns and villages already provide good '...spaces to support physical activity, relaxation and play, to bring people together and to celebrate our culture, diversity and heritage...' albeit incremental improvements could further enhance these vibrant resilient communities, similar to the work the Council is already commissioned with the FW2040 and Skye and Raasay Future projects.

Productive places

Our future places will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working – improving economic, social and environmental wellbeing.

Q 3: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES WHICH WILL ATTRACT NEW INVESTMENT, BUILD BUSINESS CONFIDENCE, STIMULATE ENTREPRENEURSHIP AND FACILITATE FUTURE WAYS OF WORKING – IMPROVING ECONOMIC, SOCIAL AND ENVIRONMENTAL WELLBEING?

The Highland Council, through the planning process, will play its part in contributing to both short-term recovery and long term just transition to a net zero, nature-positive economy. Our vision and expression of regional priorities set out in our Indicative Regional Spatial Strategy for Highland (2021) is evidence of that commitment. The stated strategy in Draft

NPF4 to build a wellbeing economy that benefits everyone, and every place, in Scotland is supported. However, that will only be able to be fulfilled if, in playing to the economic strengths and opportunities of each part of Scotland, NPF4 provides the support and recognition needed by each and every part of the country. Furthermore, Draft NPF4's approach on business and employment only goes part-way to facilitating and accommodating the changing way we work.

In a Highland context we are concerned that the region's multitude of strengths and the nation's reliance on Highland's contributions are not fully recognised in Draft NPF4. Therefore we believe that the high-level approach outlined in Draft NPF4 for Productive Places will go some way to delivering our future places which will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working – improving economic, social and environmental wellbeing. However, unless NPF4 is improved, we are concerned that this won't be fully realised for all areas and as a consequence the nation will fall short.

Distinctive places

Our future places will be distinctive, safe and pleasant, easy to move around, welcoming, nature-positive and resource efficient.

Q 4: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES WHICH WILL BE DISTINCTIVE, SAFE AND PLEASANT, EASY TO MOVE AROUND, WELCOMING, NATURE-POSITIVE AND RESOURCE EFFICIENT?

The Highland Council strongly supports making the best use of our rich natural and built assets and environment to create places that people value and protect, and that will help to reduce inequality. The approach described is certainly positive and should be at the heart of all future places, however how this will be fully achieved or measured is a different question. The ambition of future places being “easy to move around” seems to be the most challenging ambition for Highland. This would require huge investment in public transport and EV charging points. It would also require investment in making active transport safer and more desirable.

We fully support and welcome the focus on making use of existing buildings, locking in embedded carbon and minimising waste. However, in Highland we are (and have been for many years) seeing the regular demolition of significant numbers of (mostly rural) historic buildings - many of which are capable of reuse and have substantial embodied energy - to make way for new development. It is the case that, despite the welcome direction of policy, that developers currently have little/no incentive to restore and reuse existing historic building stock, and we have little/no control over demolition. The net result is a continuing loss of existing historic buildings, a loss of embedded carbon and a consequent adverse impact on the historic environment, sense of place and a loss of local distinctiveness.

Sustainable, Liveable, Productive and Distinctive

Q 5: DO YOU AGREE THAT THE SPATIAL STRATEGY WILL DELIVER FUTURE PLACES THAT OVERALL ARE SUSTAINABLE, LIVEABLE, PRODUCTIVE AND DISTINCTIVE?

The Highland Council supports the overall high level strategy but feel that the delivery of these aims will lie in the detail of NPF4.

Spatial principles

Q 6: DO YOU AGREE THAT THESE SPATIAL PRINCIPLES WILL ENABLE THE RIGHT CHOICES TO BE MADE ABOUT WHERE DEVELOPMENT SHOULD BE LOCATED?

We agree that these spatial principles will encourage better choices that will help to shape our future places, and that these aims should form the guiding principles of the policies outlined in the NPF4.

Spatial Strategy Action Areas

Q 7: DO YOU AGREE THAT THESE SPATIAL STRATEGY ACTION AREAS PROVIDE A STRONG BASIS TO TAKE FORWARD REGIONAL PRIORITY ACTIONS?

The Highland Council region is included within three of the proposed Action Areas. The Council contends all three Action Areas have similar challenges and opportunities and require similar strategic actions to ensure they are fit for purpose and will deliver resilient robust local communities. For avoidance of doubt, we do see some merits in NPF4 including some area-based expression of priorities, however we think that the multitude of geographies for planning strategies and priorities will get too complicated and that weakens the spatial strategy action areas basis for taking forward regional priority actions. The labelling and overlap between Action Areas causes some confusion, with the three overlapping Action Areas needing to be overlaid to understand the full implications for the Highland region. The apparent desire to express strategy through a number of action areas has, we feel, forced differences of approach between areas when that is not always justified. For example, we contend that digital is already being relied upon for modernisation of service delivery and remains a high priority for further investment in the short and longer term in all areas. The action area diagrams need to be checked against each other as there appear to be inconsistencies and it is not clear how they relate to each other, even within the overlap areas. An example of this is the relationship between 'North and West Coastal Innovation' and 'Northern Revitalisation', where strategic connections within the overlap area do not correspond between one diagram and the other. These differences should be resolved or otherwise explained.

The Council is very concerned that in Draft NPF4, Highland's priorities are not fully represented in the spatial strategy and are substantially unmapped, despite our Indicative Regional Spatial Strategy (IRSS) and candidate National Developments (cND) submissions.

We contend that whilst our IRSS covers the area of a single local authority, by virtue of its substantial area and great diversity it does represent a region in its own right and NPF4 should be more true to our IRSS and cNDs. The area is represented to an extent in Draft NPF4 by written material for Action Areas and some Scotland-wide National Developments. We are concerned that that the consultation questions in respect of Draft NPF4's Part 2 - National Developments (Q19-Q21) do not provide a clear place for us to seek reconsideration of cNDs we previously submitted but which have not been proposed as National Developments in Draft NPF4 - this we feel means that the Scottish Government's consultation on Draft NPF4 is fundamentally flawed. Furthermore, we consider that for cNDs with merit but not achieving National Development status, NPF4 needs to provide a clear way of acknowledging and lending weight to these additional, nationally important priorities.

North and west coastal innovation

Q 8: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

The Highland Council's key points of response to Q8 on 'North and west coastal innovation' are as follows:

The Highland Council region is included within three of the proposed Action Areas. The Council contends all three Action Areas have similar challenges and opportunities and require similar strategic actions to ensure they are fit for purpose and will deliver resilient robust local communities.

With specific regard to the summary of challenges and opportunities outlined for the North and West Coastal Innovation Action Area, The Highland Council broadly agrees with what is described but we also have a number of concerns which we have identified within our response to Q9.

Q 9: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

The Highland Council's key points of response to Q9 on 'North and west coastal innovation' are as follows:

This area broadly comprises the island communities of Shetland, Orkney, the Western Isles, and parts of Highland and Argyll and Bute including the north and west mainland coastline. We agree with many of the priorities identified for this Action Area but we believe they are prevalent beyond the boundary identified and in some cases are national issues. For example there is a strong reference to peatland restoration yet the action area has been drawn to exclude a significant part of the Flow Country and the text makes no reference to it, albeit that it is referenced under Northern Revitalisation.

Although, there is rightly a focus on connectivity to the islands, we feel that this has led to large areas of Highland mainland being overlooked - they are places in their own right, irrespective of whether they are also on a route to the isles. This may be as a result of the significant geographical overlap between this and the Northern Revitalisation Action Area but note that there is some disparity and inconsistency between the issues outlined where they would appear in both areas. Whilst it is appreciated that these broad areas may look to achieve slightly different aims and objectives, it may lead to confusion in some circumstances. For example, the spaceports identified for the Western Isles and Shetland are both referenced in this action area, however the Sutherland spaceport, which also lies within this area, is not identified here but in Northern Revitalisation.

The Council appreciate that Fort William is not so directly linked to the islands but it is still a key centre in a coastal location, which provides services and facilities of a key centre as well as 'en-route' lifeline link to remote coastal and island communities. It is noted that Fort William is included as a key settlement in Northern Revitalisation but don't believe that this should preclude it being a key centre in this Action Area as well.

Whilst Highland Council welcomes the fact that Draft NPF4 acknowledges a number of Highland's ports and harbours in the area, we do not feel that this adequately recognises the role of all ports and harbours in supporting renewable energy towards net zero, particularly when compared to the focus given by Draft NPF4 to the Outer Hebrides Energy Hub.

NPF4 would be improved if it displayed and imparted greater understanding of the detail rather than over-simplifying. For instance, there are a great many ports and harbours with many roles and functions, sometimes competing and other times unique or complementary; many mainland ports act as important provisioning centres for islands e.g. through ferry routes, they can also be a central part of the industrial basis of an area (such as in servicing fish-farming) or provide a specialist facility such as at Kishorn which is unique in what it provides to the west coast. The importance of The Minch as a maritime route should be recognised and all ferry routes should be acknowledged in NPF4, for example the ferry from Mallaig to the Small Isles is not shown.

It seems like a missed opportunity to focus on the vast renewables potential of the area but not make any meaningful provision for keeping some of that energy locally. Smaller-scale community owned renewables, where the energy is produced and consumed locally, will not only help to broaden the means to achieve net zero but will allow communities to become more resilient and address fuel poverty, which are both key aims of this section.

Key connections are shown including between Wester Ross and Inverness, however the Great Glen is not shown which is surprising given its role in both land and water based travel.

Northern revitalisation

Q 10: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

As drawn on the diagram in Draft NPF4, the 'Northern Revitalisation' Action Area includes 'PARTS OF Highland' (not 'Highland' as stated, this should be corrected or the boundary perhaps changed if action areas are repackaged) together with parts of Argyll and Bute, Moray and much of the national parks. The Highland Council region is included within three of the proposed Action Areas. The Council contends all three Action Areas have similar challenges and opportunities and require similar strategic actions to ensure they are fit for purpose and will deliver resilient robust local communities.

With specific regard to the summary of challenges and opportunities outlined for the Northern Revitalisation Action Area, The Highland Council broadly agrees with what is described but we also have a number of concerns and provide the following in further response to Q10:

The Highland Council is not entirely comfortable with the reference to revitalisation in the title - is it a comment based on rationalisation of MOD facilities, on Dounreay decommissioning, on a perceived need for 'rural repopulation', on something more general? In any case we do not believe that revitalisation is the over-riding priority for the Highland region, given some significant levels of growth and economic activity, the generally low unemployment and low dereliction prevailing. Similarly, badging the area as 'rural' (e.g. "this rural heartland") is also not helpful and this should instead acknowledge the vibrancy of Highland's city and communities that combine with the unique natural and built landscape and heritage. Notwithstanding that the Northern Revitalisation Action Area (and Highland in particular) is an important contributor to renewable energy generation, forestry and woodland, peatland protection and restoration and the tourist sector, we feel that Draft NPF4 does not adequately recognise our communities and Highland as, first and foremost, a home for people and a place to grow up, live and work, with services to support that; there is brief reference but the commentary quickly moves on to focus on other matters. We are concerned that the Draft NPF4 does not do enough to achieve the aspiration for resilient communities for all of Scotland. For example, the reference for this Action Area to "Tailored measures will be required to assist communities in adapting to climate change and transitioning to net zero" is welcomed, but Draft NPF4 needs to set out more about what those tailored measures might be and how NPF4 might support those. Also, where draft NPF4 in essence indicates that a low carbon future in Highland could involve transport improvements, we contend that it MUST include transport improvements as per the candidate National Developments (cNDs) and spatial priorities we had put forward - particularly the special case we made for Highland and community resilience. Notwithstanding that we believe there should be opportunity to reconsider cNDs with merit but not proposed as National Developments in Draft NPF4, we consider that NPF4 needs to provide a clear way of acknowledging and lending weight to any merited cNDs that do not achieve National Development status but should be additional, nationally important priorities. As it stands, Draft NPF4 either misses them or waters them down.

Whilst Draft NPF4 does say that the "This part of Scotland can make a strong contribution towards meeting our ambition for a net zero and nature positive country by demonstrating how natural assets can be managed and used to secure a more sustainable future", we consider that it fails to recognise the unique and disproportionate contribution that Highland already plays, and will increasingly play in the future, to address national ambitions for net zero and particularly the decarbonisation of energy networks. In short, Highland's contribution now and in the future is vital and relied upon by the nation for success - and that contribution is hosted and enabled by Highland and its communities. We also point out that some of the electricity network facilities being developed in Highland have an INTERNATIONAL scale of significance, such as major Converter Station development in Caithness.

The opening paragraph of the summary references the world renowned cultural heritage of the area, but makes no further reference to this important resource as a key economic driver or its contribution to the distinctive character of the Highlands. It is recommended that the importance of cultural heritage and the historic environment is noted in the paragraph that outlines the area's environmental qualities.

The first sentence recognises the importance of biodiversity to the area, and this is followed up by a mention later in the section that wildlife sustains key economic sectors, however there is a lack of detail on biodiversity priorities or actions. There are a number of mentions of climate change and the sequestration of carbon, and the role habitats in the area have as a carbon sink, but a lack of biodiversity detail.

Whilst the inclusion of reference to The Flow Country Proposed World Heritage Site in the Northern Revitalisation action area is welcomed, that "there is currently a proposal to make the Flow Country a UNESCO World Heritage Site" is the sole and total direct reference to it in Draft NPF4 is inadequate. NPF4 should include the following:

"The proposal for the Flow Country, an unparalleled peatland resource, to become a World Heritage Site reflects its international significance for important blanket bog habitats and species and with considerable carbon storage value. This could support tourism, recreation, education, research and enterprise and should be safeguarded and celebrated."

Q 11: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

The 'Northern Revitalisation' Action Area includes Highland with parts of Argyll and Bute, Moray and much of the national parks. The Highland Council's key points of response to Q11 on the strategic actions for the 'Northern revitalisation' action area are as follows - whilst noting that many should extend beyond the action area boundaries identified:

5. Strengthen networks of resilient communities

That Draft NPF4 acknowledges that Inverness plays a vital role as a regional centre for services, health, justice, employment, education, culture and tourism is welcomed, but we believe that its role for provision of regional sports facilities should also be recognised. Dingwall should be added to the list of key settlements in this action area. NPF4 should also

better acknowledge the scale and range of investments within the Inverness and Highland City-Region Deal, as Draft NPF4 only mentions it in the context of the Inverness Castle project.

6. Stimulate green prosperity

Acknowledgement of the opportunities and challenges in respect of the North Coast 500 are welcomed; however, by reduce the carbon footprint there will need to be particular emphasis on longer stays in base locations by improvements in infrastructure. We agree there are opportunities to grow support services for outdoor activities but there will be a need for continued investment, for example in remote and mountain paths, to sustain this. There is a need to careful plan for interactions between actions and priorities in NPF4 going forward. For example the impacts of the planned Coire Glas pumped hydro electric scheme on the Great Glen Way and NCN Caledonia Way during construction phase, with securing appropriate mitigation needing to be a priority if these routes are to act as a spine for active travel networks.

Draft NPF4 says for this action area that "Repowering and extending existing wind farms will optimise their productivity and capitalise on the area's significant natural energy resources, and there is potential to increase offshore wind energy capacity". However, we feel that the reference to offshore wind energy could be more certain and committed than the draft states, given the consents in place and the progress with the Scotwind leasing round lining up much more development potential.

The Opportunity Cromarty Firth project is referenced within the text, but this reference fails to recognise the national impact and significance, irrespective if OCF is awarded Greenport / Freeport status, that this project could have for the country in terms of renewables investment and hydrogen development, whilst concurrently acting as the catalyst for net zero. The Crown Estate Scotland Ports Study identified the area as a frontrunner for the creation of a strategic national renewables hub. The recently released Strategic Infrastructure Assessment (SIA) undertaken by the Scottish Offshore Wind Energy Council (SOWEC) identifies the Cromarty Firth as the 'most suitable location in Scotland for platform fabrication and manufacture, with the two ports of Invergordon and Nigg acting as the focus of effort to secure platform fabrication and manufacture.' This is in direct comparison to the 'North East Transition Action Area' which clearly outlines national developments and investment to manage the transition from oil and gas.

7. Nurture nature-based solutions

The strategic actions, in biodiversity terms, are very good; however, with the exception of 'Nurture nature-based solutions', there is little detail on the interaction and impact on biodiversity. Both 'Strengthen networks of resilient communities', and 'Stimulate green prosperity' can have huge positive impacts on biodiversity if done in the right way but it is not really mentioned.

With regard to forestry sector and timber production, it would be good to add in reference to further opportunities to process and add value to the product locally.

8. Strengthen resilience and decarbonise connectivity

NPF4 would be improved if it displayed and imparted greater understanding of the detail rather than over-simplifying. For instance, there are a great many ports and harbours with many roles and functions, sometimes competing and other times unique or complementary.

The Great Glen should be recognised as a strategic connection route (important as a route for both road and canal transportation) and the Council is very concerned at the lack of specific reference to the need for investment in A82 improvements. The Corran Ferry should also be acknowledged and strategic connections sense-checked - for example, the ferry route from Ullapool is shown as a strategic connection but the A835 is not identified as a link to Inverness as part of a strategic connection 'network'.

On the matter of rail, aside from existing reference to electrification, which is welcomed, the text would benefit from reference to alternative traction on other rail routes in Highland and linking east; it is understood that batteries and hydrogen are opportunities. On major road improvements it would be helpful if NPF4 could be more transparent about the types of major improvement planned. Also, Draft NPF4 doesn't appear to pick up fully on what our Indicative Regional Spatial Strategy sets out in terms of transport interchange and park+ride opportunities. On air travel, the reference in Draft NPF4 to "Wick John O'Groats" should be amended to read "Wick John O'Groats Airport", and Broadford Airstrip on Skye perhaps provides particular opportunities for future service connections rather than being a key connection currently. The ambition for low carbon air travel could be referenced too.

The inclusion of reference in Draft NPF4 to the planned spaceport (vertical launch facility) is welcomed, but we would point out that as the action areas are currently drawn, it is not in this Northern Revitalisation action area, nor within an area of overlap between action areas but within the North and West Coastal Innovation action area. The Council's earlier submissions included a candidate National Development suggestion in relation to the emerging Space industry but no such National Development is proposed by Draft NPF4. Scottish Government appears to be relying on the spatial strategy as drafted, but that lacks a specific and overarching provision for the space industry, therefore there is no sense of overall strategy within Draft NPF4 for the space industry, only references to specific projects within certain action areas.

North east transition

Q 12: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

The Highland Council region is included within three of the proposed Action Areas. The Council contends all three Action Areas have similar challenges and opportunities and require similar strategic actions to ensure they are fit for purpose and will deliver resilient robust local communities. With specific regard to the 'Challenges' outlined in the North

east Action Area, the Council generally accepts the challenges outlined are most relevant to this Action Area.

Q 13: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

The 'North east Transition' Action Area is shown on the indicative map as extending out from Aberdeen City into Aberdeenshire along the Moray Coast towards Inverness, and south towards the Tay estuary. Given the indicative nature of this mapping, Highland Council is unsure if the Action Area actually includes the City of Inverness within its scope and this should be clarified with accurate mapping in the final version.

In terms of the Action Area, this area is noted being one of the most prosperous parts of Scotland, which is in spite of inadequate transport infrastructure investment over the long term. Regrettably, based on the draft version of this Action Area, this lack of investment looks set to continue with no reference to transport improvements to the long awaited A96 dualling programme and no further improvements to the Aberdeen to Inverness rail line proposed or committed (apart from the Inverness airport station which is already under construction). It is the Council's view this lack of commitment will significantly restricting growth and the transition to net zero across the Action Area.

The Council strongly supports the Action Area 'Transition to net zero' proposal (part 9), but is concerned that the proposal is too heavily focused on Aberdeen (and the Aberdeen Harbour National Development proposal). Instead, the transition to net zero proposal should reflect the potential of the entire north-eastern coastline, especially the existing assets and potential developments within the Moray & Cromarty Firth. This assertion is supported by the 'Scottish Offshore Wind Energy Council' recently published 'Strategic Investment Assessment' (<https://www.offshorewindscotland.org.uk/media/1573/strategic-investment-assessment-report-august-2021.pdf>) which notes that '...the Cromarty Firth emerges as the primary location suitable for both assembly/marshalling and fabrication based on existing as well as additional capacity...' and '...the Cromarty/Moray area as the most suitable location for a Scottish Floating Offshore Wind Port Cluster...'. Additionally, the 'Scottish Government Hydrogen Policy Statement' (<https://www.gov.scot/binaries/content/documents/govscot/publications/speech-statement/2020/12/scottish-government-hydrogen-policy-statement/documents/scottish-government-hydrogen-policy-statement/scottish-government-hydrogen-policy-statement/govscot%3Adocument/scottish-government-hydrogen-policy-statement.pdf>) utilises 'North of Scotland Hydrogen' as a Case Study, identifying it '...is a series of scalable green hydrogen projects based in the Cromarty Firth which will produce hydrogen from renewable energy for regional, national and export use...' and the '...Port of Cromarty Firth is working with regional and national partners...to realise the full potential from this opportunity and to position Scotland as global leaders in green hydrogen technologies...'. Consequently, Part 9 should be revised to better reflect the key importance of the wider locale.

In terms of part 10. (Improve Local Liveability), the Council believes the Scottish Government has misunderstood the reasons around the high car ownership across this

Action Area. The Council contends this is because a large percentage of the population live within the numerous small to medium size towns to the north and south of Aberdeen and along the Moray Firth Coast and who regularly commute between Inverness and Aberdeen for work, leisure and access to goods and services. Consequently the National Development proposal to establish an 'Aberdeen Mass Urban Transport' extending to just the City limit, is unlikely to reduce travel along the north-east corridor. As such, car ownership within this Action Area will not reduce, thus rendering this proposed 'action' and the 'Aberdeen Mass Urban Transport' National Development fundamentally flawed. Moreover, this Action Area poor reference and commitments to active travel improvements will further compound this issue.

The regeneration of Coastal Communities (Part 11) should reference and support the transition of the MOD land at Fort George to none military use and commit appropriate public sector investment to ensure a coordinated and sustainable new use if developed and delivered for this site.

Part 12 (Decarbonise connectivity) notes that Aberdeen is a 'key transport hub' with vital links to a number of Isles, but this Action Area makes no mention of the importance of Inverness Airport, which equally acts as a lifeline route to the isle (especially for access to health care and the courts system) and its innovation work it is doing in new sustainable aircraft design outlined in detail within the Council iRSS submission.

Finally, draft NPF4 highlights the importance of local food security, but fails to acknowledge the contribution the north-east makes to this aspects, especially around arable farming, which in turns supports the whisky industry which has seen year on year worldwide growth. Additionally, the importance of commercial timber production and processing is not referenced within this Action area; however, again this is a worldwide growth industry served by this Action Area.

Central urban transformation

Q 14: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

This Action Area is out-with Highland Council region and therefore the Council has provided no response to this question.

Q 15: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

This Action Area is out-with Highland Council region and therefore the Council has provided no response to this question.

Southern sustainability

Q 16: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

This Action Area is out-with Highland Council region and therefore the Council has provided no response to this question.

Q 17: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

This Action Area is out-with Highland Council region and therefore the Council has provided no response to this question.

National Spatial Strategy

Q 18: WHAT ARE YOUR OVERALL VIEWS ON THIS PROPOSED NATIONAL SPATIAL STRATEGY?

The Highland Council generally supports NPF4 proposed national Spatial Strategy, subject to our comments in answer to questions 1 - 17. Nevertheless, the Council notes that within the Spatial Strategy and Action Areas there is an inadvertent bias towards urban areas combined with a crude application of a rural label to Highland which misses the very significant urban context and opportunities of parts of our area. It is felt that NPF4 and the strategy and action areas could do much more to address the disparities and inequalities between communities across Scotland, particularly the larger area authorities with networks of communities that are most distant from each other and therefore face greater challenges and require more significant per capita investment to achieve net zero.

Conversely, we are not confident that Draft NPF4 provides adequate coverage and a comprehensive framework to describe how the priorities for Scotland's rural areas will be addressed, such as those set out in our Indicative Regional Spatial Strategy. It is felt that this compromises the national ambition for appropriate rural repopulation, for which there is significantly less detail than expected in draft NPF4.

There is a sense that Highland's integral role in the national spatial strategy is significantly underplayed; it feels that the sheer diversity of Highland's strengths and contribution to national strategies and priorities, across a wide range of sectors, has in some way played against it being recognised for those – some other areas have clear recognition but on just one or two strengths or priorities. This is especially true in Draft NPF4's packaging and graphics, with a number of our regional priorities (such as short and longer term Digital, North Coast 500) either generalised within nation-wide priorities or almost lost within the text. Visually there is an impression that Draft NPF4 is biased towards supporting the most urban areas and, combined with the Islands Bill which provides dedicated support to island authorities that are not physically connected to the mainland and, notwithstanding the

need to fulfil the Inverness and Highland City-Region Deal, this leaves Highland and some neighbouring authorities in a less certain and supported position. This is particularly prevalent in the infrastructure based National Developments identified, which fail to recognise Highland's critical role in supporting the wider Highlands and Islands Region.

The national spatial strategy is confusing – we welcome that it highlights Inverness but are concerned that on turning to the Action Areas there seems little for Highland and little sense of Highland, which is particularly disappointing given the Indicative Regional Spatial Strategy that we had prepared with input from a wide range of other organisations, to inform NPF4. We feel that Draft NPF4's spatial strategy does not adequately recognise our communities and Highland as, first and foremost, a home for people and a place to grow up, live and work, with services to support that.

We believe the style and presentation of the mapping, and the boundaries used for any sub areas, needs to be carefully reconsidered. By comparison, we note that the 'southern sustainability' action area captures the character of the whole region and refers positively to the ambition of the area. Indeed, many of the priorities and opportunities mentioned against specific Action Areas are prevalent beyond the boundaries identified, and in some cases are national issues, and should therefore be appropriately broadened.

Additionally, the Council seeks clarity as to how NPF4 Spatial Strategy and the NPF4 Action Areas (Highland sits within three different Action Areas), will interact with Spatial Strategies within Local Development Plans (Highland currently has four - three area LDPs and Highland-wide LDP) and the requirement to produce and adopt Regional Spatial Strategies outlined in the Planning Acts (Highland is proposing to produce one to cover the entire region, as per our previously submitted IRSS). Having such a mix of Spatial Strategies, all with differing boundaries, agendas and produced at differing times, in the Council view will cause public confusion, public apathy with consultation involvement, and difficulties in weighting by decision makers, which will require clear direction (or at least greater clarity of intent) at a national level.

PART 2 – NATIONAL DEVELOPMENTS [Q's 19-21]

Q 19: DO YOU THINK THAT ANY OF THE CLASSES OF DEVELOPMENT DESCRIBED IN THE STATEMENTS OF NEED SHOULD BE CHANGED OR ADDITIONAL CLASSES ADDED IN ORDER TO DELIVER THE NATIONAL DEVELOPMENT DESCRIBED?

The Highland Council responds as follows to Q19 (please also see our response to Q7):

ND01. Central Scotland Green Network: Which seeks to create green infrastructure for emissions sequestration, adaptation to climate change and biodiversity enhancement. However, our suggested candidate National Development (cND) 14 (The Land and Water Management, Protection and Restoration of our Natural & Biodiversity Assets, including our Peatland, Reforestation & Coastal Assets), sought to do this (and more) holistically across the whole of Scotland, not just the central belt. We suggest that the scope of ND01 be reconsidered and extended to be a Scotland-wide National Development.

ND02. National Walking, Cycling and Wheeling Network: We support its inclusion as it delivers on our cND06 (Long Distance Cycling and Walking Network) suggestion.

ND03. Urban Rapid/Mass Transit Networks: Which is focused on improving road and rail infrastructure, passenger facilities and methods of fuelling and powering the infrastructure across Aberdeen, Glasgow and Edinburgh. Whereas in our suggested cND01 (Rail Infrastructure Improvements) and cND02 (Trunk and Other Strategic Road Improvements) we promoted seeking improvements to the same infrastructure across the whole of Scotland, not just Scotland's main cities. We urge that the scope of ND03 be reconsidered and extended to be a Scotland-wide National Development.

ND05. Circular Economy Materials Management Facilities: We support its inclusion as it delivers on our cND05 (Local Resilient Networks) suggestion.

ND06. Digital Fibre Network: We support its inclusion as it delivers on our cND10 (Digital Network) suggestion.

ND07. Islands Hub for Net Zero: Under b) we think it should read "exceeding 50 megawatts capacity" rather than "of or exceeding 50 megawatts capacity", in order to reflect the Electricity Act threshold. Also, we argue that ND07 could be extended to include Highland particularly in light of, for example, Opportunity Cromarty Firth, the hydrogen production opportunity and the huge and growing contribution of Highland to the nation's renewables generation.

ND08. Industrial Green Transition Zones: This relates to locations at St Fergus, Peterhead and Grangemouth with a brief mention of there being "further industrial transition sites that are expected to emerge in the longer term". However, we argue that consideration be given now to identifying and specifically including Opportunity Cromarty Firth in ND08, or more loosely perhaps our industrial and service bases within the Inner Moray Firth.

ND09. Pumped Hydro Storage: We support the inclusion of this National Development as it goes some way in delivering our cND03 suggestion. However, neither the mapped content nor the initial focus should be limited to Cruachan. Increasing the capacity of pumped storage is vital to energy security and flexibility; this includes ensuring delivery of those schemes already planned or permitted (e.g. Coire Glas, Red John). We believe therefore that the text and map should be expanded to include pumped hydro schemes with permission or otherwise identified as vital for strategic reasons, not just the single one noted.

ND12. Strategic Renewable Electricity Generation and Transmission Infrastructure: We support its inclusion, but suggest the wording is amended to ensure a truly inclusive whole-system energy transmission, distribution, and consumption network is developed, which adapts to the 'smarter local energy model' to ensure energy generation and usage (including heat) is fully resilient and efficient in the future, to deliver a decarbonised net zero system in line our cND03 (Energy Generation, Transmission, Distribution and Consumption) suggestion. Under a) we assume it is intended to read "exceeding 50 megawatts capacity" rather than as drafted "of or exceeding 50 megawatts capacity", in order to reflect the Electricity Act threshold. In any case The Highland Council proposes that consideration be given to setting the 'national development' threshold for this purpose higher - we suggest "exceeding 100 megawatts capacity". While all development which generates renewable energy makes a contribution toward the targets, it is considered that developments of over 100MW make a significant contribution toward Scotland's road to Net Zero and as such the benefit can be seen as of national importance and would be more aligned to the reason for designating development as National Development. It is recognised that determination of cases above 50MW are subject to provisions of the Electricity Act, however, there may be benefit in terms of determining applications of up to 100MW at a Planning Authority level rather than national level and doing so under the provisions of the Town and Country Planning Act rather than the Electricity Act. It is appreciated that secondary legislation would be required for this change.

ND15. Aberdeen Harbour: Which is assessed by the Scottish Government as helping to deliver a transition to net zero and is purely Aberdeen focused. We cannot see why Opportunity Cromarty Firth (our cND15 suggestion), which seeks to do exactly the same thing, but on a larger scale is excluded. We believe that ND15 should therefore be redefined to also cover Opportunity Cromarty Firth, particularly given its proximity to offshore renewables locations.

OVERVIEW COMMENTS:

It is disappointing that the national development plan completely overlooks the Highlands almost in its entirety. The graphic on page 45 is a stark representation in the lack of vision for a meaningful National Development.

To illustrate this by example: Scotland has been widely recognised as being well placed to become a large-scale producer of renewable energy. Within Scotland, Highland Region has a long history in the production of green energy from large scale Hydro development post war to the more recent large scale on shore wind farms to the future developments within

offshore wind and green hydrogen production. The North of Scotland has a wealth of natural resources. If there was a national focus on delivering the correct infrastructure that would allow for the efficient use and distribution of the energy generated it could see the Highland contribute significantly to decarbonisation at a National Level.

However, looking across all 18 of the proposed national developments there is a notable bias towards the more populous urban areas and the enhancement of facilities and infrastructure around the biggest population centres. Examples of this bias are: ND01, ND03, ND15.

There needs to be a review of projects which could better reflect an opportunity to develop economic opportunity across Scotland with some thought as to how this can provide a real opportunity for rural communities across the country.

Q 20: IS THE LEVEL OF INFORMATION IN THE STATEMENTS OF NEED ENOUGH FOR COMMUNITIES, APPLICANTS AND PLANNING AUTHORITIES TO CLEARLY DECIDE WHEN A PROPOSAL SHOULD BE HANDLED AS A NATIONAL DEVELOPMENT?

Please see The Highland Council's responses to Q19 and Q7.

Q 21: DO YOU THINK THERE ARE OTHER DEVELOPMENTS, NOT ALREADY CONSIDERED IN SUPPORTING DOCUMENTS, THAT SHOULD BE CONSIDERED FOR NATIONAL DEVELOPMENT STATUS?

Please see The Highland Council's responses to Q19 and Q7.

PART 3.1 [SUSTAINABLE PLACES (UNIVERSAL POLICIES)] [Q's 22-28]

Sustainable Places

We want our places to help us tackle the climate and nature crises and ensure Scotland adapts to thrive within the planet's sustainable limits.

Q 22: DO YOU AGREE THAT ADDRESSING CLIMATE CHANGE AND NATURE RECOVERY SHOULD BE THE PRIMARY GUIDING PRINCIPLES FOR ALL OUR PLANS AND PLANNING DECISIONS?

Agree in principle that climate change and nature recovery should be the over-arching guiding principle for plans and decisions.

Draft NPF4 advises that the first 6 policies under the 'Sustainable Places' Section are 'Universal Policies' that '...should apply to all to all planning decisions...'. Unfortunately, the Council is not clear if this means these policies have greater weight in decision making and the level and type of evidence which would be required to satisfy them. Moreover, as detailed in responses to the questions below it is unclear as to why several of the Universal Policies actually need to be development plan policies within NPF4 as they are covered elsewhere in statute.

The key test for implementation of this aspiration is whether funding can be confirmed to support delivery for all parts of Scotland. There is some nervousness that the prospects of achieving these aspirations are greatest in the most populated areas - investment should directly remedy and rebalance inequalities of access across more dispersed communities.

Finally, it could be problematic that the 2014 Scottish Planning Policy's 'sustainability principles policy' has not been carried over to NPF4. The result of this is that there would be no one overarching policy to consider and assess all development proposals against a range of matters inputting to sustainability. It is important to ensure that there is no mechanism or unintended opportunity for such considerations to be outweighed readily by other considerations. We are particularly concerned that the SPP (2014) references to the outcome and principle of "the right development in the right place" and "not to allow development at any cost" (SPP paragraphs 15, 28 and 40), which has proven extremely useful, has not been carried over to Draft NPF4 and we strongly urge that it be included in the finalised NPF4.

Policy 1: Plan-led approach to sustainable development

Q 23: DO YOU AGREE WITH THIS POLICY APPROACH?

The Highland Council considers that whilst the fundamental principle of a plan led approach is supported and could be helpful in better managing planning applications (particularly departures to the plan), it is not clear why this needs to be a policy, not least the leading policy of NPF.

This is the first of many NPF4 policies that relate to duties or functions to be carried out by Local Authorities through their Local Development Plans. Since the requirements are already set out in statute, we are unclear as to why they need to be specifically identified in NPF4, not least as a development plan policy rather than simply cross-reference from supporting text.

Policy 2: Climate emergency

Q 24: DO YOU AGREE THAT THIS POLICY WILL ENSURE THE PLANNING SYSTEM TAKES ACCOUNT OF THE NEED TO ADDRESS THE CLIMATE EMERGENCY?

The Highland Council's key points of response to Q24 on Policy 2: 'Climate emergency' are as follows:

1. The introduction of a new national policy on climate change is most welcome in principle but, whilst it probably would ensure the planning system takes account of the need to address the climate emergency, as currently drafted the application of the policy would be problematic, it would be unlikely to deliver fully on the outcomes sought and it does not go far enough to ensure planning systems take action to embed the climate mitigation and adaptation measures into developments.
2. The emissions and nature-based solution sections are very vague, and it needs to be more specific about how the policies will be implemented by applicants and development proposals and how they will be assessed through decision making - and monitored - if they are to be fully understood and implemented.
3. Whilst Draft NPF4 makes it clear that the 'Universal Policies' (Sustainable Places policies) should "apply to all planning decisions", it is not clear as to whether the Climate Emergency policy as one of those is to be regarded and applied as an overarching policy principle or simply considered in the round with other policies across NPF4.

The following elaborates on those key points and/or provides any additional points of response.

The policy as drafted relies heavily on reference to "national decarbonisation pathways" – but without referring and linking to specific targets, measures or other tangibles that would provide a clearer basis for assessment and decision-making on applications. Also, it will be important that the policy and pathways acknowledge and provide for climate-appropriate development in a range of contexts, such as urban and rural - one size (or type) of target or measure is unlikely to fit all, but action is required across the board.

In terms of the draft policy's provisions in relation to minimising emissions, Draft NPF4 could be clearer as to whether any of this is, will, should or could be subject of legal obligation. Also, it is noted that there is likely some overlap with Building Standards.

The draft policy begs the question as to how planners would assess emissions in practice, particularly given the wide spectrum of emission sources to cover, such as emissions in demolition, production of building materials, transportation of building materials, construction, in operations including heating/ lighting of structure, daily travel requirements of users of the structure, travel options, etc. There is a need to specify actions to minimise emissions, to factor in mitigation measures and to be able to assess and understand their effectiveness. Likewise, there is need to be able to assess effectiveness of climate adaptation and mitigation for existing structures. There is also potentially a need to consider the role of location in generating emissions more thoroughly, particularly the cumulative impacts of local proposals. Practically, how far do we go and how do we do it? The policy is perhaps overly complex, and it does require a fundamentally different set of skills and resource to deal with through applications. As we understand it, this policy is not to be duplicated in Local Development Plans, therefore this policy needs to be clear and able to be implemented to deliver the desired outcomes.

In terms of the draft policy's provisions for the possibility of offsetting high-emission projects, the policy needs to be clearer that this would be the exception, the circumstances for such exception and the types of offsetting that would be regarded as acceptable. As drafted, the policy has loopholes that could lead to developers too readily being able to opt for off-setting as an easy option, possibly in the form of buying carbon credits or paying for carbon offsets, such as paying a developer contribution that leaves the local authority with responsibility to take forward projects. There should maybe therefore be a greater emphasis on the 'on-site nature-based solutions'. In relation to emissions off-setting off-site in particular, will off-site off-setting be assessed as part of the planning process to ensure appropriate sites have been identified and do not have other sensitivities that may preclude their use for off-setting, i.e. archaeological/heritage sites or landscapes, contain existing habitats/species etc.? there would need to be confidence that the planning authority would be able to control off-site off-setting (type/size/location, etc) and secure mitigation/conditions where appropriate - without necessarily being responsible itself for delivering the off-setting project.

Regarding the lack of clarity as to whether the policy is to be applied as an overarching policy and noting that the earlier Q22 asks: "Do you agree that addressing climate change and nature recovery should be the primary guiding principles for all our plans and planning decisions?" - it seems that Draft NPF4 could be stronger and clearer about this in policy itself. Without such clarity, NPF4's approach could be particularly problematic given that Scottish Planning Policy 2014's Principal Policies: Sustainability - Policy Principles and Placemaking - Policy Principles have not been directly carried over but it appears are proposed to be dropped, with the proposed set of Universal Policies whilst covering the topics do so in a different manner. There would be no one overarching policy applying to all development that would require consideration against key sustainability principles. This may lead to some developments being able to rely on such aspects being outweighed readily by other considerations. See also our response to Q22.

Policy 3: Nature crisis

Q 25: DO YOU AGREE THAT THIS POLICY WILL ENSURE THAT THE PLANNING SYSTEM TAKES ACCOUNT OF THE NEED TO ADDRESS THE NATURE CRISIS?

The Highland Council's agrees that Policy 3 (Nature Crisis) is an overriding 'Universal Policy' that should apply to all forms of developments and is a policy area the Council is keen to strongly promote, as demonstrated in our IRSS submission and the development of a 'Nature Protection, Preservation and Enhancement' policy within our Proposed Inner Moray Firth Local Development Plan (which was published on 25 March 2022, see www.highland.gov.uk/imf).

However, whilst the Council considers that it is a strongly worded and comprehensive draft policy, disappointingly it fails to be sufficiently robust enough, nor specific enough to deal with all forms of development and the Council's concerns are expressed below:

1. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. Part a), b) & e) refers to developments only enhancing biodiversity. The Highland Council contends that all developments should 'CONSERVE AND enhance biodiversity' rather than simply enhancing it.
3. Part a) refers to the '...populations of priority species...', unfortunately, these 'priority species' are not defined or referenced within the draft policy and this should be addressed.
4. Part d) seems to suggest only major and EIA proposals or those which require an appropriate assessment meet the 'biodiversity net gain' threshold (although it refers to this as 'conserve and enhance'); the Council is concerned about the omission this causes for all other forms of development proposals.
5. The draft policy's only reference to the marine environment is the removal of Section d) requirements from fish farming operations. The Council considers this to be a serious omission and whilst we appreciate it may not be easy to do 'on-site' work where the pens are, it should cover all other parts of the aquaculture infrastructure.
6. The draft policy does not attempt to consider the impact that developments can have on biodiversity in places other than the development site. The materials used in developments can have an adverse impact on biodiversity in other parts of the world, as can the method of transporting those materials to the project site. This includes foreign timber, which may not have any direct impact on biodiversity on a site in Highland, but its extraction and transportation from its source site may. Consequently, all developments should take a full, life-cycle approach to measuring impact on biodiversity.
7. Part e) refers to local developments including '...appropriate measures to enhance biodiversity...', there is a lack of definition of what will be deemed 'appropriate' and this will lead to considerable variance in application of the policy, which will significantly undermine its intended aims.
8. The final sentence of Section e) 'Development proposals which integrate nature-based solutions and deliver positive effects for biodiversity should be supported' needs to be

rephrased, or a catch-all statement added at the start of the document to explain that 'should be supported' means subject to the balance of other policies within NPF4.

9. The policy should also be expanded to include the management arrangements for the biodiversity long term retention and monitoring.

Policy 4: Human rights and equality

Q 26: DO YOU AGREE THAT THIS POLICY EFFECTIVELY ADDRESSES THE NEED FOR PLANNING TO RESPECT, PROTECT AND FULFIL HUMAN RIGHTS, SEEK TO ELIMINATE DISCRIMINATION AND PROMOTE EQUALITY?

The Highland Council's key points of response to Q26 on Policy 4: 'Human rights and equality' are as follows:

We agree with the need to protect human rights and promote equality but are unclear as to why these need to be development plan policies within NPF4 as they are addressed elsewhere in statute. Likewise, consultation requirements for both development plans and planning applications are already set out in regulations. It is unclear how they can be effectively applied to the assessment of planning applications.

Policy 5: Community wealth building

Q 27: DO YOU AGREE THAT PLANNING POLICY SHOULD SUPPORT COMMUNITY WEALTH BUILDING, AND DOES THIS POLICY DELIVER THIS?

The Highland Council's key points of response to Q26 on Policy 5: 'Community wealth building' are as follows:

The emerging approach of Community Wealth Building is welcomed and should supported within the development plan as far as possible. However, there should be some guidance as to how this can be fully delivered as the core principles of Community Wealth Building go beyond the scope of the Development Plan. Some guidance and examples of what "socially productive use of land and property" looks like would be very helpful. This should be about maximising land and assets to support the wider regeneration of communities.

In considering its practical application to development proposals it is unclear to both applicant and the determining authority as to how the policy should be considered and against what criteria or qualities proposals should be assessed. The policy focus appears to be more on the economics of Community Wealth Building rather than quality of life.

Policy 6: Design, quality and place

Q 28: DO YOU AGREE THAT THIS POLICY WILL ENABLE THE PLANNING SYSTEM TO PROMOTE DESIGN, QUALITY AND PLACE ?

The Highland Council is pleased to see a comprehensive policy on 'Design, quality and place' within the 'Universal Policies' and agree that this policy element is of such importance it must be an overriding national policy. Furthermore, the Council agrees (as per Part b) that the national policy must allow for individual Planning Authorities to have the ability to develop local policies on this aspect, in addition to design guidance - this is something that Highland Council is doing through the Proposed Inner Moray Firth Local Development Plan (www.highland.gov.uk/imf).

With regards to the detail of the draft policy, the Council wishes the following to be noted and considered:

1. Part b) refers to Scottish Government policy documents Designing Streets (2010) & New Design in Historic Settings (2011), both are fairly old documents and would benefit from updating, especially in light of the direction of compact local living being advanced through NPF.
2. The six qualities of successful places as noted in Part c) and outlined in the table are noted as being similar to the list in SPP, albeit with some renaming and further elaboration. In general, the Council is supportive of this update, suggested to the following comments:

Given the importance of trees and woodland to health and wellbeing, a safe and pleasant environment, distinctive sustainable and adaptable places they should be explicitly mentioned in one or more of the 6 qualities listed.

The importance of cultural and built heritage are absent from the six qualities of successful places - the Council suggests the following additions shown by 'square brackets':

Designed for lifelong health & wellbeing: [1st sentence] '...and a [cultural and] nature-rich local environment...';

Safe & Pleasant: [title] '... supporting safe, pleasant and welcoming natural, [cultural] and built spaces;

Distinctive: [title] '...supporting attention to local architectural styles, [built heritage] and natural landscapes';

Sustainable: [2nd sentence] '...which makes best use of natural and cultural assets for communities...'.

3. Part e) – this part of the policy seems to focus on character and appearance, yet the effects it lists, i.e. daylight, sunlight, noise and privacy are residential amenity issues that do not directly impact character or appearance. We would suggest removing those effects listed. If they are to be retained, however, then the effects listed MUST include cultural heritage/historic environment, which is a pivotal and fundamental element that defines the character and appearance of an area.

4. The draft policy fails to provide any clear linkage to how the policy could help tackle climate change and the Council considers this to be a missed opportunity.

PART 3.2 [LIVEABLE PLACES] [Q's 29-36]

Policy 7: Local living

Q 29: DO YOU AGREE THAT THIS POLICY SUFFICIENTLY ADDRESSES THE NEED TO SUPPORT LOCAL LIVING?

The Highland Council is pleased to see a policy approach on 'Local Living' being developed which aims to create resource efficient communities where people can live, work and relax in local resilient communities. This is a concept that Highland Council has pioneered in its work in Fort William with our FW2040 project and more recently with the Skye & Raasay Future Project and one that we believe will work in the city of Inverness and towns such as Fort William, Nairn, Wick and Thurso etc. Additionally, the development of resilient communities was strongly advocated in the Council's Indicative Regional Spatial Strategy.

However, the Council does not consider the draft policy is sufficiently robust enough, nor specific enough to deal with proposals across both the urban and rural landscapes and the Council contends the 20minute neighbourhood concept is harder to apply across Highland rural areas, where residents have to travel considerable distance to access shops, work and services. Is the Scottish Government proposing to define a certain 'driving ' distance to larger settlements/sub centres/hubs and then focus the 20-minute neighbourhood there? - if that's the case - this is not vastly different to how Highland rural communities currently operate.

Specifically, our concerns are as follows:

1. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. In Part b) the term 'consistent' lacks ambition and the policy should look to make improvements at every opportunity.
3. The draft policy lacks details on how a 20minute neighbourhood is defined - i.e. what shops and services must be included or specific distances for various modes of (active) travel to be reached in 20minutes and therefore how planning applications will be assessed against the proposed policy.
4. The delivery of a 20minute neighbourhood requires high-density, high-rise communities, which are not typical across Highland and whilst the proposed Inner Moray Firth Local Development Plan has increased net site densities, these are still relatively low in comparison to other urban centres. The Council would therefore be seriously concerned if minimum densities were specified for urban areas.
5. The Council is surprised that given the importance of a model shift in the transport network required to deliver the local living agenda that no reference to Electric Vehicle is made in this policy.
6. The draft policy includes no provision on how the local living policy will be applied and retrofitted to existing communities.

7. Considerable new housing across Highland area is single rural house plots (an approach which has been supported by Scottish Government) and the draft policy does not reference how these would be assessed in terms of the local living concept.

8. As expressed previously the '20minute neighbourhood' title has implicit urban connotations and the Council would advocate the renaming to '20minute communities', which is considered to better reflect Scotland's urban and rural make-up.

Policy 8: Infrastructure First

Q 30: DO YOU AGREE THAT THIS POLICY ENSURES THAT WE MAKE BEST USE OF EXISTING INFRASTRUCTURE AND TAKE AN INFRASTRUCTURE-FIRST APPROACH TO PLANNING?

The sentiment of the policy and title to ensure infrastructure delivery is fully considered early on as part of a development proposal is supported however there may be merit in making this a Universal Policy. We also believe the policy could be significantly strengthened with an explicit reference to the need to consider infrastructure costs against land values at the outset. In addition:

- The title of the policy could be changed to something that better reflects the need to coordinate the delivery of infrastructure (e.g. 'Delivering Infrastructure' or 'Infrastructure Coordination and Delivery'). In many cases all infrastructure capacity will not be delivered ahead of development. It is therefore misleading and unduly raises the expectations of communities.
- As it stands, paragraph c) could be deliberately misinterpreted to provide a loophole to gain planning permission by meeting (or simply even contributing towards) infrastructure requirements outlined exclusively in the LDP and Delivery Programme. It should be recognised that mitigation requirements for a development proposal may extend well beyond this. Other critical factors must be taken into account when determining the suitability of development proposals.
- Within paragraph d) the crucial phrase is 'provision is made'. This should more clearly defined in national and then LDP policy. Some councils have started refusing applications on infrastructure capacity grounds. A developer contribution to cover a small part of the cost of a capacity improvement shouldn't be material to a planning application outcome if the balance funding isn't identified.
- The dominance of an urban centric hierarchy in NPF4 is to the detriment of less urban and less well-connected communities where arguably there is a greater need to address infrastructure challenges. There is a danger that this overly crude approach might fail to address the infrastructure challenges equitably for all parts of Scotland and would exacerbate the situation for the most isolated and fragile communities. This might also compromise the ability to address rural population and the rural repopulation ambition.
- We make further comments related to infrastructure delivery in the Delivery of the Spatial Strategy section.

Policy 9: Quality homes

Q 31: DO YOU AGREE THAT THIS POLICY MEETS THE AIMS OF SUPPORTING THE DELIVERY OF HIGH QUALITY, SUSTAINABLE HOMES THAT MEET THE NEEDS OF PEOPLE THROUGHOUT THEIR LIVES?

The Highland Council wholly supports the Scottish Government ambition of delivering sufficient quality homes that meet the needs of all of Highland's population throughout their life through the development of Policy 9: Quality Homes. It is acknowledged and welcomed that the policy addresses the housing requirements through the 'Minimum All-Tenure Housing Land Requirement' (MATHLR) approach and it is noted that Highland has been prescribed a total proposed MATHLR figure of 9,500 homes. The Council agrees with this baseline figure and has just received confirmation that the Council HNDA is considered robust and credible (for the entire Council area including the CNPA area).

Furthermore the 'deliverable housing land pipeline' concept offers a way for Planning Authorities to ensure land-banking of large sites does not prevent the delivery of housing. However, what is proposed is somewhat vague, with a crude distinction between delivering and undelivered sites. There may be cases where sites stall, or become ineffective, and should not be treated the same as undelivered sites (this should be clarified). The Council also supports the principle of de-allocation of sites not being delivered within the expected timescale; although the practicalities of doing this, timescales involved, evidence required and right to appeal/challenge this approach all require to be set out in detail before determining if this could be an effective method of securing an effective housing land supply across Highland.

The new requirement to provide a 'statement of community benefit' is a welcomed concept. It must however, be clear what benefits the development will delivery and the Council would assert this should be more than just a monetary sum. To this end it is suggest the concept is expanded to address and consider the full 'local socio-economic impact' of the development and specifically how development will contribute to the compact local living agenda, by providing sources of long-term employment, connectivity and access to services and nature.

Part g) on 'Gypsy/Traveller & Travelling Showpeople Sites' in general is also supported as it provides a sensibly worded section with a qualified, positive presumption and stated exceptions on this form of land use. However, the policy should set a strong presumption towards allocated sites in the development plan, like other forms of housing as a starting point and only when these have been developed, or in very exceptionally circumstances should a non-allocated site be supported.

The Council also has several concerns in relation to the draft policy and these are as follows:

1. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. Whilst the policy is entitled 'Quality Homes' little, if any, of the content is specifically aimed at improving the quality, layout and design of new housing, rather it is aimed at

delivering homes. This deficit should be addressed moving forward. Additionally, the draft policy lacks a delivery mechanism for providing a fully inclusive range of homes (such as wheel-chair accessible/ageing population homes, self and custom build homes, co-housing units and HMOs) and again this should be addressed.

3. Parts f) and h) provides unqualified policy presumption in favour of a particular type of development (...Proposals for new homes that improve affordability and choice should be supported...' & '...Development proposals that make provision for affordable homes in areas where there is an identified requirement should be supported....'). Both sections need rephrased, or a catch-all statement added at the start of the document to explain that 'should be supported' means subject to the balance of other policies within NPF4.

4. Highland Council within the adopted 'Developer Contributions Supplementary Guidance' currently does not require the entire of the Council area to provide 25% affordable housing provision, as Caithness and Sutherland are assessed on a case by case basis informed by local housing needs rather than a blanket percentage. The Council recently adopted Strategic Housing Investment Plan maintains this position and, as such, the Council is concerned with the assertion in Part h) that '...Proposals for market homes should generally only be supported where a contribution to the provision of affordable homes on a site is at least 25% of the total number of homes....'. Instead the Council would seek greater flexibility in this blanket approach.

5. In addition, Part h) also notes that we can seek more than 25% Affordable Housing requirement where there is '...evidence of need...' Given the high demand for affordable homes across certain parts of the Highland, the Council unsure from the draft policy how to define what level might be appropriate. The draft policy also includes no viability exceptions, this is required on sites the Council might want to support for development, but based on other costs (such as de-contamination) would render the site unfeasible if 25% affordable housing was required.

6. Part i) the first sentence 'Land not identified for building' needs to be rephrased or the policy will rule out suitable infill, conversion and brownfield proposals on mixed use sites and on non-allocated sites within settlements where new homes may well be appropriate. Furthermore, the last bullet point in this Part (...the proposal is for the delivery of affordable homes of less than 50 units as part of a local authority supported affordable housing plan....) needs to be removed as it would currently allow unplanned developments of up to 49no. affordable housing units immediately out-with settlement boundaries and within rural areas, which is contrary to NPF4 overriding ambition for compact local living.

7. Part i) also includes a reference to 'rural places' and the Council is concerned that the Rural Places policy (see detailed comments on this policy later) does not provide positive support for rural housing that is a good fit in terms of landscape or settlement pattern, which is not specific to affordable or business type use.

8. Part j), whilst the ambition to make existing homes fit for purpose for all users this should not override good design and siting reasons and for this reason the last two bullet points should be deleted (...are to provide adaptations relating to people with health conditions that lead to particular accommodation needs that will allow them to live in a home or be cared for there; and are to provide adaptations in response to risks from a changing climate....). Moreover, this Part should be more ambitious and require proposals which seek to extend and/or alter the existing built stock to adopt a 'fabric first approach' to improving the energy performance of the existing building.

Policy 10: Sustainable transport

Q 32: DO YOU AGREE THAT THIS POLICY WILL REDUCE THE NEED TO TRAVEL UNSUSTAINABLY, DECARBONISE OUR TRANSPORT SYSTEM AND PROMOTE ACTIVE TRAVEL CHOICES?

Despite the strength of direction outlined in NTS2, NPF4 fails to articulate what the planning system needs to do to address the challenges for achieving the NTS2 objectives, in particular net zero transport. There are several requirements for new developments to demonstrate no additional impact on Trunk Road infrastructure and use of phrases such as "for all modes of travel" which reduce the impact of the opening statements of the policy and imply a level of acceptance that new development will inevitably generate more car-based travel and will therefore fail to make the impact that NTS does. There is a lack of reference to new development being required to reduce car dependence for most users, nor is there a reference to the Scottish Government's far-reaching target of a 20% reduction in Car KMs by 2030, which will require a fundamental and transformational shift in Transport Planning practice to achieve. These major shifts in national strategy should be explicitly reference in Policy 10, as well as several other missing key targets already set by Government to tackle the Climate Emergency and Scotland's transport problems.

There is a missed opportunity in NPF4 to deliver a new detailed policy and methodology for Development Plans and Development Proposals to adopt that will focus minds on reducing car dependence in new development. Despite the onerous additional duties NPF4 places on Local Authorities, discussed elsewhere in this response, there is an apparent lack of detail on how to apply the high-level aspirations set out in Policy 10 in practice. Because NPF4 has failed to go far enough with Policy 10, there will be a continued need for policy at local level that sets specific requirements, measurable parameters of sites/ proposals and detailed mitigation.

Policy 10 requires a step-change in the language and approach used, from simply managing and mitigating motorised vehicle impacts, to setting bold and ambitious requirements for the development plan to set out how it will reinforce and deliver the sustainable travel hierarchy set out in NTS2. The Development Plans section should be rewritten to make explicit the requirements needed in a development plan for each travel mode, as defined in NTS2, and this should be expressed in order of the modal hierarchy, which the current policy does not. Instead of referring to standard approaches to transport planning (the dominance of 'predict and provide' modelling advocated through DPMTAG), Policy 10 should refer to appraisal that focuses on deciding how people should move around and how the plan should deliver that strategy.

In contrast to the development plans part of Policy 10, the requirements placed upon development proposals better articulate the sustainable travel hierarchy. However it still lacks any specific requirements for proposals to quantify impacts or mitigate them. Paragraph d rightly identifies the use of travel plans to manage transport; however no detail has been provided of how this should be applied in practice, what types of mitigation are appropriate, what monitoring is required, and what response is necessary to address mitigation that fails. This is a significant missed opportunity for national policy to set a

consistent standard across Scotland that Planning Authorities can apply, which provide clarity and consistency for the development industry on how transport impacts of development proposals should be measured, mitigated and monitored. This lack of clarity means there will remain a role for development plan policy to address this gap. Highland Council's emerging Inner Moray Firth Local Development Plan outlines a novel approach that rebalances the transport assessment process to better consider all modes. This is achieved by comparing car to non-car journey time competitiveness, with a simple, repeatable methodology. This method is reinforced by a more specific set of requirements for the use of Travel Plans, compared with NPF4 Policy 10, and a link to the need for mitigation and developer contributions. There are several specific comments in addition to the general points made above: Paragraph g) should be strengthened to require new developments to design roads for all users by reducing speed of vehicles and providing safe crossings on local roads, this statement should also be expanded to say all roads, giving the necessary acknowledgement that in a lot of places, the local road network often includes Trunk Roads. Incorporation of blue and green infrastructure should be strengthened as a requirement for proposals to deliver, or justify why it is not possible or appropriate. The statement in paragraph h) is supported, but the first bullet point should separate segregated walking and wheeling networks from segregated cycling networks to ensure shared space is not a default solution. In paragraph i) the provision of zero-emission vehicle section should be qualified with the statement "for those that do need to travel by private car" to reflect the aims of NTS2 in terms of future mode share. It is disappointing that this policy does not include a requirement for new transport infrastructure (e.g. primary streets) to provide segregated cycling infrastructure.

Finally, with specific reference to criteria f) could this be amended to read "new major junctions on trunk roads" not being acceptable? Transport Scotland seems to have relaxed the position on new junctions on more rural trunk roads; e.g. for single houses, but these types of developments would not be able to demonstrate 'significant prosperity or regeneration benefits'. This could detrimentally limit rural developments where Transport Scotland are agreeable to junction improvements, but the application can't meet the policy test.

[Policy 11: Heat and cooling](#)

Q 33: DO YOU AGREE THAT THIS POLICY WILL HELP US ACHIEVE ZERO EMISSIONS FROM HEATING AND COOLING OUR BUILDINGS AND ADAPT TO CHANGING TEMPERATURES?

The Highland Council's key points of response to Q33 on Policy 11: 'Heat and cooling' are as follows:

1. We generally agree with provisions set out in the draft policy but, whilst it probably would help us achieve zero emissions from heating and cooling our buildings and adapt to changing temperatures, as currently drafted the policy would be unlikely to deliver fully on the outcomes sought.
2. The policy as drafted is very focused on heat networks and whilst they are a valuable opportunity, the policy would be improved if it commenced with a fabric first approach and also more clearly acknowledged the role of low or zero emissions solutions aside from heat

networks; through making such changes the policy can be more ambitious by more effectively addressing and steering the design and specification of developments nationwide. Notwithstanding this, much of what the draft policy is seeking or could seek in that regard may be better driven through changes to Building Standards rather than through Planning.

3. Whilst the policy as drafted references Local Heat & Energy Efficiency Strategies as a consideration for Local Development Plans in respect of the allocation of land for development and with reference particularly to heat networks, we contend that LHEES will have a wider remit, could be part of a wider Local Energy Plan taking a holistic approach to resilient local energy networks and could usefully be taken in to account also through the Development Management process by development not only on allocated sites but also on windfall sites.

The following elaborates on those key points and/or provides any additional points of response.

The policy as drafted seems to place particular emphasis on Heat Network Zones which (initially at least) may be more relevant to the Central Belt and built up areas than to much of Highland, where many housing developments are relatively small and often quite rural. That said, sometimes opportunities for heat networks may be in off-grid areas and could bring particular community benefits - financial, employment and so on. In terms of consideration as part of Local Development plan preparation, the Council has already included a question in its Strategic Environmental Assessment which ensures that we consider heat network potential when allocating land. However, the slow progress in getting a clear national position and set methodology has meant that some opportunities have been lost. Furthermore, for heat networks the policy as drafted is somewhat dependent on LHEES and designation of heat network zones as a basis on which to seek heat network compatibility or connectivity where a heat network is merely potentially viable, rather than already existing or planned, so this will further impact on how much can realistically be achieved and when. This doesn't necessarily suggest a need for a redraft but places emphasis on the need to get on with LHEES and heat network zone designation.

The majority of future homes in Highland will presumably come under part d) of the draft policy where an alternative low or zero emissions heating system should be provided where there is no heat network available. It is assumed that this will relate to single houses as well as to the volume house builders and is welcomed - undoubtedly this is where we need to get to. However, bearing in mind that the policy would be part of the Development Plan potentially as soon as summer 2022 then if d) means no connection to e.g. mains gas or oil in order to comply with policy, perhaps the policy needs to link to a national routemap for decarbonisation of heat that acknowledges a transition period (if one is needed) within which higher emission heating would be acceptable under certain circumstances, or dual heat sources should be provided for if necessary. This should not be to reduce the scale of ambition but rather to provide and reflect a realistic path to decarbonisation through policy, whilst not stifling development. However, a more effective approach may be to address these matters through changes to Building Standards, not Planning.

In combination with that, in order to increase the ambition it is suggested that the policy be redrafted to lead with a fabric-first approach, in the interests of reducing the heat and cooling requirements, before turning to matters of the hierarchy of options for heating/cooling where needed. Indeed, part i) of the policy would then be moved to and become part of the beginning of the policy rather than left to the end. However, again though a more effective approach may be to address some such matters through changes to Building Standards, not Planning. Perhaps the policy could also cover matters such as energy generation, energy storage, siting and design in so far as they are relevant. This combined with the other changes we have suggested to the policy would better serve the necessary transformation nationwide. In doing so it may become possible to toughen up on the individual parts of the policy commitment, including having confidence to state requirements of development, otherwise it is in effect merely encouraging.

Part a) as drafted is solely policy on Local Development Plans and could perhaps be separated out from the Development Management parts of the policy.

The draft policy under part g) proposes change to the position on domestic biomass energy systems (woodburning / multi-fuel stoves etc). The proposal is that such stoves would only be permitted in areas where networked systems are not available, and all stoves would need to be of a type approved for smoke control areas. This would probably be best dealt with under Building Standards rather than under Planning, because the majority of domestic biomass systems are Permitted Development and details of the type of stove would not normally be required as part of a planning application, internal alterations not being development. Even where planning permission is required consideration is given only to the position of the flue (visual appearance and emissions/smoke nuisance) rather than the type of stove proposed. Alternatively, this could be amended in the General Permitted Development Order.

Parts f) and h) of the draft policy are very similar and could perhaps be combined.

[Policy 12: Blue and green infrastructure, play and sport](#)

Q 34: DO YOU AGREE THAT THIS POLICY WILL HELP TO MAKE OUR PLACES GREENER, HEALTHIER, AND MORE RESILIENT TO CLIMATE CHANGE BY SUPPORTING AND ENHANCING BLUE AND GREEN INFRASTRUCTURE AND PROVIDING GOOD QUALITY LOCAL OPPORTUNITIES FOR PLAY AND SPORT?

The Highland Council again supports the inclusion of policies make Highlands places greener, healthier and more resilient to climate change by supporting and enhancing blue and green infrastructure and providing good quality local opportunities for play and sport, the Council does question such varied aspects being included within a single policy and instead would argue that the policy is split into two separate policies (one on blue and green infrastructure and a separate policy on play and sport).

With regard to the policy specific elements, the Highland Council wishes to respond as follows:

1. Parts a) and b) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. There should be a consistent, map-based methodology developed for all Local Authorities to follow which outline the principle of identifying, safeguarding and improving blue and green infrastructure and opportunities for play and sport are supported, which should accompany NPF4.
3. The preamble to the policy notes the importance of biodiversity and SUDs within the networks of blue and green infrastructure, but the draft policy fails to substantially reference the importance of these elements.
4. The policy should be expanded to provide protection to the smaller, very local areas of greenspace within existing housing estates which are often important to local communities and to biodiversity.
5. In terms of 'Play', whilst the draft policy is primarily focused on children (it should be broadened to encourage appropriate adult equipment – such as outdoor gyms).
6. Planning has been successful in securing amenity and open space within new housing developments, but 'enhancement' is often considered only to mean the installation of formal play equipment etc. All too often the remaining open spaces end up as flat, mown areas of grassland with little planting or interest. While they do contribute to the openness of a site, they do not promote biodiversity, don't result in areas that are interesting to walk/sit in and don't encourage imaginative play. Formal play areas are necessary but provision of 'wilder' spaces making use of the natural features and topography of the site (corridors, paths, waterways, SUDs etc) can also provide important opportunities for more informal, creative play while promoting biodiversity.
7. Part k) relates to the 'replacement & improved play provision' and outlines a list of criterion this equipment should meet. However, it should be noted that the replacement of play equipment generally does not require formal planning approval and would therefore be outwith the scope of planning decision and therefore its inclusion in the policy is questioned. This section should also address the requirement to fully consider the long-term maintenance and renewal of play equipment within private development, which will remain un-adopted by the Council, in order to ensure its longer-term acceptable use.
8. The draft policy is very specifically aimed at blue and green open space, but in doing so omits reference to the provision of hard landscaped civic spaces found in urban areas over and above the provision of urban streets as referenced in Part j). These spaces play an important role within the urban fabric of communities, and can involve play, relaxation and reflection. The Highland Council contends either the policy be expanded or a separate policy strand developed to cover this important urban realm.

[Policy 13: Sustainable flood risk and water management](#)

Q 35: DO YOU AGREE THAT THIS POLICY WILL HELP TO ENSURE PLACES ARE RESILIENT TO FUTURE FLOOD RISK AND MAKE EFFICIENT AND SUSTAINABLE USE OF WATER RESOURCES?

The Highland Council agrees having a policy on the sustainable flood risk and water management is crucial to deliver on the Council's own climate and ecological emergency

declaration and the draft policy provides support to this. The Council does however, have concerns over the detail of the draft policy, namely:

1. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. In Part b) it is noted that the floodplain definition has been updated to refer to the 'future functional floodplain'. Which is defined in the Glossary Section as land being at 'greater than 0.5% probability of flooding by 2080', Highland already seeks, where possible, new urban developments to be out-with the future functional flood plain. However, the Council is concerned the change in definition will result in a number of our long-established coastal and river communities being identified at further risk of flooding, which is likely to result in a number of urban sites currently allocated within the Council LDPs being reassessed in respect of flood risk.
3. In terms of the 'future functional floodplain' (as defined in bold in Part a)), its reference should be uniform throughout the policy - in Part d) it is just referred to as 'functional floodplain' and in the Glossary as 'future functional flood plain'.
4. Parts b) & d) refer to the vulnerability of uses, specifically moving between different classes of vulnerability. It is assumed that this refers to 'Table 1' in the 'SEPA Flood Risk and Land Use Vulnerability Guidance' first published in 2012 and updated 4 times since. Whilst Highland Council supports much of this Guidance, it does consider the use of a stakeholder guidance document, which has not been consulted upon and is subject to regular (again unconsulted) updates to be inappropriate, especially in light of the failure of draft NPF4 even to note, or provide links to said document.
5. Part c) notes that the draft policy will not be applicable to small scale extensions & alterations unless they have a 'significant effect' - this term requires to be defined.
6. Part f) refers to 'minimise the area of impermeable surface' - again this term needs quantifying.
7. Part g) notes that only in 'exceptional circumstances' can a development be connected to a private water supply. Given Highland's large rural nature, a significant number of businesses, services and housing utilise private water supplies without issue and therefore the Council is concerned having such a restrictive requirement will harm our rural developments. The Council does agree that any private supplies should be demonstrated to be adequate and wholesome enough for the intended use.
8. Part h) states 'development proposals which create...should be supported.' This phrasing requires to be amended to avoid causing conflict with all other NPF4 policies.
9. Using trees and woodland to manage and alleviate flood risk should occur at both a site level and also in the river catchments. Notwithstanding the point above, it is suggested h) is amended to 'Development proposals which create, expand or enhance opportunities for natural flood risk management both on a site and river catchment scale and blue-green infrastructure should be supported.
10. The Council welcomes the ambition of the policy to develop an approach to 'sustainable flood risk management', but contends whilst the policy addresses future developments (subject to the comments above), it wholly fails to consider a strategy or policy to address existing urban areas at risk from inundation. As per the Council response to the NPF4 Position Statement (https://www.highland.gov.uk/downloads/file/23532/response_to_the_npf4_position_stat

ement) (Page 4) , we advocate a 'Long-term planned repurposing of existing built development within urban areas at high/confirmed risk of being affected by climate change. Followed by the greening of these areas to provide a 'natural flood' area which accommodates water-based leisure and recreation, water-based industry, hydro and marine energy, all to the benefit of the wider urban area'.

11. The Council also contends that the draft policy lacks policy advice on water conservation and water abstraction for non-domestic purposes.

12. Policy 13 is entitled 'Flooding' but clearly goes beyond flood risk by including sections on dispose of surface water and provision of drinking water, as such, the title of the policy should be reviewed. 13. The Glossary also defines 'flood plain', but this term is not used anywhere within this or any other draft policy.

14. The Highland Council notes there is a large omission in terms of detail on surface water flood risk which is present in the current NPF3 and should be replicated in NPF4. We would suggest an additional Part is added, similar to:

“Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).

Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.”

15. The Council notes that NPF3 has a very helpful wording on flood risk liability in paragraph 259. It is suggested that this is vitally important to avoid misunderstanding and ensuring that Local Authorities do not take on additional liabilities for new developments.

[Policies 14 and 15: Health, wellbeing and safety](#)

Q 36: DO YOU AGREE THAT THIS POLICY WILL ENSURE PLACES SUPPORT HEALTH, WELLBEING AND SAFETY, AND STRENGTHEN THE RESILIENCE OF COMMUNITIES.

The Highland Council's supports the inclusion of policies on Health, Wellbeing and safety and in response to Q36, the Council understands that this is a new and emerging policy direction and would contend that health & wellbeing must be key considerations in all future land use developments.

In terms of Policy 14 (Health & Wellbeing) the Highland Council responds as follows:

1. The draft policy lacks reference to reviewing and ensuring (through developer contributions, if necessary) that the provision of both primary and secondary health care is adequately resourced and provided as part of the developments (especially residential schemes).
2. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
3. Unfortunately, in terms of Policy 14 (Health & Wellbeing), the draft policy lacks ambition and specifically in terms of the new 'Health Impact Assessment' requirement (Part b), the draft policy fails to explain how it will be prepared, who will do the assessment and who will review it and what the assessment will actually involve. Furthermore, the policy

requirement that a HIA will be required when a development is 'considered likely to generate significant health effects' is too ambiguous and requires further defining.

4. The support for improving 'air quality' in Part c) is welcomed, but the policy is required to be written in such a way that developments which do impact on air quality can still be supported in the right location, with appropriate mitigation in proposed rather than a blanket ban.

5. Again the Council supports policy controls on noise emitting developments, but again the 'unacceptable level of noise' aspect needs further defining to ensure the policy is robust and can be consistently applied. It should also be noted that noise is not the only statutory nuisance and the effects of vibration (especially from blast quarrying operation's) should be considered and controlled by an appropriate policy.

6. The support for community food growing and allotment creation is welcomed. However, Part e) unquantified support for this aspect - 'Development proposals for...should be supported.' is too open and needs to be further controlled.

7. The overall direction of NPF4 is the development of compact local living, where the population live within a '20minute neighbourhood'; given this the Highland Council considers this policy is lacking in this regard and should include greater emphasis on providing suitable access to health care and wellbeing at a local level.

In terms of Policy 15 (Safety) the primary focus of the draft policy is on the control of major hazard sites, which is supported, but the the Highland Council contends stronger reference (hyperlinked) to the HSE's land use planning methodology decision matrix should be made. In addition, the policy should be expanded to address designing out crime (including reference to Police Scotland Secured by Design documentation).

PART 3.3 [PRODUCTIVE PLACES] [Q's 37-44]

Policy 16: Land and premises for business and employment

Q 37: DO YOU AGREE THAT THIS POLICY ENSURES PLACES SUPPORT NEW AND EXPANDED BUSINESSES AND INVESTMENT, STIMULATE ENTREPRENEURSHIP AND PROMOTE ALTERNATIVE WAYS OF WORKING IN ORDER TO ACHIEVE A GREEN RECOVERY AND BUILD A WELLBEING ECONOMY?

The Highland Council's key points of response to Q37 on Policy 16: 'Land and premises for business and employment' are as follows:

1. We generally agree with this policy and consider that it should largely ensure that places support new and expanded businesses and investment, stimulate entrepreneurship and promote alternative ways of working in order to achieve a green recovery and build a wellbeing economy.
2. However, it is a somewhat high level and reactionary policy that would benefit from some refinement and perhaps a more ambitious approach could be taken – with policy tools more different from normal planning practice.
3. The policy as drafted does include a brief framework for addressing home-working, live-work units and micro-businesses, which is welcomed; the content on site restoration is also welcomed, though the policy could commit to this more fully than as drafted.

The following elaborates on those key points and/or provides any additional points of response.

Policy 16 as drafted does not propose a significantly different approach to that already taken in Development Management practice e.g. appropriate proposals within allocated sites are generally supported at present. This policy has been written in the context of a globally disruptive pandemic and seeks to bring about a sustainable recovery from COVID-19, therefore it is possible that this policy could become outdated in several years' time. It is noted that, as well as a recovery from COVID-19, the policy in effect aims to bring about a reset. This is perhaps best illustrated by its reference to "Scotland's ambitions for a wellbeing economy"; NPF3 only really addressed 'well-being' in terms of personal identity and health rather than as an economic model, highlighting a different direction of travel than that last proposed by NPF3 in 2014. However, the references to 'wellbeing' are somewhat woolly and would benefit from clearer definition. References such as "Development proposals must take into account... population health and wellbeing, including inequalities..." could be given more explanation.

Notwithstanding that part d) of the draft policy provides some safeguarding of the primary business function of an area, the policy only addresses this in the context of proposals for other employment uses. There is a wider issue about safeguarding industrial land, especially in areas where development pressures are high, for example pressure on existing industrial land from change of use proposals, also landowners not releasing new land for industry due to potential higher land values to be gained from other uses. Within Highland, we are seeking to set out a clear safeguard of industrial land within policy of our Proposed

Inner Moray Firth Local Development Plan 2 (2022); within that we have highlighted the 'agent of change' principle, which Draft NPF4 only mentions in the Culture and Creativity section but could, we suggest, be considered also in respect of Policy 16. Our Proposed IMFLDP2 may be accessed via www.highland.gov.uk/imf

The brief framework provided by part c) of the draft Policy 16 for addressing proposals for "home-working, live-work units and micro-businesses" is welcomed. This addresses, to an extent, our previous point that there is a lack of small scale industrial/employment uses within suburban (residential) developments. The policy is perhaps somewhat reactionary with a focus on avoiding what has in the past been described as 'bad neighbour' uses. The Council's industrial land policy in our Proposed Inner Moray Firth Local Development Plan 2 (2022) is less reactionary and suggests there could be a more plan-led approach for these uses, to ensure mixed use communities with a range of local employment opportunities, accommodating the uptake in home and hybrid working and unlocked entrepreneurial spirit arising from the pandemic, whilst also reducing the need to travel.

The inclusion in part e) of the draft policy of reference to site restoration in respect of commercial uses is useful. Clarification that this should be stipulated by conditions is helpful, although the draft language used could have committed to this more fully than conditions only being "considered in appropriate circumstances". If business and/or industrial uses must impact land in order to generate income/profit, requiring site restoration in a more forthright manner does not seem unreasonable. A link could be made here with Policy 20, 'Zero Waste'; Draft NPF4 is committed to bringing about a circular economy. More widespread site restoration would contribute towards a circular economy, by returning developed land to a useable condition. This is considered to be a more desirable outcome than that engendered by the current linear economic model, where a relatively short burst of economic activity can leave a legacy of vacant and/or derelict land for generations to come. It is important that a correct balance is planned for and achieved at this time of pandemic and its aftermath, with a significant number of businesses either diversifying, scaling back or failing altogether, potentially risking a long-term increase in the amount of land falling into dereliction.

Policy 17: Sustainable tourism

Q 38: DO YOU AGREE THAT THIS POLICY WILL HELP TO INSPIRE PEOPLE TO VISIT SCOTLAND, AND SUPPORT SUSTAINABLE TOURISM WHICH BENEFITS LOCAL PEOPLE AND IS CONSISTENT WITH OUR NET-ZERO AND NATURE COMMITMENTS?

The Highland Council's key points of response to Q38 on Policy 17: 'Sustainable tourism' are as follows:

The draft policy essentially supports tourism development that delivers economic benefits – with environmental considerations coming in where tourism is already adversely impacting. The policy needs to be more rounded, taking account of environmental, cultural, and amenity impacts of the proposed development itself, even where areas are not already adversely impacted by tourism. Support could be given to proposals which offer new

destinations which can better distribute tourists. We are not convinced that the draft policy for Tourism is the most appropriate location for referencing huts and hutting, given that huts are not suitable as tourism accommodation.

The following elaborates on those key points and provides any additional points of response:

Draft NPF4 doesn't make any reference to the national tourism strategy "Scottish Outlook 2030" <https://scottishtourismalliance.co.uk/scotland-outlook-2030-overview/>. It was published in March 2020 and, although obviously not taking account of the impact of the pandemic, it was "developed through an equal partnership between the Scottish Tourism Alliance, Scottish Government, VisitScotland, Scottish Enterprise, Highlands and Islands Enterprise and Skills Development Scotland".

The provisions of the 2019 Act and subsequent regulations allow, but do not require, Local Planning Authorities (LPAs) to designate all or part of their area as a Short-term Let Control Area (STLCA), within which the use of a residential dwellinghouse for short-term letting would be a material change in use requiring planning permission. Planning Circular 01/2021 sets out that an LPA may wish to designate a STLCA for one or more of three stated policy objectives. It is not clear exactly how this NPF4 policy will sit with these provisions in that they appear to include the change in use of non-residential buildings to short-term letting and will apply to short-term lets outwith designated STLCAs.

Policy 18: Culture and creativity

Q 39: DO YOU AGREE THAT THIS POLICY SUPPORTS OUR PLACES TO REFLECT AND FACILITATE ENJOYMENT OF, AND INVESTMENT IN, OUR COLLECTIVE CULTURE AND CREATIVITY?

The Highland Council's key points of response to Q39 on Policy 18: 'Culture and creativity' are as follows:

Whilst we agree with some of the provisions of the draft policy, it could be clearer as to the role it anticipates for Local Development Plans in recognising and supporting opportunities for jobs and investment in the sector and perhaps NPF4 could give clear direction at the national level. Museums are a central component of the infrastructure and should be specifically mentioned. On public art, the draft policy appears to miss an opportunity to clear up confusion and seems to promote a very narrow approach, thereby missing opportunities for example to secure schemes of enhancement within the historic street-scene.

The following elaborates on those key points and provides any additional points of response:

The definition of public art here is very narrow and public art should not be limited to public open spaces - public art should be considered more widely and could (for example) include the design detailing of a prominent building or boundary treatment, reinstatement of a

historic shopfront, or the use of a much higher quality material (than would otherwise be required) on a public elevation of a new build in a Conservation Area. What is meant by public open spaces? This reads as though it could apply to parks/squares etc. only, rather than any significant publicly accessible space which could include large scale retail/office developments etc.

Policy 19: Green energy

Q 40: DO YOU AGREE THAT THIS POLICY WILL ENSURE OUR PLACES SUPPORT CONTINUED EXPANSION OF LOW CARBON AND NET-ZERO ENERGY TECHNOLOGIES AS A KEY CONTRIBUTOR TO NET-ZERO EMISSIONS BY 2045?

The Highland Council's key points of response to Q40 on Policy 19: 'Green energy' are as follows:

1. We are concerned that as drafted, Policy 19 will not fully ensure our places support continued expansion of low-carbon and net zero energy technologies as a key contributor to net zero emissions by 2045. Policy 19 should be vital to the country's decarbonisation and to security of energy supply, but as drafted it would fail to deliver and certainly not in a well-planned way.
2. The time is right for a more plan-led approach to energy to be taken, through a national energy plan - we suggest especially to include a sectoral plan for onshore wind, perhaps akin to that for offshore wind (albeit there will be multiple landowners involved, not just one). Such a national energy plan, alongside a national decarbonisation strategy, needs to show how the energy component needs to be delivered, including contributions to be made by each type of generation. These national plans and strategies would be helpful to steer decision making on individual applications (otherwise the approach continues to be market led) and should take into account and ensure delivery of more holistic energy systems, which in time ought to be informed by local energy plans, broadened out from the emerging statutory duty for Local Heat and Energy Efficiency Strategies.
3. There needs to be a spatial expression of how and where this will be delivered - it should not be left wholly to Local Development Planning to pick this up and in any case NPF4's anticipated role for Local Development Planning on this topic needs to be clearer and strengthened.
4. In broader terms there needs to be further consideration of how this policy relates back to the strategy and national developments. Also there need to be linkages to other relevant energy policy and strategy of the Scottish and UK governments.
5. The policy test as drafted, of whether a scheme is "unacceptable", is a matter of opinion and fails to provide the opportunity to re-balance the planning system as sought by the spatial strategy.
6. A massive increase in renewable energy generation is anticipated by Scottish Government as being required and we anticipate this will include, particularly, many more applications in Highland for consent for onshore windfarms under Section 36 of the Electricity Act 1989 – by virtue of the renewable resource of the region and the size and number of turbines or as extending existing windfarms beyond the 50 MW threshold. It is noted that elsewhere in Draft NPF4 it is proposed that large schemes be accorded 'national development' status. It is

vital that this growth is planned properly and that the necessary national plans and strategies are in place to guide effectively how that growth is accommodated. The differing effects of much larger turbines and the cumulative effects developments can have on localities need to be acknowledged and understood - and this needs to be at national level.

7. Highland embraces its role in accommodating renewable energy generation from its valued resources. Energy security and supply is vitally important and the need for clean, green electricity is growing. However, it is vital that in addressing the latest challenges for this, benefits to the communities and areas hosting or affected by development need to be strengthened and include not only community benefit payments (negotiated outwith planning) of at least £5K per MW but also a range of types of benefit to the community and a community ownership share of, we think, at least 25%. Furthermore, there needs to be much fairer energy charging as, despite Highland hosting such a significant share of generation and with limited benefits to communities, the energy customers in our region are hit with amongst the highest standing charges just to be connected and irrespective of how much or little energy is actually used. The rising costs of energy will only yet further increase fuel poverty levels.

The following elaborates on those key points and/or provides any additional points of response.

Parts a) and b) of the policy as drafted - effectively requests that we provide a spatial framework for all types of green energy, in order to facilitate its development, but neither explicitly refers to a spatial framework nor provides an opportunity or procedure for preparing such a framework, beyond it seems the clear protection of National Parks and National Scenic Areas from wind farms. The wording of parts a) and b) perhaps need further work to make it consistent or lead to less repetition - some elements of Policy 19 set out that renewable energy developments should be supported in principle, whereas some other parts such as part a) sets out that they should simply be supported. Perhaps parts a) and b) should be merged so that there is less repetition and it is in principle support for green energy and supporting infrastructure.

Parts c), d) and e) of the policy as drafted - Part c) is fine in principle but we suggest there is need to link it to the test in Part d) of the policy, to make the approach more robust and justified in respect of National Scenic Areas and National Parks. There is a lack of any specific reference to the consideration of effects on regional/ local designations, in particular to Special Landscape Areas (Local Landscape Areas). It would be unhelpful to have to cover this within and justify it through Local Development Plan preparation, so this needs to be addressed within NPF4 - even if only briefly within the Green Energy policy and including a cross-reference to other relevant policies of NPF4, for example the Natural Places policy which does refer to Local Landscape Areas. The difficulty as drafted is that the Green Energy policy is either selective in what it specifically refers to (without explanation as to why) or has simply omitted some significant considerations. Our concerns here link to what we have said above about the lack of a specific opportunity or procedure for spatial frameworks being set out and supported by Draft NPF4, particularly in the absence of a national energy plan. Beyond the clear protection of National Parks and National Scenic Areas from wind farms, the policy as drafted could create a 'free for all' and we feel quite strongly that the policy as drafted will serve less well than the existing policy in Scottish Planning Policy 2014

does. We understand that we are far from alone in our concerns. Turning to Parts d) and e) of the policy as drafted and having reviewed it and sought to apply the policy to live cases, the test of whether a scheme is "unacceptable" is a matter of opinion and does not provide the opportunity to re-balance the planning system as sought by the spatial strategy. Indeed, it could lead to the proposal being unfairly disadvantaged in the assessment process. There needs to be a clearer policy test to match the aspirations of the document, similar to the test in our Highland-wide Local Development Plan's Policy 67 where it sets out that proposals will be supported unless they are "significantly detrimental overall"; this provides a much clearer test and is more likely to allow the clear balancing role of the planning system to be undertaken. Also, NPF4 needs to be clear that proposals coming forward under Part e) to repower, extend and expand existing wind farms will need to be subject of the same types and levels of assessments of effects as those for proposals for new wind farms.

Part f) of the policy as drafted, relating to small-scale renewables, requires a policy test to be added; although the range and/or extent of effects may be limited, they still need to be assessed and as currently drafted the policy with the statement as set out it is 'carte blanche', which would be inappropriate.

Part g) sets out the same approach as in Scottish Planning Policy 2014 relating to suitability for use in perpetuity of areas identified for wind farms and this is welcomed.

Part h) of the policy as drafted, in respect of energy generation for manufacturing or industrial developments, may sit better as standalone policy or under other policy of NPF4 and greater clarity is needed about what is expected to be covered in the decarbonisation strategies expected of applicants - is it simply submission of a carbon calculator and any mitigation which will be delivered to secure payback less than a particular number of years?

Part i) of the policy as drafted, in respect of proposals for negative emissions technologies and carbon capture, may sit better as standalone policy or under other policy of NPF4.

Part j) of the policy as drafted sets out specific policy for solar arrays and doing so is welcomed, but it sets a very high bar for support in "no adverse effects" and that could ultimately undermine effective development management; surely this needs to be a test of test matters on a "significantly detrimental overall" basis, akin to our suggestion for Parts d) and e) of the policy. Also, is there not a need for consideration of solar arrays against the broader policy considerations set out in Part k) of the draft policy?

Part k) of the policy as drafted sets out a broad range of policy considerations and it may be beneficial to cross-refer this to other relevant policies which consider these matters in further detail. Regarding the tenth bullet point, on 'historic environment assets', the policy criteria should be amended to rely on the glossary definition of what 'historic environment assets' includes (or otherwise list all the asset types it covers), rather than mention just some of the types in the policy. Also, an additional policy criterion should be introduced (we suggest after the seventh bullet point which is on natural heritage) to cover 'impacts on forest and woodland resource', recognising the importance of productive forestry as a sustainable resource, in line with the SG policy on the control of woodland removal, and the Forest and Woodland Strategy.

Policy 20: Zero waste

Q 41: DO YOU AGREE THAT THIS POLICY WILL HELP OUR PLACES TO BE MORE RESOURCE EFFICIENT, AND TO BE SUPPORTED BY SERVICES AND FACILITIES THAT HELP TO ACHIEVE A CIRCULAR ECONOMY?

The Highland Council's key points of response to Q41 on Policy 20: 'Zero Waste' are as follows:

We agree with the principles set out in the policy in that any new developments/infrastructure should align with the waste hierarchy, but the circular economy is more about retaining resources locally and much of the infrastructure to support this would not require specific waste management licenced facilities. Furthermore, the use of the terms Zero Waste and Circular Economy are not clearly defined and will mean different things to different people. We welcome the encouragement of use of local materials and materials with low embodied emissions but are not sure how this can be effectively monitored and secured through the planning system. We have previously suggested that this would be more effectively addressed through Building Standards.

Zero Waste is an aspiration which cannot be achieved fully, so there will always be residual waste to be dealt with and as a local authority we need infrastructure to assist with this, as well as recycle collected from households and business. The wording of the policy in respect of development proposals for waste infrastructure is fair but much of the infrastructure required to support a circular economy may not even be waste related. It is about reduction or re-use before the materials become waste. This requires suitable organisations to take on this role which is outwith the remit of NPF4.

Transportation of wastes is a necessary part of the logistics of the industry regardless of the end process, and the emissions from this are negligible compared with the carbon savings from recycling or incineration. Transportation may become even more critical should waste be largely processed more centrally e.g. at facilities outwith Highland - that would invariably and unavoidably increase waste miles and this should factor in to Scottish Government's approach to energy from waste.

Overall, the policy is laudable and will help but could go much further to ensure its efficacy in practice, particularly in relation to Parts a) - d) which do not provide sufficient accountability.

Policy 21: Aquaculture

Q 42: DO YOU AGREE THAT THIS POLICY WILL SUPPORT INVESTMENT IN AQUACULTURE AND MINIMISE ITS POTENTIAL IMPACTS ON THE ENVIRONMENT?

The Highland Council's key points of response to Q42 on Policy 21: 'Aquaculture' are as follows:

1. We are concerned that the policy as drafted will not deliver fully on supporting investment in aquaculture and minimising its potential impacts on the environment - we have concerns in both respects.
2. Compared to the NPF4 Position Statement, the draft policy is less overtly supportive of economic growth and prosperity of the aquaculture industry, such as through positive provision for growth within Local Development Plans and of acknowledgement of the benefits of such economic growth.
3. The draft policy should better reference the importance of sensitive siting and design of both terrestrial and marine aquaculture infrastructure in relation to the historic environment. Elsewhere in our comments, in respect of the Nature Crisis policy, we have raised concern that aquaculture has been explicitly excluded from the requirement to demonstrate that a development will 'conserve and enhance biodiversity'.

The following elaborates on those key points and/or provides any additional points of response.

We note that part a) of Policy 21 reminds that Local Development Plans should be used to provide locational guidance to the aquaculture industry and this combines with part c) to suggest that Regional Marine Plans could assist in this regard. Aquaculture in fact is probably the main area of link-up in practice between terrestrial and marine planning and arguably NPF4 could be restructured to embrace and recognise the importance of this context. This could take the form of a section that addresses Regional Marine Plans and a sub-section within that to address aquaculture, illustrating the explicit tie-up between the two. Elsewhere in our comments, in respect of Coasts we refer to the importance of planning for Scotland's coasts and recognition of coastal issues - there is a potential link or packaging together here, not least due to climate and ecological emergency issues. If restructuring of the document along the lines suggested here is not undertaken, there should be cross-references added at least between the topics.

We note that part b) of the policy as drafted is broadly a restatement of the presumption against aquaculture off the north and east coasts, but with a significant rewording to apply only to 'open pen fish farm developments'. It is understood that the industry is just starting to experiment with closed pen aquaculture systems and if this technology proves commercially viable it would be possible, under the policy as drafted, to install such systems of production off the north and east coasts. This could have significant implications for Highland - potentially a game-changing shift of focus for new activity from west to east. This could change the balance of priorities, including for future regional marine planning activity.

We note that the statement in the current Scottish Planning Policy that the planning system should not duplicate other control regimes has not been carried forward into this

section of Draft NPF4; presumably this principle still applies and will be stated elsewhere within Draft NPF4, but if not, then an explanation is necessary as to how this would work.

There are some concerns that Draft NPF4 does not align with the review of the current regulatory process involved in Aquaculture/Fish Farming to improve efficiency and effectiveness and could have a negative impact on growth, for example that additional requirements for information to support planning applications increases cost and time resources.

Policy 22: Minerals

Q 43: DO YOU AGREE THAT THIS POLICY WILL SUPPORT THE SUSTAINABLE MANAGEMENT OF RESOURCES AND MINIMISE THE IMPACTS OF EXTRACTION OF MINERALS ON COMMUNITIES AND THE ENVIRONMENT?

The Highland Council's key points of response to Q43 on Policy 22: 'Minerals' are as follows:

1. Whilst there are several provisions of the draft policy that may be supported, there are a number of improvements that should be considered and are likely necessary in order to ensure that the policy will support the sustainable management of resources and minimise the impacts of extraction of minerals on communities and the environment.
2. If a landbanking approach with support from the Local Development Plan as proposed is to be retained, such aspects of the policy require greater clarity and should be accompanied by a clear national steer on market areas and how the landbank should be assessed, whilst ensuring that the required information will be available in practice.
3. The bar set within the draft policy in respect of consideration of environmental impacts requires careful consideration – it is set high as drafted. There is a balance to achieve here, ensuring appropriate protection whilst providing confidence that sufficient schemes are likely to be able to come forward under the policy – and therefore a more sophisticated policy approach may be necessary, possibly akin to that used for consideration of onshore wind energy proposals.
4. There are a number of policy criteria which we feel can be improved from the current draft e.g. around settlement impacts; also there are aspects that could be added to the policy e.g. coverage of more specialist minerals, a hierarchy for site selection. We also think there may be opportunity for and benefit to promoting a central government universal restoration guarantee scheme.

The following elaborates on those key points and/or provides any additional points of response.

Part a) of Policy 22 as drafted indicates that Local Development Plans (LDPs) are to 'support' a 10-year landbank. However, it is neither clear as to whether the requirement for a landbank referred to should be a maximum or minimum requirement, nor clear as to whether existing sites with remaining capacity require to be identified in the LDP and safeguards included there. It does not explain how the LDP will do this; we have no reliable way at present to calculate how much aggregate is needed across the LDP area, and what proportion comes from mineral sites or borrow pits or what comes in from other LDP areas.

Nevertheless, if a landbank approach is to be retained then this wording should state a minimum 10-year landbank at all times throughout the plan period (i.e. a minimum 20 year supply is needed to serve a LDP area if the LDP is reviewed every 10 years). Also, the market area should ideally be defined by the NPF and not by Local Development Plan; for aggregates it should be around a 45 minute to 1 hour drive time from the proposed quarry, whilst market areas for transportation by sea/water may be significantly larger and for other specialist minerals the market area is perhaps less relevant and not needing to be specified. Turning to the objective of safeguarding important mineral resources - if this is to be realised, we would need existing permissions mapped as a GIS constraints layer, in order to maintain a suitable buffer (in Highland, our current LDP 'Physical Constraints' policy and related Supplementary Guidance would suggest 400 metres as appropriate) – and with development proposals that would involve the introduction of new sensitive receptors (homes or changes in land uses) being required to undertake noise/ air quality (dust), and water supply environmental assessments to safeguard continuation of mineral working and to safeguard future amenity. This constraint would need adding into the Uniform planning applications system and could be created through a national database of mineral sites (which, if created and updated, would also help inform monitoring/ landbank assessments). This may also be a useful online resource for developers and local contractors, as well as for site operators who could market what materials and any secondary products they currently supply.

Part b) of Policy 22 could be improved by simply stating that proposals for exploration/ development for the production of fossil fuels will not be supported. If any such exemption is needed, it can be put forward by the developer as a 'other material consideration', with such a proposal being a significant departure from the Development Plan, to be determined as such in accordance with a unified Scheme of Delegation across all Planning Authorities.

Part c) of Policy 22 as drafted, concerning unconventional oil and gas, is very clear.

Part d) of Policy 22 as drafted is an aggregates only policy; this means that this section would not apply to other more specialist minerals and stone used for construction, which also need to be captured by policy and supported.

Part d) of Policy 22, first bullet - as drafted, sets an exceptionally high bar: no adverse effect permitted on biodiversity, natural environment, sensitive habitats, historic environment, landscape, and visual. It would be difficult to see how any new quarries would be found to fully accord with the policy as currently drafted. The bar requires careful consideration; there is a balance to achieve here, ensuring appropriate protection (taking into account the current climate and ecological emergency) whilst providing confidence that sufficient schemes are likely to be able to come forward under the policy to supply the minerals required. Whilst there does need to be a policy basis for refusing schemes when necessary, there has to be acceptance that for time limited permissions, typically some adverse effects will occur during operational phase(s). A key part of the policy test should therefore be upon the successful progressive and early restoration of the site, the development should not result in an overall adverse effect. Even then, localised adverse effects are still likely. For example, a hard rock quarry's unrestored faces in the landscape will result in an adverse visual effect when experienced locally/ up to a certain distance. The bar should therefore be

lowered to ensure that any proposal is not significantly detrimental overall or at least treated the same as any other type of development, such as onshore wind.

Part d) of Policy 22, second bullet - what is an adequate 'buffer zone' for a settlement? This brings into question what defines a Settlement (is it one defined by a Settlement Development Area / Boundary in a Local Development Plan?). For mineral workings the acceptability of the proposal close to any residential receptor will be derived by environmental assessment and as drafted this part of the policy is meaningless. Also, what about vehicle routing to and from mineral sites through settlements, as this can cause more of an impact? Notwithstanding the need to assess impacts, perhaps this bullet point should be removed.

Part d) of Policy 22, third bullet - what are 'acceptable impacts' (which is open to wide-ranging interpretation, as we have also raised in our comments on Policy 19 Green Energy) and how does this bullet point differ from the fourth bullet point? By referencing nearby homes/ local communities, this could imply less protection than would be accorded to settlements under the second bullet point - and amenity has been separated from the 'no adverse effects' test under the first bullet point. The introduction of 'known sensitive receptors and designations' here is also confusing and should perhaps be captured by the first bullet point.

Part d) of Policy 22, fourth bullet - could be deleted if the text were moved into the other bullet points; it would perhaps be better to state what environmental assessment work will be required.

Part d) of Policy 22, fifth bullet - the principle of this is good, but there is nothing to prevent road transport if this is more practical/ cost effective. Should there be a threshold of site/ number of trips or tonnage, above which there would be need to undertake a detailed Transport Assessment to fully explore this potential? Similarly, should the policy not direct proposals towards utilising the Trunk Road network in the first instance, or avoid transport through settlements?

Part d) of Policy 22, sixth bullet - this is the first recognition that there may be adverse effects (potentially contrary to the first bullet point), therefore it is not wholly clear as to whether this bullet point is needed, though if a scheme is to proceed that relies upon mitigation, then there should indeed be 'appropriate mitigation plans' in place.

Part d) of Policy 22, seventh bullet - sets out an approach which is incredibly onerous/ resource intensive for both operators and Local Planning Authorities. Is there an opportunity to move towards a central government universal restoration guarantee scheme which if well managed, could raise revenue, help with monitoring and maintain an aggregate landbank at the national level? Could this be extended to cover borrow pits too?

Part e) of Policy 22 - the shift in emphasis between SPP and draft NPF4 for borrow pits is welcomed; support for borrow pits is understandable for sites which are remote from large quarries. The tests for their establishment on site should however be higher than for a

mineral site, and perhaps not result in any adverse effect (which, due to their limited scale, should be much more achievable).

There are the following further matters not covered by the draft policy but which should, we suggest, be added.

Mineral permissions should be temporary and time limited. How long should be at the decision maker's discretion based on the quality of the information provided, in order to ascertain the effectiveness and delivery of any early mitigation and to undertake a review of conditions to ensure these meet with emerging best practice. A period of no longer than 15 years is therefore advised (in line with Review of old Mineral Permissions - ROMPs, but with the ability to restrict consented reserves/ cessation of mineral working without financial compensation).

NPF4 could set out that the site selection process should have a hierarchy following these sequentially preferable locations (which could be considered for introduction in the Local Development Plan):

"Mineral extraction and associated operations will be supported in the following sequentially preferable locations:

1. At existing mineral sites, maximising the full extent of all consented reserves, whilst still ensuring continuity of business.
2. Underlying a proposed development site, where minerals can be worked ahead of a future land use.
3. Extension of an existing operational site (subject to assessment of the duration and degree of adverse effects on nearby communities, individual residential receptors and other environmental receptors)
4. Re-opening of a dormant mineral site.
5. New minerals site.

Support will also be given to proposals which involve the utilisation of secondary and recycled aggregates as a mineral resource."

[Policy 23: Digital infrastructure](#)

Q 44: DO YOU AGREE THAT THIS POLICY ENSURES ALL OF OUR PLACES WILL BE DIGITALLY CONNECTED?

The Highland Council's key points of response to Q44 on Policy 23: 'Digital infrastructure' are as follows:

The policy as drafted will remove impediments, it will not ensure that all our places will be digitally connected. Direct, fully funded provision would ensure it. What constitutes "appropriate, universal" digital infrastructure as referred to in the policy needs to be better defined – like 5G mast sharing between mobile phone companies. Also, the policy as drafted provides a 'blank cheque' support – this should be changed to caveated support, given that a site or proposal may be inappropriate – e.g. on a prominent hill in a National Scenic Area. We are not sure that Local Planning Authority Development Management officers will have

detailed knowledge of some of the matters mentioned as policy considerations: adverse effect on the operation of existing digital infrastructure or on the delivery of strategic roll-out plans. Perhaps this could be partly addressed by formalising the need to consult with digital infrastructure network providers and/or applying the Agent of Change principle for new developments near existing masts and other infrastructure.

In part b) it could be more explicit whether this is meant to be all development proposals e.g. housing, rather than just proposals for digital infrastructure, and are we missing a requirement for all new developments to have a certain minimum standard for connectivity?

PART 3.4 [DISTINCTIVE PLACES] [Q's 45-53]

Policies 24 to 27: Distinctive places

Q 45: DO YOU AGREE THAT THESE POLICIES WILL ENSURE SCOTLAND'S PLACES WILL SUPPORT LOW CARBON URBAN LIVING?

The Highland Council's key points of response to Q45 on Policies 24: 'Centres', 25: 'Retail', 26: 'Town centre first assessment' and 27: 'Town centre living' are as follows:

1. There is general agreement with the approach to this package of policies although it would benefit from certain wording changes to tighten up the policies and provide greater certainty on what will and won't be acceptable.
2. Policy 24 is vague and generalised and we consider there is a need for clarification over the definition and explanation of networks of centres. For example, the scale and type of retail will be important to consider when assessing proposals for 'neighbourhood shops'.
3. Policy 25 helpfully amplifies and reinforces that out of town retail will not be supported unless outlined in the development plan. However consideration could be given to extending this to non-retail uses including certain sui generis uses like drive-through restaurants.
4. Policy 26 part a) may benefit from including reference to design quality, which is just as important in out-of-centre locations (where the development may be more visible/exposed and have bigger impacts on its location/environment).
5. The following statement in Policy 26 is very weak and allows the developer to scope out the assessment "Where possible, developers should agree the data required with the planning authority and present information on areas of dispute in a succinct and comparable form." It should be changed to "Developers must agree the scope of the assessment required in advance..." which provides clear direction. Without a tightening up of the policies in this way it will likely lead to insufficient information being provided in support of an application and ultimately delays in determining the suitability of a proposal. To ensure suitable base data is available, reference should also be made to the need for the applicant to provide an assessment of the current health of the town centre(s) which could be impacted by the proposed development. Explicit reference to the sustainable travel hierarchy would also be a valuable addition within policy 26 and may allow for the removal of the last sentence in paragraph b) which is quite clunky. Finally, in part d) of Policy 25 and part c) of Policy 26 we would suggest replacing the word "realistic" with "pragmatic".
6. There is no mention of the importance of preserving, enhancing and creating new green space and green infrastructure (including trees) within city, town, commercial and local centres which significantly contributes to healthier urban living.

Policy 28: Historic assets and places

Q 46: DO YOU AGREE THAT THIS POLICY WILL PROTECT AND ENHANCE OUR HISTORIC ENVIRONMENT, AND SUPPORT THE RE-USE OF REDUNDANT OR NEGLECTED HISTORIC BUILDINGS?

The Highland Council's key points of response to Q46 on Policy 28: 'Historic assets and places' are as follows:

1. This policy will go some way towards protecting and enhancing our historic environment, and supporting the reuse of redundant or neglected historic buildings. However, it provides no additional support for the reuse of redundant/neglected historic buildings beyond what is already in place in current policy, which itself provides little support.
2. The existing Scottish Planning Policy refers to local Historic Environment Records (HER) but this reference has been dropped in the draft NPF4, which is of concern. The HER is an essential tool in development management and place-based planning, for developing spatial strategies and is a key resource in determining the impact of development on any designated or non-designated historic environment asset. The HER should be referenced in NPF4.
3. In respect of the draft policy's provisions for battlefields, we are unclear how any development proposal would enhance a battlefield's cultural significance, key landscape characteristics, physical remains or special qualities.
4. Throughout the draft policy there is a lack of consistency in wording/language which would benefit from being standardised, along with tightening up of wording throughout the policy to provide a clear and consistent meaning and remove ambiguity.

The following elaborates on those key points and/or provides any additional points of response:

In the opening introductory paragraph, the "from.....to...." description of the importance of historic environment to many aspects of life, may read better if rewritten as a simple list.

The existing Scottish Planning Policy refers to local Historic Environment Records (HER) but this has been removed from the draft NPF4. The HER is an essential tool in development management and place-based planning, for developing spatial strategies and is a key resource in determining the impact of development on any designated or non-designated historic environment asset, The HER should continue to be referenced in NPF4 in the sections referenced below, with the suggested additional wording being shown in [square brackets]:

Part a) of Policy 28 as drafted - ".....enhance locally, regionally, nationally and internationally valued historic assets and places [with reference to the local Historic Environment Record]".

Part b) of Policy 28 as drafted - ".....to establish a shared understanding of the cultural significance of historic assets and places [with reference to the local Historic Environment Record].....".

Part f) of Policy 28 as drafted - includes wording "of little" that is overly subjective and likely to result in different and conflicting interpretations - and wording "extremely difficult"

that will depend on perspective - what will be extremely difficult to some developers will not be extremely difficult to others. Therefore rewording is suggested as follows, with the suggested replacement wording being shown in [square brackets]:

"In some cases, demolition may be considered acceptable, for example, if the building is [not of] townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its reuse [unfeasible/impracticable].

Part g) of Policy 28 as drafted - "especially" should be changed to ", for example". There is an omission in this section, namely hard and soft landscaping and its contribution to the character and appearance of the conservation area. If including a list of features then this should include, for example, greenspace, parks, gardens and hard surfaces.

Part h) of Policy 28 as drafted - including the definition of a scheduled monument is at odds with all other sections of the policy, which do not define the asset. For consistency this should be removed from the policy and if felt needed in NPF4 could be added to the definition in the glossary if not already covered in there.

Part i) of Policy 28 as drafted - should include reference to setting, so reworded as follows with the suggested additional wording being shown in [square brackets]: ".....within the Inventory of Gardens and Designed Landscapes [and their setting] should.....". The existing SPP also makes reference to protecting and, where appropriate, seeking to enhance designed landscapes of regional and local importance. Designed landscapes of local and regional importance make a valuable contribution to Scotland's cultural landscape and this needs to be recognised in policy if they are to continue to do so into the future. We are strongly of the view that the reference to non-designated designed landscapes needs to be reintroduced into NPF4; SPP has helped ensure that development in locally and regionally important designed landscapes recognises the heritage context and is appropriately and sensitively designed.

Part j) of Policy 28 as drafted - We are unclear how ANY development proposal would enhance a battlefield's cultural significance, key landscape characteristics, physical remains or special qualities. This section of the policy would be better if broadly re-worded to reflect the same format as (and be consistent with) the gardens and designed landscapes policy. It should also include reference to the setting of historic battlefields as well as making specific reference to the importance of identifying and recording any buried remains associated with the battlefield.

Part k) of Policy 28 as drafted - It would be helpful if the wording in this section was consistent with the others.

Part l) of Policy 28 as drafted - the glossary defines World Heritage Sites as natural or cultural and so it would be consistent to also have a similar policy in NPF for natural World Heritage Sites and we have also raised this within our comments on Policy 32 Natural Places.

Part m) of Policy 28 as drafted - We find the reference to the Buildings at Risk Register - a very specific and narrowly defined resource - to be at odds with the rest of NPF4. It is undoubtedly a useful resource for identifying (principally) listed buildings or buildings

located in Conservation Areas that are redundant and at risk and the Buildings at Risk Register is of some use in informing and guiding decision making and investment. However, it is only one of many resources in this regard. Equally it has some value as a tool for 'aiding greater understanding and appreciation of a place's historic environment' but this is very limited, and restricted to a very small subset of the historic environment. The primary resource in both cases is the local Historic Environment Record which is a more extensive record of the historic environment that also includes redundant and at risk buildings (beyond those that are listed or in conservation areas) alongside all other historic environment assets, giving context and a detailed understanding and appreciation of the historic environment. It seems an odd decision to reference the Buildings at Risk Register specifically, and not (for example) the local Historic Environment Record.

We would add that we already have a presumption against demolition of listed buildings and buildings in conservation areas that make a positive contribution to character and appearance. Reference to the Buildings At Risk Register makes little practical difference in this regard and provides no additional support - the BARR is principally concerned with listed buildings and unlisted buildings in conservation areas and is already routinely referenced in development proposals to bring these buildings back into viable use. If NPF4 is looking to strongly encourage the positive reuse of historic buildings then there must be financial incentives to developers (note the current position with regard to VAT and what amounts to a 20% additional developer cost to refurbish, renovate and reuse) and increased planning control on the demolition of redundant and neglected buildings that are neither listed nor within Conservation Areas.

Part o) of Policy 28 as drafted - Suggested additional wording - being shown in [square brackets]: ".....Where it has been demonstrated that retention is not possible, excavation, recording, analysis, archiving and publication [, or other mitigation as appropriate,] may be required through.....".

Part p) of Policy 28 as drafted - Following experience with the similarly worded policy in the current Scottish Planning Policy, we feel it would benefit from additional clarification as to when this policy would apply. For example, with the suggested additional wording being shown in [square brackets]: "When archaeological discoveries are made in the course of development works [and where no archaeological mitigation has been put in place], they should be.....".

Policy 29: Urban edges and the green belt

Q 47: DO YOU AGREE THAT THIS POLICY WILL INCREASE THE DENSITY OF OUR SETTLEMENTS, RESTORE NATURE AND PROMOTE LOCAL LIVING BY LIMITING URBAN EXPANSION AND USING THE LAND AROUND OUR TOWNS AND CITIES WISELY?

The Highland Council's key points of response to Q47 on Policy 29: 'Urban edges and green belt' are as follows:

Although the Highland Council has not designated a Greenbelt, we feel that we can support the policy provision proposed.

Policy 30: Vacant and derelict land

Q 48: DO YOU AGREE THAT THIS POLICY WILL HELP TO PROACTIVELY ENABLE THE REUSE OF VACANT AND DERELICT LAND AND BUILDINGS?

The Highland Council's key points of response to Q48 on Policy 30: 'Vacant and derelict land' are as follows:

We are generally supportive of the reuse of disused land and buildings but feel that the policy needs to allow for more proactive reuse of sites, where appropriate. There is concern that an unqualified support for the reuse of brownfield sites could lead to inappropriate uses or development. More focus could be placed on low impact temporary uses which would either facilitate or at least not preclude further reuse. Greater emphasis should be placed on the retention of historical building stock capable of reuse and not otherwise protected, particularly in rural areas.

The following elaborates on those key points and provides any additional points of response:

Brownfield sites may often have other constraints such as flood risk or HSE implications which would limit their potential for certain uses or their reuse entirely. It is unclear how the NPF4 anticipates such tensions in policy to be resolved.

Temporary developments that will not by their nature require any significant infrastructure to be put in place and subsequently removed e.g. a pop-up park with demountable street furniture and planters could quickly and easily bring a site into productive use without any lasting impacts. Alternatively, if a temporary use requires any infrastructure that would aid in the long-term reuse of a site, it may be beneficial to allow the reuse.

We welcome the statements in part a) that redundant buildings should be reused and repurposed as a priority and also in part e) that demolition should be regarded as the least preferred option. However, and especially in relation to historic building stock that is not otherwise protected, we would reiterate that without proper and robust incentive for developers to do so, we will continue to see the systematic demolition and loss of historic buildings, especially in rural contexts despite many being capable of reuse. Whilst the aims of this policy are fully supported, we are concerned that it will have little effect in practice.

Policy 31: Rural places

Q 49: DO YOU AGREE THAT THIS POLICY WILL ENSURE THAT RURAL PLACES CAN BE VIBRANT AND SUSTAINABLE?

The Highland Council's key points of response to Q49 on Policy 31: 'Rural places' are as follows:

Despite the similarities to our own policy framework, we do not agree that this policy will ensure that rural places can be vibrant and sustainable. The policy would result in our Hinterland type restrictions applying to new housing proposals across all rural areas, where such restrictions currently only apply to our more accessible and pressured rural locations. We believe that the provisions set out will be unnecessarily restrictive and would actually hinder efforts to repopulate our most remote and fragile communities rather than providing greater focus for directing proposals to appropriate locations. Furthermore, it would appear as though the rural repopulation agenda is to be supported through a broad support for the resettlement of previously inhabited areas. This is considered to be a crude approach with little strategic value that does not adequately cover, comprehend or address rural housing needs.

Overall the policy is considered to be poorly written and structured, with overlap between points and inconsistency throughout, which will make it challenging to interpret and apply. Furthermore, there is significant potential for conflict not only between the paragraphs of this policy but also with other policies which will require to be clarified.

The following elaborates on those key points and provides any additional points of response:

The policy as written does not appear to allow for any windfall housing development within accessible or pressured areas which is at odds with LDPs being able to set out an appropriate approach to development and is even more restrictive than Policy 29: 'Urban edges and greenbelt'.

It is not entirely clear what is meant by "Development proposals that support the resettlement of previously inhabited areas should be supported where the proposal is consistent with climate change mitigation targets". Will this take precedence over sections of the policy where there is a conflict? Given that at one time or another throughout history most of highland could be considered 'previously inhabited' will there be any parameters e.g. physical evidence on site, map based evidence, time limitations etc.? Is 'resettlement' considered to be a single house or a whole community? Will the 'consistency with climate change mitigation targets' preclude inaccessible and/or remote former settlements with no meaningful connection to services/facilities etc.? The policy must also recognise that these same previously inhabited areas are also likely to be sites of considerable archaeological importance, and that this brings with it a host of different issues and constraints that may preclude development.

Policy 32: Natural places

Q 50: DO YOU AGREE THAT THIS POLICY WILL PROTECT AND RESTORE NATURAL PLACES?

The Highland Council's is pleased to note the inclusion of a policy on 'Natural Places' and supports the general principles of the policy. However, the Council believes the content can be improved in relation to the following points:

1. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines an LDP requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.
2. The support offered in Part b) to protect the natural environment and biodiversity assets is welcomed, but the policy is required to define what an 'unacceptable impact' would be.
3. Although Scotland has a predominance of 'cultural' World Heritage Sites (WHSs), it is important that NPF4 provides a framework for 'natural' WHSs that may be inscribed in the future (such as the Flow Country), and including suitable policy wording in the correct policy section is fundamentally important in recognising the equal importance of both 'cultural' and 'natural' WHSs. Therefore, a policy for natural world heritage sites (mirroring that found in policy 28 Part l)) should be included in Part c) or d) or as an additional Part to policy 32. Whilst NPF4's Glossary in its definition of WHSs does helpfully recognise that they can be cultural and/or natural, that alone should not be relied upon.
4. Whilst the Council supports the proposal to identify and 'take into account' legislation on non-native species outlined in Section f), it is considered this section is too weak and lacks clear robust direction/policy advice.
5. The draft policy approach outlined in Section i) does not recognise the impact of proposed developments outwith wild land areas on wild land qualities - a separate policy / subsection of the policy is required to cover this issue, given most of the wild land areas would not usually experience any development given their location but the intrinsic value of the WLA can be undermined by development outwith the WLA. Further it would be preferable if this policy included a clearer policy test linked to the WLA Qualities - the third bullet point allows for this but it needs to be stronger. Bullet point 1 is too open to interpretation in that it muddies the water of the existing approach somewhat. Same with bullet point 2.
6. The policy preamble refers to 'restore natural places' - but the draft policy fails to propose or reference restoring natural places within the policy text, instead its focus is on their protection.
7. Finally, it is noted that there is a minor 'typo' in Part i) - 'Nature Scot' (the Scottish Government nature heritage advisor) is spelt 'NatureScot'.

Policy 33: Peat and carbon rich soils

Q 51: DO YOU AGREE THAT THIS POLICY PROTECTS CARBON RICH SOILS AND SUPPORTS THE PRESERVATION AND RESTORATION OF PEATLANDS?

The Highland Council's key points of response to Q51 on Policy 33: 'Peat and carbon rich soils' are as follows:

1. Overall we welcome the draft policy which we consider is strong on preservation and, as drafted, would go a considerable way to protecting carbon rich soils and supporting the preservation and restoration of peatlands. However, it does nevertheless need to recognise the prevalence of carbon rich soils in Highland. On peatland restoration, it is disappointing that the policy makes only one short reference to it.
2. The strong protective wording could preclude developments and the extent and appropriateness of this this may depend, for example, on what is regarded as development ESSENTIAL for supporting a FRAGILE population in a RURAL area; the policy and its application needs to be proportionate to the scale, both in terms of the resource in the region and the development.
3. It is also important to be clear that many of our peatlands (across the whole of Scotland, but also in Highland) are degraded or damaged in some way and that many are currently net carbon emitters; in some cases this damage is a result of development and it is slowing our progress towards net zero, at the same time as having a negative impact on water quality, biodiversity and a range of ecosystem services. A more proactive approach should be taken to the restoration of peatland.
4. In historic environment terms, peatland restoration is potentially very damaging where appropriate mitigation is not in place and should restoration be given more prominence in the policy, the importance of protecting and preserving the historic environment should be referenced as a key consideration in any proposal coming forward.

Policy 34: Trees, woodland and forestry

Q 52: DO YOU AGREE THAT THIS POLICY WILL EXPAND WOODLAND COVER AND PROTECT EXISTING WOODLAND?

The Highland Council's key points of response to Q52 on Policy 34: 'Trees, woodland and forestry' are as follows:

1. We agree that the policy will go some way to expanding woodland cover and protecting existing woodland, albeit much of the provision surrounding expansion is left to Local Development Plans and Local Authorities. However we also feel that the policy could be more effective with various wording changes required to strengthen and clarify the policy.
2. We would suggest that there is an opportunity to split this policy into two, with the first policy covering the protection and the principle of development within woodland - and a second policy to cover the site specific mitigation, with reference to British Standard 5837.
3. It is noted that the Draft NPF4 has removed reference to Tree Preservation Orders and trees in relation to Conservation Areas and these both need to be re-introduced into this policy.

The following elaborates on those key points and/or provides any additional points of response:

Part a) of Policy 34 as drafted - suggested additional wording, being shown in [square brackets]: "Local development plans should identify and protect existing woodland and [the] potential for its enhancement or expansion to.....".

Part b) of Policy 34 as drafted - Second bullet, recommended additional wording, being shown in [square brackets]: ".....adverse impacts on [long established woodlands,] native woodlands....."; this bullet should also reference landscape value (as noted in the current Scottish Planning Policy) alongside biodiversity value. It is also recommended to remove the reference to Forestry and Woodland Strategy here as it is referenced under Part d). Third bullet, recommended additional wording, being shown in [square brackets]: ".....unless [acceptable] mitigation measures are identified.....". A new bullet should be added as follows: "adverse impacts on trees within a Tree Preservation Order or trees within a Conservation Area". The draft NPF4 has removed reference to Tree Preservation Orders and trees in relation to Conservation Areas and these both need to be reintroduced into this policy.

Part c) of Policy 34 as drafted - recommend that the word 'generally' be removed. This section should make reference to Scottish Government's policy on the control of woodland removal and associated guidance.

Part d) of Policy 34 as drafted - wording could be simplified and combined with Part e) (see below).

Part e) of Policy 34 as drafted - the line "planning applications should be supported where they enhance, expand and improve woodland" would be better located at the start of Part d). This is a good lever and incentive to encourage developers to sustainably manage woodland. It is not necessary to include the list of benefits in this section, although we agree and support them all and they would be better moved to the opening paragraph. A combined Parts d) and e) policy wording could be significantly simplified to read (for example): "planning applications are more likely to be supported where they enhance, expand and improve woodland cover (with reference to the FWS)".

Policy 35: Coasts

Q 53: DO YOU AGREE THAT THIS POLICY WILL HELP OUR COASTAL AREAS ADAPT TO CLIMATE CHANGE AND SUPPORT THE SUSTAINABLE DEVELOPMENT OF COASTAL COMMUNITIES?

The Highland Council's key points of response to Q53 on Policy 35: 'Coasts' are as follows:

1. The Highland Council considers that planning for Scotland's coasts and recognition of coastal issues is vitally important and welcomes that Draft NPF4 includes a policy on Coasts, but feels that the policy as drafted requires improvement in order to properly help our

coastal areas adapt to climate change and support the sustainable development of coastal communities.

2. Whilst we generally support the underlying aims and principles, we have concern around the 'Developed Shoreline' concept outlined in Part b) - this section as drafted could prevent growth of a community e.g. new housing, within the 'urban' setting unless (in essence) not at risk and not dependent upon new coastal protection measures. For avoidance of doubt, our concern here relates to both larger urban areas and to concentrated areas of settlement in more rural areas. Notwithstanding that there may be some proposals that should not be supported on grounds of coastal flooding or erosion risk, without defining (with regard to three dimensions) what is meant by 'areas of developed shoreline' and what is considered a 'suitable coastal protection measure' - and doing so in a way that serves only to provide the necessary level of protection rather than being overzealous - then the policy may not achieve its aim, or may do so in part but by application as a blunt tool that avoids risk by, in effect, simply saying 'no'. Also, could we be more innovative in building measures to build in resilience?

3. Highland has a considerable number of communities who reside in close proximity to coastal areas and the policy as currently drafted could unnecessarily curtail some future developments - including within fragile rural communities, thereby further undermining their resilience. In part our concern is that there appears to be a disconnect between what Draft NPF4 says for new development proposals and what it sets out in respect of coastal flood risk, erosion and defence with regard to existing communities. These matters will sometimes be related and the existing communities - and infrastructure - may require some defence or adaptation in order to secure their long term future.

4. Part a) of the policy as drafted sets out that Local Development Plan spatial strategies should consider how to adapt coastlines to the impacts of climate change, whilst Part d) seems to suggest that a regional marine plan would be used to identify coastal defence projects. However, NPF4 does not go on to say how national policy can help and does not make it clear how planning can help - a stronger steer would have been good. We feel that there is a need for a national plan/strategy to address and to support rural communities on these issues and that it should be a national development priority, with national policy to support new funding for measures.

5. The requirements for future coastal protection solutions also assumes that there is appropriate expertise and capacity in local authorities to assess these. Highland Council does not carry in-house coastal geomorphologist expertise to understand coastal erosion and sediment movement, and the likely impacts of various developments in a range of locations. Therefore, it has to be questioned how this aspect will be suitably funded and resourced.

6. Part a) of the draft policy is not considered a Development Management (DM) Policy, instead it outlines a Local Development Plan requirement and as such, should either not be included as part of the policy text or the policy separated into LDP requirements and DM Policy requirements.

7. Furthermore, we have suggested in our comments on Policy 21 Aquaculture that arguably NPF4 could be restructured, with a section that addresses Regional Marine Plans and a sub-section within that to address aquaculture, illustrating the explicit tie-up between the two. There is a potential link or packaging together with Coasts here, not least due to climate and ecological emergency issues. If restructuring of the document along the lines suggested here is not undertaken, there should be cross-references added at least between the topics.

PART 4 – DELIVERING OUR SPATIAL STRATEGY [Q's 54-55]

Delivering our spatial strategy

Q 54: DO YOU AGREE WITH OUR PROPOSED PRIORITIES FOR THE DELIVERY OF THE SPATIAL STRATEGY?

The terminology is confusing however we assume that the reference to proposed priorities relates to the "key delivery mechanisms" on pages 112-114. This being the case, and with reference to our comments on the Infrastructure First policy, the Highland Council considers that the key delivery mechanisms and/or priorities for delivery should make explicit reference to the need for infrastructure costs to be considered and reflected in land values at the outset.

We believe the priorities should also reflect the responsibility for all partners - including the private sector - to consider the collective and collaborative approach to infrastructure delivery. Reference to aligning resources and the Place Principle are supported but the responsibility of all partners to address place priorities cannot be entirely fulfilled through national investment programmes. For example, locations and projects that do not benefit from STPR2 and/or City Region Growth Deals or status as National Developments may require just as much, possibly more, effort across all partners at the national and local level to address infrastructure and delivery issues.

The NPF4 delivery strategy also needs to fully reflect the role that Scottish Government / Transport Scotland need to play in considering the implications and opportunities that the trunk road and rail networks have for quality of place and liveability in many communities, and their strategy for future development, especially where there are no improvements proposed through STPR2 and/or NPF4.

Q 55: DO YOU HAVE ANY OTHER COMMENTS ON THE DELIVERY OF THE SPATIAL STRATEGY?

The approach to delivering NPF4 as outlined is supported in principle subject to sufficient resources being available to carry out the various new duties that have been brought about. In particular, there will be a need for new and additional specialist skills and funding to suitably prepare, carry out and assess the various new reports, audits and processes required, along with the support to be provided to local communities for the preparation of Local Place Plans. The significant requirements for new assessments, audits and other statutory Development Plan work should be recognised and considered in any work to explore and update the arrangements for resourcing of the planning system.

In addition, it is felt that the final NPF4 document, and the background data and monitoring information used to prepare it, should be published in an online interactive format rather than simply a downloadable document. As the hunger grows for consistent and up to date data to prepare place plans and development plans at all scales, we feel that there is an opportunity for Scottish Government to set the standard for digital innovation and engagement in the planning system to make it easier for planners to carry out the enabling and coordinating role that is expected.

PART 5 – ANNEXES [Q's 56-58]

Annex A

Q 56: DO YOU AGREE THAT THE DEVELOPMENT MEASURES IDENTIFIED WILL CONTRIBUTE TO EACH OF THE OUTCOMES IDENTIFIED IN SECTION 3A(3)(c) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997?

The Council's response in respect of each outcome is as follows, drawing on our responses to the proposed policy provisions relating, bringing key points of relevance to the outcomes together.

Outcome (a): meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people:

The development measures identified will contribute to the outcome, but with improvements the contribution could be greater and the outcome could be better met across Scotland's diverse communities. The Highland Council wholly supports the Scottish Government ambition of delivering sufficient quality homes that meet the needs of all of Highland's population throughout their life through the development of Policy 9: Quality Homes. Whilst the policy is entitled 'Quality Homes' little, if any, of the content is specifically aimed at improving the quality, layout and design of new housing, rather it is aimed at delivering homes. This deficit should be addressed moving forward. Additionally, the draft policy lacks a delivery mechanism for providing a fully inclusive range of homes (such as wheel-chair accessible/ageing population homes, self and custom build homes, co-housing units and HMOs) and again this should be addressed. Part i) of the policy also includes a reference to 'rural places' and the Council is concerned that the Rural Places policy (see our detailed comments on that policy, and comments on Outcome (c) below) does not provide positive support for rural housing that is a good fit in terms of landscape or settlement pattern, which is not specific to affordable or business type use. Part j), whilst the ambition to make existing homes fit for purpose for all users this should not override good design and siting reasons. The Highland Council is pleased to see a policy approach on 'Local Living' being developed (Policy 7) which aims to create resource efficient communities where people can live, work and relax in local resilient communities. However, the Council does not consider the draft policy is sufficiently robust enough, nor specific enough to deal with proposals across both the urban and rural landscapes. The draft policy includes no provision on how the local living policy will be applied and retrofitted to existing communities. As expressed previously the '20minute neighbourhood' title has implicit urban connotations and the Council would advocate the renaming to '20minute communities', which is considered to better reflect Scotland's urban and rural make-up.

Outcome (b): improving the health and wellbeing of people living in Scotland:

The development measures identified will contribute to the outcome, but with improvements the contribution could be greater and the outcome could be better met across Scotland's diverse communities and environments. The Highland Council supports the inclusion of Policy 14 on Health and Wellbeing and would contend that health

and wellbeing must be key considerations in all future land use developments. However, the policy needs to be more robust. The draft policy lacks reference to reviewing and ensuring (through developer contributions, if necessary) that the provision of both primary and secondary health care is adequately resourced and provided as part of the developments (especially residential schemes). It also needs improving with respect to its requirements for Health Impact Assessments. The support for community food growing and allotment creation is welcomed, albeit some improvements are needed to the policy. The overall direction of NPF4 is the development of compact local living, where the population live within a '20minute neighbourhood'; given this the Highland Council considers this policy is lacking in this regard and should include greater emphasis on providing suitable access to health care and wellbeing at a local level. With respect to policies on Local Living (Policy 7) including 20minute neighbourhoods, Sustainable Transport (Policy 10) including active travel and Blue and Green Infrastructure (Policy 12) - in responses to those we have made a number of suggestions as to how they could be improved and those could assist in meeting this outcome for health and wellbeing.

Outcome (c): increasing the population of rural areas of Scotland:

Some of the development measures identified will contribute to the outcome, but with improvements to those and to Draft NPF4 in a broader sense (including strategy, action and delivery) the contribution could be greater and the outcome could be better met across Scotland's diverse communities. The Highland Council is concerned that the provisions set out in Policy 31: 'Rural places' will be unnecessarily restrictive and would actually hinder efforts to repopulate our most remote and fragile communities rather than providing greater focus for directing proposals to appropriate locations. Furthermore, it would appear as though the rural repopulation agenda is to be supported through a broad support for the resettlement of previously inhabited areas. This is considered to be a crude approach with little strategic value that does not adequately cover, comprehend or address rural housing needs. The policy as written does not appear to allow for any windfall housing development within accessible or pressured areas which is at odds with LDPs being able to set out an appropriate approach to development (and is even more restrictive than Policy 29: 'Urban edges and greenbelt'). Is 'resettlement' considered to be a single house or a whole community? We are not confident that draft NPF4 provides adequate coverage and a comprehensive framework to describe how the priorities for Scotland's rural areas will be addressed. It is felt that this compromises the national ambition for appropriate rural repopulation, for which there is significantly less detail than expected in draft NPF4. It is felt that more needs to be done to support the accessibility needs of all Scotland's communities to better ensure that all communities are resilient and vibrant, and to achieve the ambition of rural repopulation. With regard to Policy 23: 'Digital infrastructure', whilst the policy as drafted will remove impediments, it will not ensure that all our places will be digitally connected. Direct, fully funded provision would ensure it. Are we missing a requirement for all new developments to have a certain minimum standard for connectivity?

Outcome (d): improving equality and eliminating discrimination:

Some of the development measures identified will contribute to the outcome, but with improvements to those and to Draft NPF4 in a broader sense (including strategy, action and

delivery) the contribution could be greater and the outcome could be better met across Scotland's diverse communities. The Highland Council's agrees with the need to protect human rights and promote equality which is promoted by Policy 4: 'Human rights and equality', but is unclear as to why these need to be development plan policies within NPF4 as they are addressed elsewhere in statute. Likewise, consultation requirements for both development plans and planning applications are already set out in regulations. It is unclear how they can be effectively applied to the assessment of planning applications. The emerging approach of Community Wealth Building (Policy 5) is welcomed; however, there should be some guidance as to how this can be fully delivered and some guidance and examples of what "socially productive use of land and property" looks like would be very helpful. This should be about maximising land and assets to support the wider regeneration of communities. The policy focus appears to be more on the economics of Community Wealth Building rather than quality of life. NPF4 has a tendency to focus on the more urban centres of Scotland. It is felt that the Draft NPF4 does not adequately respond to Highland's priorities for the future and may compromise how they are addressed. It is important to protect, safeguard and enhance all Highland communities. It is felt that NPF4 and the strategy and action areas could do much more to address the disparities and inequalities between communities across Scotland, particularly the larger area authorities with networks of communities that are most distant from each other and therefore face greater challenges and require more significant per capita investment, for example to achieve net zero.

Outcome (e): meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act:

Most of the development measures identified will contribute to the outcome, but with improvements to those and to Draft NPF4 in a broader sense (including strategy, action and delivery) the contribution could be greater and the outcome could be better met across Scotland's diverse communities and environments. The Highland Council welcomes in principle the introduction of a new national policy on climate change, but as currently drafted the application of the policy would be problematic and it does not go far enough to ensure planning systems take action to embed the climate mitigation and adaptation measures into developments. The emissions and nature-based solution sections are very vague, and it needs to be more specific about how the policies will be implemented by applicants and development proposals and how they will be assessed through decision making - and monitored - if they are to be fully understood and implemented. Also, whilst Draft NPF4 makes it clear that the 'Universal Policies' (Sustainable Places policies) should "apply to all planning decisions", it is not clear as to whether the Climate Emergency policy as one of those is to be regarded and applied as an overarching policy principle or simply considered in the round with other policies across NPF4. The policy as drafted relies heavily on reference to "national decarbonisation pathways" but without referring and linking to specific targets, measures or other tangibles that would provide a clearer basis for assessment and decision-making on applications. In terms of the draft policy's provisions in relation to minimising emissions, Draft NPF4 could be clearer as to whether any of this is, will, should or could be subject of legal obligation. Also, it is noted that there is likely some overlap with Building Standards. The draft policy begs the question as to how planners

would assess emissions in practice. Likewise, there is need to be able to assess effectiveness of climate adaptation and mitigation for existing structures. The policy does require a fundamentally different set of skills and resource to deal with through applications. As we understand it, this policy is not to be duplicated in Local Development Plans, therefore this policy needs to be clear and able to be implemented to deliver the desired outcomes. There are a wide range of policies in Draft NPF4 of relevance in some way to the matter of emissions reduction and we have provided comments on those; we will refer to just some of the policies and comments here, in brief. In our response on Policy 11 'Heat and Cooling' we have referred to the need to provide and reflect a realistic path to decarbonisation through policy, whilst not stifling development - and we have also expressed the view that a more effective approach (on some aspects) may be to address matters through changes to Building Standards, not Planning. In combination with that, in order to increase the ambition we suggest that Policy 11 be redrafted to lead with a fabric-first approach. In our response to Policy 19 'Green Energy' we have said that Policy 19 should be vital to the country's decarbonisation and to security of energy supply, but as drafted it would fail to deliver and certainly not in a well-planned way. We express the view that the time is right for a more plan-led approach to energy to be taken, through a national energy plan and that, alongside a national decarbonisation strategy, it needs to show how the energy component needs to be delivered, including contributions to be made by each type of generation. There needs to be a spatial expression of how and where this will be delivered - it should not be left wholly to Local Development Planning to pick this up and in any case NPF4's anticipated role for Local Development Planning on 'Green Energy' needs to be clearer and strengthened.

Outcome (f): securing positive effects for biodiversity:

The development measures identified will contribute to the outcome, but with improvements the contribution could be greater and the outcome could be better met across Scotland's diverse environments. The prominence of biodiversity as one of the six outcomes is welcomed, highlighting its importance. The Highland Council agrees that Policy 3 (Nature Crisis) is an overriding 'Universal Policy' that should apply to all forms of development and it is a policy area the Council is keen to strongly promote. However, whilst the Council considers that it is a strongly worded and comprehensive draft policy, disappointingly it fails to be sufficiently robust enough, nor specific enough to deal with all forms of development and the Council has identified a number of concerns in its response to that policy. The Highland Council contends that all developments should 'CONSERVE AND enhance biodiversity' rather than simply enhancing it. Part d) of the policy seems to suggest only major and EIA proposals or those which require an appropriate assessment meet the 'biodiversity net gain' threshold; the Council is concerned about the omission this causes for all other forms of development proposals. The draft policy's only reference to the marine environment is the removal of the policy's Part d) requirements from fish farming operations; the Council considers this to be a serious omission. The draft policy does not attempt to consider the impact that developments can have on biodiversity in places other than the development site. Consequently, all developments should take a full, life-cycle approach to measuring impact on biodiversity. Part e) refers to local developments including '...appropriate measures to enhance biodiversity...', there is a lack of definition of what will be deemed 'appropriate' and this will lead to considerable variance in application of the policy, which will significantly undermine its intended aims. The policy should also be

expanded to include the management arrangements for the biodiversity long term retention and monitoring. With respect to policies on Blue and Green Infrastructure (Policy 12), Natural Places (Policy 32), and Trees, Woodland and Forestry (Policy 34) - in responses to those we have made a number of suggestions as to how they could be improved and improvements in particular to policies 12 and 32 would assist in meeting this outcome for biodiversity.

Annex B

Q 57: DO YOU AGREE WITH THE MINIMUM ALL-TENURE HOUSING LAND REQUIREMENT (MATHLR) NUMBERS?

The Minimum All-Tenure Housing Land Requirement (MATHLR) published in Draft NPF4 does appear to have taken into account most of the issues we raised in our response to the NPF4 Housing Figure consultation request. We note and welcome the acceptance and recognition that some Local Authorities have valuable robust locally available data sources which can offer improvements on data that is derived from a decade old Census and Household Surveys with limited local area completions. The minimum figures (and the clear clarification that these form a baseline only) in Draft NPF4 reflect those in our most recent HNDA submission at the Highland Council area wide level. It is further welcomed that there is clarity in the framework that these figures can be revised upwards as Local Development Plans are prepared, where robust evidence supports this.

Annex C

Q 58: DO YOU AGREE WITH THE DEFINITIONS SET OUT IN THE GLOSSARY? ARE THERE ANY OTHER TERMS IT WOULD BE USEFUL TO INCLUDE IN THE GLOSSARY?

The Highland Council welcome the Glossary inclusion, but contends it needs to be more consistently applied throughout NPF4 and with some linkage between the main policy text and the defined words (i.e. defined words in italics). Moreover, the Glossary requires to be more comprehensive and should include, but not be limited to the following additions:

1. Ancient Woodland
2. Sites of Archaeological interest
3. Tree Preservation Orders (assuming they are included in Policy 34 as suggested)
4. Local, Major & National Developments
5. Accessible, Pressurised and Remote Rural areas
6. Prime Agricultural Land
7. Green Belt & Urban Edge

In addition, the 'short-term let' definition is at odds with definitions elsewhere, as not all short-term lets relate to the 'use of a dwellinghouse'. Also, the 'Brownfield' definition should exclude sites of archaeological interest; it is suggested the definition is amended to '...Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings [excluding archaeological/historic sites] and developed land with...'.

INTEGRATED IMPACT ASSESSMENTS [Q's 59-70]

Environmental Report

Q 59: WHAT ARE YOUR VIEWS ON THE ACCURACY AND SCOPE OF THE ENVIRONMENTAL BASELINE SET OUT IN THE ENVIRONMENTAL REPORT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

3.1.2 – Refers to Appendix B (Relevant plans, Policies and Strategies). The Council considers that many of these other documents should be cross-referred to within NPF4 itself. Notwithstanding that Indicative Regional Spatial Strategies (IRSS) are 'regional' not 'national', given that (as indicated in 1.4.1) the draft NPF4 takes into account indicative regional spatial strategies, the Council considers that IRSS should feature in Appendix B and measures taken to ensure that they are taken fully into account.

3.1.3 – That the baseline has reference to the marine environment where appropriate is welcomed and we consider that this is essential, given the importance of the marine and coastal environments to delivery of NPF4 outcomes and also the potential connectivity between terrestrial developments and the marine environment.

3.2.4 – The baseline for biodiversity, flora and fauna should additionally, where relevant, include World Heritage Sites e.g. St Kilda WHS (which is inscribed for both natural and cultural criteria) and, in the future should it be inscribed, the Flow Country WHS (natural criteria).

Figure 3.4 – We would query whether the Special Protection Areas covering a number of the nation's Firths are intentionally not shown – and if that is the case, if they have been scoped out, whether there is sufficient rationale, given our comment above on 3.1.3.

3.7.4 – We welcome the recognition of the UNDESIGNATED historic environment and that it is estimated that it accounts for 90-95% of the total resource.

3.8.6 – Says: "There is a high concentration of wildland areas, National Scenic Areas and other designations along the west coast of Scotland, and in the Highlands (Figure 3.15 - Figure 3.17)". However, we are disappointed to note that there is no specific mention of Local Landscape Areas (aka Special Landscape Areas) in the text and mapping. Whilst they are generally regarded as of local/regional importance, not national, the Council considers that they should be regarded as an important part of the landscape and geodiversity baseline and, with the right protection, have enormous potential to deliver the wide range of benefits referred to in 3.8.5.

Figure 3.18 – The figure has some value; however, it would be beneficial to aid understanding if there could be additional graphics to give some sense of the footprint of generation schemes (like the Council's wind turbine mapping at:

www.highland.gov.uk/windmap) and also to give a sense of the scale of installed capacity by region and sub-region. This links with the Council's call, elsewhere in our response to Draft NPF4, for a national energy plan providing spatial steer by sector.

Figure 3.19 – We are pleased to note the acknowledgement of the A82(T) as one of the nation's key transport routes and point to our call, elsewhere in our response to Draft NPF4, for it to be properly recognised within the spatial strategy.

3.10.22 – We welcome the recognition that remote coastal communities may be more vulnerable to disruption to services from extreme weather events.

Q 60: WHAT ARE YOUR VIEWS ON THE PREDICTED ENVIRONMENTAL EFFECTS OF THE DRAFT NPF4 AS SET OUT IN THE ENVIRONMENTAL REPORT? PLEASE GIVE DETAILS OF ANY ADDITIONAL RELEVANT SOURCES.

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

4.3.18 – States that the 'Northern revitalisation' action area includes the Cairngorms National Park, but whilst the wording implies that the area includes all of the CNP, the mapping in Draft NPF4 indicates otherwise with parts of the CNP falling into the 'North east transition' action area. 4.3.16 describes the mapped area more accurately.

4.3.18 – Recognition of The Flow Country here is welcomed.

4.3.27 – States that some of the Northern revitalisation action area proposals will support the renewable energy sector and that, collectively, these proposals could make a substantial contribution to Scotland's low carbon agenda. We welcome this acknowledgement but it is unclear as to whether this is referring to renewable energy generation itself. We also contend in any case that proposals will make a substantial and vital contribution to the nation's low carbon agenda.

Q 61: WHAT ARE YOUR VIEWS ON THE POTENTIAL HEALTH EFFECTS OF THE PROPOSED NATIONAL DEVELOPMENTS AS SET OUT IN THE ENVIRONMENTAL REPORT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On potential health effects, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically our response in respect of Outcome (b): improving the health and wellbeing of people living in Scotland.

Q 62: WHAT ARE YOUR VIEWS ON THE ASSESSMENT OF ALTERNATIVES AS SET OUT IN THE ENVIRONMENTAL REPORT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On assessment of alternatives, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to our concerns that the consultation on Draft NPF4 provides no opportunity to comment on the scoring and assessment of candidate national developments and that there is a lack of clarity on the specific rationale for each of the cNDs either selected and represented or those not identified in Draft NPF4.

Q 63: WHAT ARE YOUR VIEWS ON THE PROPOSALS FOR MITIGATION, ENHANCEMENT AND MONITORING OF THE ENVIRONMENTAL EFFECTS SET OUT IN THE ENVIRONMENTAL REPORT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

Table 7.1 – In respect of Proposed National Development 12. Strategic Renewable Electricity Generation and Transmission Infrastructure – it states that screening options should be considered to minimise visual impact of developments. Notwithstanding that for some developments that would fall within the scope of the Proposed ND12, screening may be an option in some circumstances – there will be many developments for which siting and design will be of more relevance in minimising visual impact and this should be acknowledged.

Society and Equalities Impact Assessment

Q 64: WHAT ARE YOUR VIEWS ON THE EVIDENCE AND INFORMATION TO INFORM THE SOCIETY AND EQUALITIES IMPACT ASSESSMENT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On the Evidence and Information to Inform the Society and Equalities Impact Assessment, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically Outcome (a): meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people, Outcome (b): improving the health and wellbeing of people living in Scotland, and Outcome (d): improving equality and eliminating discrimination. Also, we would suggest that in addition to having the Integrated Impact Assessments to refer to, there would be value in finalised NPF4 being accompanied by a simplified graphic that would map key provisions of NPF4 against high-level outcomes

(including those derived from duties covered by the assessments); this could act as a useful reminder as to what is sought and aimed to be delivered and in what manner.

Q 65: DO YOU HAVE ANY COMMENTS ON THE FINDINGS OF THE EQUALITIES IMPACT ASSESSMENT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On the Findings of the Equalities Impact Assessment, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically Outcome (d): improving equality and eliminating discrimination.

Q 66: DO YOU HAVE ANY COMMENTS ON THE FINDINGS OF THE CHILDREN'S RIGHTS AND WELLBEING IMPACT ASSESSMENT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On the Findings of the Children's Rights and Wellbeing Impact Assessment, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically Outcome (b): improving the health and wellbeing of people living in Scotland, and Outcome (d): improving equality and eliminating discrimination.

Q 67: DO YOU HAVE ANY COMMENTS ON THE FAIRER SCOTLAND DUTY AND THE DRAFT NPF4?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On the Fairer Scotland Duty and the Draft NPF4, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically Outcome (d): improving equality and eliminating discrimination, and Outcome (a): meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people; also we draw particular attention to our concerns expressed about an urban bias in Draft NPF4 at the cost of rural areas and our assertion of the need for equality of access to services across Scotland, including the necessary and timely investment for example in infrastructure such as digital and transport.

Q 68: DO YOU HAVE ANY COMMENTS ON THE CONSIDERATION OF HUMAN RIGHTS AND THE DRAFT NPF4?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

On the Consideration of Human Rights and the Draft NPF4, please see the Council's responses to other, related consultation questions in respect of Draft NPF4. This includes but is not limited to the Council's response to Q56, specifically Outcome (d): improving equality and eliminating discrimination, and to Q26 on Policy 4: Human rights and equality.

Q 69: DO YOU HAVE ANY COMMENTS ON THE ISLANDS IMPACT ASSESSMENT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

Islands Impact Assessment:

As indicated elsewhere in the Council's response to Draft NPF4, we note support dedicated to island communities, for example through the need for island impact assessment, but would highlight that many mainland communities experience similar issues of fragility and isolation. We would query how these communities might receive the dedicated focus and actions that has been applied to our island communities.

Business and Regulatory Impact Assessment

Q 70: DO YOU HAVE ANY COMMENTS ON THE PARTIAL BUSINESS AND REGULATORY IMPACT ASSESSMENT?

The Highland Council has not undertaken a comprehensive review of the Integrated Impact Assessments, but provides a few comments and observations.

Partial Business and Regulatory Impact Assessment:

65. – States that a fuller analysis of the likely benefits and costs of specific policies is provided in the table at Appendix B. However, there is little tangible information on costs provided and in many cases Appendix B simply notes that: "The views of businesses is being sought on the likely cost implications of the proposed updated policy approach" and it is noted that 66. explains more about how this is being done. Notwithstanding our inputs through that process, the Council wishes to emphasise here that, as mentioned elsewhere in its response to Draft NPF4, the Planning (Scotland) Act 2019 combined with secondary legislation and NPF4 introduces a wide range of new duties, requirements and expectations on Planning Authorities that need to be properly resourced, based on realistic and informed evidence of likely costs.

15. – States that the introduction of national planning policies which form part of the development plan will provide greater certainty to developers and considerably reduce the number of occasions where they will need to engage with the planning system on the development of policies that affect their businesses. The Council is broadly supportive of this but considers that the benefits will only be fully realised if the national planning policies are sufficiently clear and robust. Elsewhere in our response to Draft NPF4 we have raised several specific concerns in that regard.
