



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government, Housing and Planning Committee

Tuesday 18 January 2022

Session 6



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LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE
2nd Meeting 2022, Session 6

CONVENER

*Ariane Burgess (Highlands and Islands) (Green)

DEPUTY CONVENER

*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

COMMITTEE MEMBERS

*Miles Briggs (Lothian) (Con)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

*Meghan Gallacher (Central Scotland) (Con)

*Mark Griffin (Central Scotland) (Lab)

*Paul McLennan (East Lothian) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Andy Kinnaird (Scottish Government)

Fiona Simpson (Scottish Government)

CLERK TO THE COMMITTEE

Euan Donald

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Local Government, Housing and Planning Committee

Tuesday 18 January 2022

[The Convener opened the meeting at 10:00]

National Planning Framework 4

The Convener (Ariane Burgess): Good morning, and welcome to the second meeting in 2022 of the Local Government, Housing and Planning Committee. I ask all members and witnesses to ensure that their mobile phones are on silent and that all other notifications are turned off during the meeting.

The first item on our agenda is evidence on the draft of the fourth national planning framework, or NPF4. This morning, we will hear from Scottish Government officials. This is the first of five evidence sessions that the committee will hold on NPF4. I welcome from the Scottish Government Fiona Simpson, the chief planner, and Andy Kinnaird, head of transforming planning. Thank you for joining us.

We will move straight to questions. I will begin by asking Fiona Simpson, initially, to briefly outline how the Scottish Government engaged with communities and planning stakeholders in the development of the draft NPF4.

Fiona Simpson (Scottish Government): National planning framework 4 has been built with early engagement and collaboration from the start of the process. That has shaped the priorities, the structure and the content of the document as a whole. The process has been about much more than just consulting people on a draft after it was prepared. We have taken a co-production approach from the early stages of the process. First, in early 2020, we ran an open call for ideas, which was followed by a fuller consultation on a position statement that we published later that year. We now have a consultation running on the draft national planning framework 4.

Throughout, we have targeted different audiences, whether that is the professional sector or key sectors with an interest in particular policies or areas of the document, as well as a wide range of organisations and communities. We have worked really hard to ensure that communities can get involved, as well as working closely with planning authorities. We have used a variety of methods to do that, such as easy-read materials and guides, events using different techniques to involve people and drop-in events at which people

can just turn up and have a discussion with us. We have worked through and with networks, and we have obviously done online as well as in-person engagement.

If it is okay, I will invite Andy Kinnaird to add further detail.

The Convener: Yes, please.

Andy Kinnaird (Scottish Government): Good morning. I can run through a bit of the detail.

Our initial call for ideas ran from January to April 2020, which was a period of 16 weeks and included an extension of four weeks due to the first lockdown. We received around 350 responses to the call for ideas. Supporting that consultation, our engagement programme included an early session with the Scottish Youth Parliament. We then had a roadshow, through which we met with more than 180 workshop participants plus 100 or so who attended the drop-in discussions. The roadshow attended 13 locations around Scotland, including sessions at two schools—Buckie high school and Breadalbane academy. Unfortunately, the last seven events of our roadshow had to be cancelled due to the start of the lockdown, but at that point we published a blog showing how people could get involved in other ways, and we extended the deadline by four weeks.

We produced a resource pack to help people to engage with us. The pack had maps, presentations, leaflets, a guide to holding community workshops, some policy background notes, information on submitting national development suggestions, a guide to impact assessments and a housing technical paper. At that point, we also provided a community grant scheme offering small grants to support local engagement and events.

In November 2020, we published the Scottish Government's position statement, which set out the direction of travel and our emerging thinking, drawing on what people had told us in response to the call for ideas. We had not intended to do that, but delays caused by the pandemic presented us with an opportunity to test our thinking. We ran a further consultation on that position statement over a 12-week period, and we received around 250 responses, about 20 per cent of which came from individuals while the rest came from organisations including community councils, residents associations and campaign groups.

Again, supporting that consultation with some events, we commissioned Planning Aid for Scotland to host a series of five community discussions and some youth engagement involving a survey and virtual workshops, in which 200 young people participated. We also commissioned the Royal Town Planning Institute to hold four cross-sector round-table discussions

under the headings of post-Covid recovery, 20-minute neighbourhoods, achieving net zero, and delivering good quality development.

If I may, I will talk about the future. We are building on our experiences and backing up our consultation on the draft NPF4 by holding some open-invitation facilitated events—nine in total—covering the four policy themes and the five action areas in the draft NPF. Again, we have produced some online resources, including presentations, policy background notes, digital narratives and some of the evidence that we received through the call for ideas and the position statement. We are putting the finishing touches to that just now, and we are about to launch the open-invitation events.

We have also launched a community grant scheme to help community groups to engage with us through the consultation, and we are exploring with potential facilitators how best to further discuss matters with community groups. We have just had confirmation that our bid for a workshop at the next Scottish Youth Parliament gathering, in March, has been successful, and we will meet Play Scotland this afternoon to discuss further opportunities for engaging with young people.

I will stop there.

The Convener: Thank you very much, both of you. You have certainly been doing some very thorough work, especially during the pandemic, when activity has been restricted.

I am aware that the consultation is still running, but several stakeholders have questioned the Scottish Government's running a consultation on the draft NPF4 during the 120-day period of parliamentary scrutiny. You can imagine that that does throw up some challenges. Can you explain to the committee the Scottish Government's interpretation of the Planning (Scotland) Act 2019 in that regard?

Andy Kinnaird: We had been looking at the new statutory procedure for the NPF that was set out in the 2019 act. New section 3CA(3) of the Town and Country Planning (Scotland) Act 1997 groups together the requirement for ministers to consult in accordance with the participation statement and lay before the Scottish Parliament the draft that we are currently looking at and the need for them to have regard to all representations received within the period of no more than 120 days. We appreciate that there can be a bit of awkwardness around running the two at the same time, but we feel that that is how we needed to do it to make sure that our requirement to take into account all of the representations made within that 120-day period was fulfilled.

The Convener: Thank you for that response. We will now move on to a question from Mark Griffin.

Mark Griffin (Central Scotland) (Lab): I want to ask about competing priorities for planners and local councillors who will make the decisions. NPF4 will be part of our redevelopment plan, and planners and councillors will sometimes be expected to balance competing policy objectives within different documents within that plan but also the competing priorities of their local communities, who might not be so supportive of what is in the plan. What guidance will the directorate give to planning authorities and councillors about how they balance their competing priorities?

Andy Kinnaird: The first thing to say is that planning is all about balancing competing objectives and priorities—that is in the nature of what we do.

Every development proposal is unique, whether because of the proposal itself, the location or how it relates to its broader context. Under planning legislation, decisions on individual planning applications must be made in accordance with the development plan while also taking into account all relevant material considerations. The policies need to be read in the round and weighed up together in decisions. It will be for the decision makers to take into account all the relevant policies, including those that are set out in NPF4 and, therefore, those that are in the development plan.

In drafting the NPF, we sought to balance providing clarity and certainty with the need for the decision makers to have the flexibility to enable them to account for local circumstances. It is very much in the nature of what we do that there will be competing priorities and competing policies. Things will not always tilt in entirely the same direction. That is what planning has to do—take account of each of them and attach to them the appropriate weight.

Mark Griffin: Do you feel that NPF4 and the associated documents will mean more flexibility in local decision making rather than a stricter approach?

Andy Kinnaird: I would not say that it is about the NPF leading to flexibility, as that flexibility is built into the planning system. We want to ensure that the plan-led system operates well, and the NPF, as part of the development plan, will do that. We want to make sure that our policies are as clear and as direct as possible, but the planning system is written in a way that allows for that bit of flexibility to consider all relevant considerations.

Mark Griffin: Thank you.

The Convener: I will come in with another question. Put an R in the chat box, Fiona and Andy, if you want to come in on this. Can you set out how the national developments that are included in NPF4 were chosen and how they will

align with other Scottish Government policy documents? None of the national developments appear to feature in the infrastructure investment plan.

Fiona Simpson: I will start off, and Andy might add something further.

I will talk you through the process of how we selected the national developments. It is important to note that we issued a call for suggestions for national developments as part of the initial call for ideas. Ideas also came from the indicative regional spatial strategies that local authorities were looking at and from responses to the position statement. We received 259 suggestions for national developments, and most of them have informed the draft NPF. Some have been adopted as proposed national developments in the draft, and others are part of the spatial strategy.

We looked at the suggestions that we received either individually or, where there were similar proposals, as groups. We considered them in relation to four criteria: climate change, people, inclusive growth and place. Those criteria are shared across a whole range of wider Scottish Government policies and programmes, which helps to achieve the alignment that you mention, convener.

We also did a full integrated impact assessment. That was an iterative process in which we took into account the impacts of the developments as we progressed the assessment. Some of the proposals were really good ideas but perhaps not actual development proposals. Some were broad ideas that were already advanced—for example, some already had development consent. We had to look at how the proposals related to the planning system.

We considered all of that in relation to the emerging spatial strategy and the collaborative work that we did with local authorities to develop the spatial strategy. As that strategy began to take shape, we asked ourselves which of the national developments could best support delivery of it. The proposed national developments in the draft are those that we think will help to deliver the spatial strategy to a degree that is more than just locally and regionally significant. We have published a full report of the assessment of national developments on the Scottish Government's website, and we are seeking views on that.

10:15

You asked about integration with wider policies. As I said, the priorities that shaped the call for the national developments that are under analysis are shared across a wide range of key policies and strategies, so there should be alignment.

The Convener: Do you want to come in on that, Andy?

Andy Kinnaird: No, that is fine, convener. We were both keen to jump in, but Fiona had it covered.

The Convener: Okay. We will move on.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning to both witnesses. I have a broader question. NPF4 will replace the document "Scottish Planning Policy", and future frameworks will be a formal part of every local development plan. Fiona Simpson, what are the more significant changes that you hope the approach will make? Are local authorities okay with that? Do they see the approach as an imposition on local flexibility and so on?

Fiona Simpson: We are introducing quite a lot of changes in this NPF. I will walk you through some of the big ones.

Overall, the document tries to focus on the key themes that I outlined. In particular, we considered how every policy and part of the strategy could best contribute to net zero and address the nature crisis. That cut across everything. There was also the context of recovery from the pandemic. So, there are a whole load of key drivers of quite significant change.

We took into account the fact that the NPF will have a different status as part of the statutory development plan. That is quite a change from NPF3. We took into account wider policies and priorities and thought about what had changed. We thought about the new requirements that stem from the Planning (Scotland) Act 2019. We had a lot of early engagement, so consultee views also shaped the priorities. A crucial point is that we thought about how to have a spatial strategy that can be delivered through sound policies.

The policies in NPF4 bring forward what was in Scottish planning policy. However, a lot of them have been significantly changed and updated, and there are quite a few new ones. I can run through some of the big changes in a wee bit more detail.

Policies 1 to 6 are the universal policies and are largely new. They cover key principles to do with the importance of a plan-led system, the climate emergency, the nature crisis, human rights, equality and discrimination—addressing which is now a statutory outcome for the NPF—and community wealth building, which is a key theme that we want to cut across decisions. We updated our policy on good quality design.

In policies 6 to 15, some of the newer policies are to do with 20-minute neighbourhoods, an infrastructure-first approach, play and health. They flow from much of the debate on the Planning (Scotland) Bill, the statutory requirements and the

emphasis on local liveability, which will be important in the future, in the context of net zero.

Policies 16 to 23 are about productive places. We took account of the changing context of work in that regard. For example, policy 16 covers homeworking and live-work units. There are new policies on sustainable tourism, culture and creativity, and we have made significant changes in draft policies 19 and 20, on green energy and zero waste, which have a critical role to play in the drive to net zero.

The final section, policies 24 to 35, is about distinctive places. Again, there has been a fair amount of change. There are significant changes to policies on city, town and local centres, which aim to respond to the town centres review.

We have a new policy on vacant and derelict land, which is important for supporting sustainable patterns of development. Policy 31, which is on rural development, is a significant change. In the debate on the Planning (Scotland) Bill, a lot of emphasis was placed on growing the population of rural Scotland. We have updated our other policies in the section—including those on peat and carbon-rich soils, on woodland and trees and on coasts—to reflect climate change.

There are a range of drivers. We have taken into account what has changed since NPF3 was published and what the Scottish planning policy said in 2014.

Throughout the process, we have worked closely with local authorities in a number of ways. We have done collaborative work with them at a regional scale to form the spatial strategy. Local authorities contributed to the call for ideas, and there were a lot of consultation responses from them—29 responded to the consultation on the position statement. They worked closely with us on housing land requirements and contributed to many of the policies. They were part of stakeholder groups that considered our work on the nature policy, for example. They helped us with research and they were engaged in different parts of the document. Much of that work flowed through from our work on planning reform, which has involved close working with local authorities.

Willie Coffey: That was really thorough. Thank you. I am sure that my committee colleagues will pick out some of those items as the meeting goes on.

For my second question, I will pick out one issue. I have previously raised the issue of derelict shops, buildings and land, which you mentioned. Will NPF4 give local authorities more powers to deal with that? The breadth of NPF4 looks great—there are a lot of good things in there. However, what I see now as a local member and what I saw as a councillor for many years is derelict and

abandoned shops, buildings and pieces of land, which local authorities have limited powers to effect change on—by serving amenity notices and so on—so that the environment is improved, particularly in our towns. Will the framework strengthen powers or provide additional powers that can contribute to the overall look and feel that our towns and villages might need to support them?

Fiona Simpson: The framework is about policy rather than powers. We have tried to be clear in our policy about the importance of this issue and of good-quality placemaking and about how we can channel new development, which the planning system deals with, to improve our places.

The final part of the document touches on delivery, which is still a work in progress. We are conscious that this is a draft and that more work will be needed on delivery, but we have touched on the importance of thinking about how the NPF will be delivered and about the tools and mechanisms that could support that.

The approach fits in a wider picture of planning reform—for example, we are looking at moving local development plans to a 10-year review cycle, which is what the framework has. The aim of that is to spend a bit less time on preparing plans and more time on implementing them, which should free up a bit of resource in the planning system.

Delivery is a work in progress, but the policy intent on vacant and derelict land and on quality of place is clear in the draft document.

Willie Coffey: Thank you. I can follow up on that, but I will allow other members to come in now, convener.

The Convener: I call Miles Briggs.

Miles Briggs (Lothian) (Con): I thank Fiona Simpson and Andy Kinnaird for joining us. I will follow on from Willie Coffey's line of questioning. There are a number of questions about the signal that the draft NPF4 sends about the presumption in favour—or not in favour—of renewable energy development. How was that designed? Given that we are trying to meet the climate change targets, is it your expectation that there will be a presumption in favour of renewable energy developments across Scotland?

Fiona Simpson: We have taken a different approach and used different language from having a “presumption in favour”. Each of the policies sets out what should and should not be supported, and we try to make that as clear as possible throughout the document.

We have been clear about our policy intent from the start, which is to enable all sorts of technologies and renewable energy development, to recognise their importance as a contribution to

the net zero agenda. We looked at the existing policy and what could be changed. We took into account a wide range of views from the consultation about how the policy could evolve. We also considered wider Government policy and strategy to make sure that planning was aligned with that.

We have updated the policy on renewable energy, and it sets out that there is support for renewable energy development with regard to wind farms other than in national parks and national scenic areas. From that, we expect each proposed development to be assessed on a case-by-case basis.

We have set out the considerations around that, and we tried to emphasise throughout the spatial strategy as a whole the importance of renewable energy, not just in relation to net zero but in shaping the future of places and the opportunities that that will give large parts of Scotland to achieve real benefits.

I should also mention the new policy on climate—policy 2—which gives significant weight to the global climate emergency as part of the process. Again, that tries to underline the importance of the technologies.

Miles Briggs: The specific section on renewable energy seems to lack clarity. It also seems to contradict itself. That is why there are concerns about different priorities being open to interpretation.

Obviously, the committee cannot amend the draft plan. Is that discussion being held in the consultation that you are having with energy developers? We know that there were a number of complaints about the fact that renewable energy developments were not taken forward, about the time that it takes councils to get them moving, or about the fact that they have been called in by the Government when they are rejected. What learning has taken place for future developments, to make sure that renewable energy comes online as soon as possible to meet our energy needs?

Fiona Simpson: This the benefit of now being at the stage at which we have a draft policy set out in the NPF. That is the purpose of the consultation. We have engaged with all sectors, including the renewable energy sector, throughout the process. We have taken into account views that we have received, including on the position statement, where there is support. However, the draft is the first time that we have set out in detail the policy wording, and that is really the stage at which we are keen to hear views from all stakeholders on how the policy looks, how it could work in practice, whether we have got the wording right and whether the wording therefore reflects the policy intent.

That is the purpose of the consultation. We will no doubt meet representatives of the renewable energy sector during the consultation process to discuss it further, as well as taking into account a whole range of views from all stakeholders.

Miles Briggs: That is helpful; thank you.

I will move on to the recent planning legislation, which requires Scottish ministers to set out how the NPF will contribute to meeting a series of outcomes, including, in particular, the housing needs of older people and disabled people. There has been criticism from the Law Society of Scotland, for example, which questions whether the approach is compliant with the 1997 act. Will you explain your approach and how those outcomes will be included in NPF4?

I do not know whether Fiona Simpson or Andy Kinnaird wants to respond to that.

10:30

Andy Kinnaird: I will answer that one. The 2019 act has a new requirement that the NPF must contain a statement about how development will contribute to six statutory outcomes.

We included a first cut of the statement at annex A of the draft NPF4 in the interests of transparency, and I appreciate that that is what the Law Society is referring to. The first cut cross-refers to some of the policies contained in the draft NPF4, which we think demonstrates how those will contribute to the outcomes. However, we have also included a specific consultation question to explore the new requirement and the draft text that we have offered to make sure that it is sufficiently robust.

We will revisit things with the benefit of the responses that we receive when we formally produce the statement that is required to accompany the final version of NPF4. However, it might have been revised by that time.

Miles Briggs: That is really helpful; I am grateful for that clarity.

Finally, I will ask about an issue that relates to my initial questions. NPF4 will place a new requirement on developers and planning authorities to assess the life-cycle carbon emissions of certain developments. The developers will carry out the assessments, which will be considered by planning officers. Has an impact assessment been undertaken of that new requirement, or will that be conducted during the consultation? It could be a significant and potentially burdensome process for developers and individual councils.

Andy Kinnaird: I will start to answer that, but Fiona might want to come in. We have considered

the life-cycle assessment in relation to all national developments. We are required to do that, and all proposed national developments have had such an assessment carried out. We appointed consultants to do that for us. The 2019 act also requires that such an assessment be carried out for all future major developments.

We will build on our experiences through the NPF to produce guidance on how that will be taken forward for assessments for all major developments.

Fiona might want to add to that.

Fiona Simpson: We recognise that this is quite a challenge. As Andy said, we have drawn on work that was commissioned and undertaken by ClimateXChange to look at the methodologies that can be used.

We want to see such assessments applied, so we have tried to take a proportionate approach in the policy. There is a higher level of assessment for national and major developments and developments that require an environmental impact assessment—that is, developments in which a fuller EIA would be undertaken in any case.

We recognise that there is a potential need for guidance. We will look at that in the round, and think about where the priorities for guidance are.

Given the climate emergency, it is really important that planners are skilled and have the knowledge to be able to understand what emissions will arise from developments, so that they can ensure that the decisions that they make will contribute to reducing them in the long term.

Miles Briggs: Thank you for that. Before I hand back to the convener, I want to look further at this important issue, which is one that we must seriously consider at this stage.

On life-cycle carbon emissions, we must also look at how technology and other schemes could reduce emissions after developments have been built, such as through the use of community heat schemes. I know that a number of such schemes are already under way in Edinburgh, but there is the potential to have more of them in the future.

I just want to put it on record that it seems that the cart is being put before the horse in relation to many developments. They could actually have a lower carbon footprint, but they might not go ahead if the life-cycle carbon emissions are not taken into account. I do not know whether the witnesses want to come back in on that, but we should be aware that the issue could prevent development.

The Convener: No one is indicating that they want to speak, so I will bring in Paul McLennan, who wants to pick up on the renewables theme.

Paul McLennan (East Lothian) (SNP): My question comes back to the point that Miles Briggs raised and is about the deliverability of renewables. Yesterday, we had the ScotWind announcement, which is great news, and substantial planning requirements will come out of it. My first question is for Fiona Simpson. ScotWind presents major opportunities on top of the existing renewables applications that are going through. What consideration has been given to resourcing the planning system in that regard? NPF4 is all about deliverability. Do we have the resources in place to deliver on the current renewables proposals and the ScotWind proposals?

Fiona Simpson: ScotWind and the wider and longer-term future of renewable energy feature right across the spatial strategy. The strategy emphasises the importance of the blue economy and highlights opportunities for the islands that fit with growing the rural population as part of the low-carbon agenda. All of that plays out across the spatial strategy.

The question about resource is a good one. It is important that the planning system can respond to the opportunities that we have. We are conscious of the resource issues for planning authorities. Through the high-level group, we work with the Convention of Scottish Local Authorities, the Society of Local Authority Chief Executives and Senior Managers, Heads of Planning Scotland and the Royal Town Planning Institute to look at the resourcing of planning authorities.

We have a really exciting opportunity for planning to show how a strong planning system that actively enables development and supports the smooth transition of applications through the system can contribute to the wider economy of Scotland, with the benefits that flow from that. Planning can add a lot of value by thinking about what that means for our future places and how the benefits can be secured locally.

I do not have the answer on the question of resourcing, but I am conscious that it is an important part of the strategy. We will look at delivery in more detail. We have asked the Scottish Futures Trust to do some work throughout the consultation period on the draft national planning framework to explore delivery in more detail. Some of that will focus on the national developments and some will be on the wider priorities that are arising from the different action areas.

That is work in progress. At this stage, the important thing for us was to set out what we

thought the draft should be and the detailed wording for a full consultation. We are following that up with full consideration of delivery.

Paul McLennan: That is helpful, and it is good to know. I will probably pick that up in future discussions. No doubt, we will discuss NPF4 regularly in the next few months. I will raise the issue further down the line once the consultation is finished.

The Convener: I want to pick up on a couple of points. Fiona Simpson said that one focus of NPF4 is about growing the rural population. She also spoke about renewable energy supporting the rural population, because it will bring jobs. As a Highlands and Islands MSP, I am picking up a tension in that regard, which is more to do with onshore wind than with offshore wind. The places that happen to have a lot of wind seem to get a lot of planning applications for renewable energy schemes. I hear from people who have or are growing a tourism business that there is a tension between inviting people to a really beautiful Scottish landscape to enjoy their time in Scotland, and the need for renewable energy and planning applications. What help is there for thinking well about whether we concentrate renewable onshore wind in certain places? Is consideration being given to that?

Fiona Simpson: It is important to remember that we are talking about a framework. In the draft NPF4, we have tried to recognise that rural places are diverse and that there are different pressures and challenges in different parts of rural Scotland. That was informed by research that we commissioned on rural planning, which helped us to develop our policies.

We are trying to take a balanced approach, as there will be competing pressures. In the spatial strategy, we set out a framework for emphasising that low-carbon development in rural areas will look different in different parts of the country. We are trying to provide a framework within which local development plans will play a crucial role in thinking in more detail about the balance of uses and a strategy for those different areas.

I would go further than that and say that a really important part of planning reform has been the introduction of local place plans. We want those plans to bring together communities to set out their aspirations for their area and to feed that into local development planning from a community level.

We have sought to achieve a balance. We have been clear that the drive to address net zero is an overarching priority, but we have thought about how that can create opportunities for sustainable development of rural communities and how we can try to create positive synergies. Rather than

just ignoring the conflicts, it is about trying to bring the issues together in a positive way.

I hope that that answers your question.

The Convener: It is helpful. I want to pick up on the local place plans, because the committee has some concerns about those, and we have heard concerns about them in talking with stakeholders. A statutory instrument just came to our committee on the issue. How will local place plans be respected and honoured if the local development plans are in place for 10 years? Three or four years into the period of a development plan, a community might realise that it wants some agency and input into how things are being shaped or the response to the climate and nature emergencies. How will that be respected and how will the community be given the power to have its say?

Fiona Simpson: Andy Kinnaird wants to come in on that.

Andy Kinnaird: That is one of the specific points that was debated during the passage of the Planning (Scotland) Bill in the previous session of Parliament. The debate was about how we ensure that a local place plan that is introduced in the mid-term of a local development plan can still have some influence. There are two parts to the answer to that. First, the local place plan would become a material consideration in the planning system, so it would be for the decision maker to consider what weight to attach to it. Secondly, the legislation allows us to introduce regulations covering the arrangements for an in-term amendment of a local development plan. Therefore, it would be possible for a planning authority to amend parts of the LDP rather than reviewing it in its entirety. That would allow the authority to bring into the formal development plan the elements of the local place plan that it supported.

The Convener: The NPF4 takes a plan-led approach, and there is a lot of focus on planning departments. That is quite concerning, because we have taken evidence from planning stakeholders about the lack of resources. Do you think that planning departments have the required resources to cope with things such as life-cycle emissions assessments? They are already stretched and we will be asking them to do more. How can we ensure that planning departments have the proper funding and enough planners and specialists such as ecologists to look at the aspects that need to be considered? That is the other thing that we have heard about.

10:45

Andy Kinnaird: We are very aware that planning departments have had reductions in their budgets and, ultimately, their staff numbers over

time. Although the overall resourcing of authorities is provided through the local government budget settlement, planning fees have an important role in ensuring that applicants rather than taxpayers cover the cost of determining applications.

You will be aware that, from December 2019 to February 2020, we conducted a consultation seeking views on updating the planning performance and fee regimes. During the pandemic, we had to postpone the implementation of the new fee regime, but we recommenced that work last summer, with a view to laying new fee regulations, which we will do in the next few weeks, with the intention that they come into effect this April. The regulations will increase fees by between 25 per cent and 50 per cent, in some cases, as we want to get substantially more resource into planning authorities. Once we have increased fees, we will monitor their impact and use that to inform our future work programme in relation to planning resources and performance. That continues to be a key priority of our work with the high-level group on planning performance.

The convener mentioned ensuring that we get people into the profession. We support HOPS and the RTPi in their current work to encourage more people into the planning profession. We recognise that getting more funding is only part of the story and that planners need to be out there. We have picked up that work with HOPS and the RTPi and are working closely with the high-level group and the Partners in Planning group. Getting more money is one part of that, but ensuring that we get more planners into the system is an equally vital element.

Miles Briggs: Following on from the convener's line of questioning, I raise an issue that MSPs, MPs and councillors are always concerned about, which is community building and large-scale housing developments. I have faced that issue over the past five years due to the significant house building that is going on across Lothian and the lack of forward planning in relation to health services, local primary schools and community facilities. That is genuinely how we build communities. How will the latest edition of the national planning framework help to change that?

Fiona Simpson: That has been a key theme throughout planning reform since the work that we did back in 2015 on infrastructure and planning. The importance of linking up house building with wider community facilities and services has been a really important theme. We have sought to address that in the draft in a number of ways—for example, there is a new policy on 20-minute neighbourhoods, and thinking about things in the round is what the concept of 20-minute neighbourhoods is all about. There is a new policy on taking an infrastructure-first approach to

development planning; thinking about the impacts of development proposals on infrastructure is an important message in that policy.

We have also looked at housing policies. The Scottish planning policy set out a long and complicated way of calculating housing numbers. We are taking a different approach here in response to the statutory requirement and have set out what the minimum all-tenure housing land requirement would be for local authorities to work from. By doing that, there can be more of a focus on quality and placemaking when planning and delivering housing. The emphasis is on thinking about housing as part of a wider place-based strategy and actively planning that.

Alongside that, we are currently consulting on draft regulations and guidance relating to local development plans. The key policy messages of the national planning framework are played out in draft guidance, which provides much more information on how we would expect local authorities to go about preparing local development plans, what sort of information we would want to be included in an evidence report and how authorities can take that information, work through a spatial strategy and make allocations of land in local development plans.

I draw attention to one of the new policies under housing, which relates to the community benefits that arise from housing proposals. We have added that in response to views that we received from a wide range of people. There is always a wide range of views on housing proposals, and we are often told by communities that, if housing is to be developed in their area, they want to find out about how that will impact on infrastructure and what the benefits will be. In addition, we also hear from the house-building sector. During the consultation, it told us that people perhaps do not appreciate the benefits that are provided by new housing development. The new policy aims to draw that out and to provide a clear and explicit statement for some applications that sets out what the benefits will be for the local area.

Miles Briggs: That is helpful—thank you.

One of the key parts of the jigsaw concerns health boards and the delivery of health services. General practitioners are private contractors to the health service, but when there is an expansion in housing, they often do not receive any additional funding from the health board to provide the additional services that are required.

What change is needed in that area so that the national planning framework also has an impact on health boards from the point of view of the additional funding that is required for the provision of services to a greater number of people? There are often a lot of young families in new-build

developments, who will need additional health services.

Fiona Simpson: The approach when planning future development and allocating housing is first to understand where there is existing capacity and then to understand what the additional requirements are on top of that.

Infrastructure planning is complex, because infrastructure is provided by not just the public sector but the private sector. Developer contributions can be sought from proposals for development, but it is a complex relationship.

We are trying to address that by encouraging authorities to work with others in preparing local development plans. Much of the purpose of what we are trying to achieve from the planning system is that, instead of expecting authorities to plan and take forward delivery on their own, we want to encourage them to work collaboratively with a wide range of infrastructure providers to understand what the capacity is, what else is required and how best to plan its delivery.

In short, it is a complicated process, but we have sought to address the issue that you raise through the infrastructure-first policy. We have backed that up with draft guidance on local development planning, and we will continue to work on that as we explore the delivery programme for the NPF.

The Convener: We move on to questions from Meghan Gallacher.

Meghan Gallacher (Central Scotland) (Con): Good morning. I refer members to my entry in the register of members' interests—I am a serving councillor on North Lanarkshire Council.

My first question relates to 20-minute neighbourhoods, which is a topic that has already been touched on. Several respondents to the committee's call for views have raised the concern that the definitions of and delivery mechanisms for 20-minute neighbourhoods and community wealth building are not sufficiently clear. That is a concern for decision makers, given the quasi-judicial nature of the planning process. How will those concerns be addressed, and could there be a conflict between the intention to bring in 20-minute neighbourhoods and the role and responsibilities of councillors?

Andy Kinnaird: Let me pick up the point about definitions. We have included a glossary in the draft NPF. We are aware that people are raising questions about the definitions and are asking for more references to be defined. NPF4 will be a statutory document that is approved by the Parliament and adopted by ministers and, because of that, the text of the NPF needs to be fixed. It cannot constantly evolve, which means

that we need to be careful about overdefining references. However, we can consider that further when we see the responses and people's suggestions about what the definitions should be or where we need to add more definitions.

One of the other options could be to include some working definitions in guidance outside the NPF, which would allow the definitions that are currently a bit of a moving feast to evolve. There are a few options. We are a bit wary of having too many tight definitions, particularly for things that are still evolving.

Meghan Gallacher: I want to pick up on the point about overdefining. Could that mean that terms are open to different interpretations by councils? Could we have 32 councils doing 32 different things in relation to bringing in 20-minute neighbourhoods?

Andy Kinnaird: To some extent, we might get that even if the definition is quite tight. We can do all that we can to guide the understanding of what we want 20-minute neighbourhoods to be and to achieve. That is currently moving forward and the idea is becoming better known.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I refer members to my entry in the register of members' interests—I am a councillor on East Ayrshire Council.

Before I ask my question, I would like to revisit community benefits, briefly. Will NPF4 and any guidance help local authorities to zoom out of the picture when there are multiple applications for house building in a specific area? How can councils ensure that they make best use of developer contributions? Sometimes, there are multiple applications for thousands of houses in a very small space from different applicants. I am concerned that, sometimes, that does not translate into the best use of the contributions.

Fiona Simpson: We have been looking at developer contributions and commissioned some research on it. That work is running parallel to the policy development. It is really important that we get it right. We also looked at contributions when we introduced an infrastructure levy as part of the Planning (Scotland) 2019 Act.

As I mentioned before, it is complex and there are different ways to deliver development. The really important message here is that we want local development plans to be supported corporately across a council so that they are not just documents by planners for planners but have traction and support across the council. We also want the plans to be a tool for engaging more widely, whether that is in setting out what the requirements and expectations are for the development sector about inspiring others to get

involved, or as a practical tool for bringing together all the infrastructure requirements.

It is a complex picture but the key is to have a strong place-based local development plan that forms the basis of decisions about development and is signed up to by a wide range of parties. That can bring a strategic view of a place. It can be evidence based and can take into account the place's challenges and opportunities. It can set out a plan of action that is supported by a delivery programme.

It is a work in progress, but we are thinking about how the NPF can provide a framework within which those plans can come forward.

11:00

Elena Whitham: Thank you for that. Policy 4 states:

"Planning should respect, protect and fulfil human rights, seek to eliminate discrimination and promote equality."

As a councillor, I know that those are outcomes that councillors have policies and plans to promote. Could you explain what it means in practice for planning officers and councillors on planning committees? It is perhaps not something that is at the forefront of their minds when taking planning decisions—they may not think that it is a material consideration.

On the language that is used, where it says "should", is that the same as "must"? Perhaps Andy Kinnaird could pick up on that.

Andy Kinnaird: Certainly. Improving equality and eliminating discrimination is one of the six high-level outcomes set out in the Planning (Scotland) Act 2019, to which the NPF must contribute. Planning can play a significant role, through our choices and the decisions that we make, in tackling inequalities in our society and leading the development of places that improve opportunities across our communities.

In policy 4, we recognise that planning needs to respect human rights, to seek to eliminate discrimination, to promote equality and to ensure that we involve people meaningfully in making decisions about their places. That also ties into wider reforms, such as the introduction of local place plans, which give people a better opportunity to get involved and ensure that the decision makers know and understand what people need and how they feel. Policy 5 further develops that people-centred approach by supporting community wealth building through planning decisions.

On publication of the draft of NPF4, we emailed about 70 equalities organisations to alert them to the consultation and to ask them to publicise it across their networks. We are also holding an

equalities round-table discussion at the start of March in which we can explore the ideas further. We are looking forward to the feedback that we get on those points to help us embed that focus on reducing disadvantage through the choices that are made about places.

On the use of language and whether we should say "must" or "should", we followed a convention across the draft to use the term "must" only in relation to statutory requirements and to use "should" where something is more a matter of policy or practice. That should not be read as meaning that "should" is a weaker message—there is still an expectation that it should be done.

We have to be careful with the wording so that we do not say something to the effect that a proposed development must or must not be supported in a particular circumstance, because the planning legislation requires that all developments are made in accordance with the development plan, considering all relevant material considerations. We want to be careful not to introduce a policy that would push the position that a decision should swing on just one policy point, without taking proper account of everything as required by the legislation. I hope that that helps to clarify the point.

Elena Whitham: Thanks very much for that.

Just to pick up on a little point before I hand back to the convener, does the NPF seek to put equalities on a level playing field with all the other material considerations in training and skills development for those on planning committees and for the planners in council departments? Should that be brought up more strongly with councillors on planning committees when they are taking a decision? I am trying to understand how it will work in practice for those who are taking the decisions.

Andy Kinnaird: I should start by stressing that there is no hierarchy in the policies in the NPF—it is for the decision maker to consider everything that is relevant and to attach the weight that is appropriate to each element.

Skills development is across planning, including for councillors who sit on the committees. Things have changed over time, and new thinking always comes into the system. We will work with the high-level group on the skills for the planning services.

There are provisions from the 2019 act that we are still to bring forward and commence. We will look at elected member training and how we can set up what the priorities should be for that within planning. That is another one of the provisions that fell foul of the pandemic and the changing of priorities that came along. However, we are looking to pick up on that later this year so that, with any new ideas, thinking and priorities that are

coming into the planning system, including through NPF4, we will be able to ensure that there is a reasonable prospectus for member training.

Elena Whitham: Great stuff. Thank you very much for that.

The Convener: That is good to hear, because a change in thinking and mindset underlies a lot of what we have to do in response to the climate and nature emergencies and equalities, and that really has to happen in the training. It will not necessarily just happen in people by themselves. It is therefore good to hear that that is being considered.

Mark Griffin: I want to ask about the deliverability of a number of the proposals—*[Inaudible.]* There were a lot of very desirable proposals that communities will want to see delivered. Has any thought been given to producing a document that sets out the Scottish Government's capital investment plan to support those proposals so that they can be scrutinised in the round and communities can get a better idea of what will and perhaps will not be delivered?

Fiona Simpson: We have mentioned a few times before that our work on a delivery programme is under way. Obviously, we are being very careful, because we are conscious that NPF4 is a draft and it could well change. Pinning down a delivery programme at this stage is therefore probably not the best thing to do.

It is important to have a conversation throughout the consultation process about deliverability. A wide range of partners in the public and private sectors are involved in delivery, as well as communities. We need to think about how things align. Rather than having a single, dedicated capital investment programme, it is about how planning is a tool for implementing those programmes and how it helps to shape them as they evolve.

Obviously, that is complex, and we are conscious that we are talking about a draft. However, the Scottish Futures Trust will lead some collaborative work on delivery, which will bring together stakeholders as part of our engagement programme to think about how we can have a shared delivery programme to take forward the national planning framework.

Delivery programmes will have an important role to play as part of the local development plan process. We will be able to take into account things such as the infrastructure investment plan and the recommendations of the Infrastructure Commission for Scotland. The place principle also has an important role to play. Planning is about place, and the place principle is about how to get people working together to support the delivery of change in a positive way that provides much more

benefit because they are aligning and working together to focus on what is special about a place, what needs to change and how more can be achieved by working together.

The outcomes from all the work on delivery that we are taking forward will be a delivery programme that will accompany the finalised draft of NPF4, once it is approved and adopted. We can take that so far at the national planning framework level, and we would expect authorities to pick it up in their delivery programmes for their local development plans. However, the main point of all this is to get people behind planning and ensure that planning influences how people work together in places.

Mark Griffin: I take your point about the delivery plan not being in place until the final document is approved. In relation to long-term deliverability, the NPF4 will be in place for much longer than its predecessors—for 10 years as opposed to five years. How will that longer period impact on when reviews take place, how progress in implementation is tracked and how the framework might be amended?

Fiona Simpson: We learned quite a lot from national planning framework 3, for which we had an online delivery programme that monitored how things were progressing. We tried to build shared ownership of that programme with various lead partners on the existing national developments and so on.

It is quite hard to monitor planning, because a lot of the change that planning brings about is long term. It is important to bear that in mind. We will look at how we monitor implementation as things progress, and at how collaboration is working. There is also a requirement for monitoring in some of the impact assessments.

Andy Kinnaird: I will say a bit about review and amendment. The NPF can be amended in the same way as local development plans can be, as I mentioned. It can be amended without a full review and replacement, if that is appropriate. We would want to consider the case for making amendments alongside the confidence that comes from maintaining an established policy framework.

The new provisions that were added in the 2019 act require that the NPF must be reviewed at least once every 10 years, but the act allows for the Scottish ministers to amend the NPF at any time. It enables us to make regulations that will set the procedures for future amendments. The act also requires that we set out in regulations the circumstances in which an amendment would result in such a significant change that a full review would become necessary. We have not progressed those regulations yet, but we intend to do so once the NPF4 has been adopted. We

expect to introduce proposals for review and amendment of the NPF later this year.

The Convener: We have already touched on housing, but we will now shift the focus on to that issue.

Elena Whitham: One of the stated aims in the draft national planning framework 4 is that it wants to

“support the delivery of high quality, sustainable homes that meet the needs of people throughout their lives.”

Fiona Simpson mentioned the minimum all-tenure housing land requirements. How do those differ from the arrangements that are already in place?

Fiona Simpson: We have gone through a different process with that. Requirements are set out in Scottish planning policy. Each local development plan, often working in the context of a strategic development plan, looks at the housing land requirements.

We took a different approach in the national planning framework. We collaborated in thinking about how we could come up with clearer figures in the national planning framework. The approach was designed to be a bit broader and more flexible than previous approaches to calculating housing numbers. It is expressed as a minimum all-tenure housing land requirement, and the focus is more on how much land each local development plan needs to allocate, rather than on how many homes we expect to be built. The reason for that is to focus on land and its role in the overall development strategy.

To do that, we took a different approach. We did some work across Government with housing colleagues and the centre for housing market analysis to set out some initial figures, which were defined using the housing need and demand assessment at a national level. Then we did collaborative work with each local authority. We sent them the numbers and they had an opportunity to consider them and come back to us with their thoughts on how they wanted the figure to change. We set all that out in a full explanatory report. We have also set out our assessments of each local authority area in detail.

11:15

The purpose of all that is to try to provide a clearer steer and make it flexible. A local authority can change the figure if it produces its local development plan. It can work with the minimum all-tenure housing land requirement and, if evidence indicates that that needs to change, it can increase it if it chooses to do so.

That is the overall process that we have undertaken. I hope that that answers your question.

Elena Whitham: Yes, it helps, Fiona. I have a further question on that. Some rural local authorities—I am thinking specifically of the two that my constituency covers—have commented that the HNDA figures are based on current population but the pandemic has given rise to people seeking to move back into places such as Ayrshire, where depopulation happened previously. Does the flexibility allow for that type of change and reflect the number of houses that are required that we perhaps did not think were required in the past?

Fiona Simpson: Yes. We have already introduced a flexibility allowance to the figures. We took the output of the HNDA and added a significant level of flexibility to reflect the fact that it is a long-term plan. We are planning for a 10-year period, so we added 25 per cent flexibility for urban areas and 30 per cent for rural areas in the initial figures. Authorities were able to examine those figures and provide adjusted estimates on top of them. One of the benefits of having a minimum requirement is that authorities can go much further than it but they plan for the amount of land that is set out as a minimum.

That said, in the consultation that we are running on the guidance that is associated with the new regulations on development planning, we propose to change the way in which we want authorities to allocate land for development. We are keen to establish a pipeline of allocated land for housing that will identify short, medium and much longer-term development.

The policy in the NPF is designed to allow for some flex between those. If there is an area where the land that is allocated for housing development is being used up and demand is starting to rise, or if an authority wants to stimulate the demand in areas where the market has less interest but it has place-making objectives to attract development, it can bring land forward from the longer-term part of the plan. The aim of that is to try to have strong but sufficiently flexible local development plans that can work with the level of take-up of land.

Elena Whitham: In its submission to the committee, Planning Democracy asserts that there seems to be no rationale behind the flexibility and that the figures sometimes amount to approximately

“77% over and above the Housing Needs and Demand Assessment”

figures. It is concerned that that will give rise to speculative house building throughout Scotland. How do you respond to that?

Fiona Simpson: It comes down to flexibility. If a local authority has a flexible long-term plan and is on the front foot thinking about what land will be required not only immediately but in the longer

term, it can take a planned approach and be proactive in its local development plan about how it wants development to be distributed across its area and how it can fit with the infrastructure-first approach. Although the figures are set out as a minimum, an authority can work with all that information to consider how a development can best be distributed to improve an area over the longer term.

The figures are evidence based; we are clear about evidence in using the HNDA tool. We have added a flexibility allowance, given the 10-year period to which the policy relates, and we have taken account of the views of local authorities after we shared the figures with them and asked them to respond. Overall, there is a positive approach to enabling good-quality development. To do that, we need to plan up front for where development should take place.

The Convener: I will continue on that theme. I have heard some concerns about the way in which housing development happens in communities. Developers own land and, as I understand it, the local planning department puts out a call for land—the generosity element that we have spoken about. People have raised with me that, until recently, we had not realised how important it is to protect our peatland and—as we move forward, given that we want to shorten our supply chains and grow more food locally—how important our farmland, of which there is a limited supply, will be.

What do we do about situations in which developers have land that would, in the long run, given the just transition and the shift to doing things more locally, be better for farming or better as protected land than it would be for being built on? How do we handle that?

Fiona Simpson: That comes back to the need to look at how policies in the national planning framework work in the round. We have set out a range of policies, including some that relate to specific types of development proposals that we would expect, and others that relate to areas where we want to encourage certain types of development. There are other policies to do with sensitive locations or features that we want to ensure are protected and, where possible, enhanced. We need—I come back to Andy Kinnaird's earlier point about balance—to look at all those policies in the round and balance everything out.

I come back to the need for a plan-led approach that has a clear vision for an area, that is place based and that recognises the area's particular features. That is what we want as an effective way of guiding development in the future. The NPF will apply when it is introduced, but it will not apply retrospectively. It will enable us to evolve and to

transition to sustainable patterns of development in the future.

The Convener: We will have a few questions from Paul McLennan, then Willie Coffey will come in with a supplementary. We might go over time a little, but I think that we are okay.

Paul McLennan: I should have referred the committee previously to my entry in the members' register of interests; I am a serving councillor on East Lothian Council.

I would like Fiona Simpson to expand on the minimum all-tenure-housing land requirement. I have a couple of questions. There is a 10-year timeframe; you have touched on how the changes in housing will be accounted for during that period, and you mentioned the housing need and demand assessments in local authorities.

How will the approach link with local housing strategies? As we know, 10 years is a long time in terms of planning requirements; I come back to the issue of flexibility that you talked about. Do you want to add anything else on that? During my time as a councillor over the past 10 years, I have seen things change dramatically in my local authority. Can you touch on that, if you do not mind?

Fiona Simpson: The overall approach that we have taken in our housing policies is designed to ensure that we remember that it is not just about planning—that aspect must join up effectively with housing. The local housing strategy has an important role to play, and shared tools such as the HNDA are important.

We have designed the whole approach to be flexible. We are conscious, for example, that a local housing strategy runs over a shorter timeframe—I think that it is four years. The beauty of provisions in the Planning (Scotland) Act 2019 is that if a local housing strategy suggests significant changes or a need to look again at the local development plan, the plan can be updated in part, so people do not have to go back to the beginning and review the whole plan. Regulations will be made on that. There is flexibility to allow for a read-across to housing policy because, ultimately, housing and planning need to work together to deliver policy. That is a clear message from the "Housing to 2040" vision document.

It is about having a minimum all-tenure-housing land allocation and a plan-led and flexible approach to a pipeline of housing allocations that means that plans can flex while there is a strong core spatial strategy and vision.

Paul McLennan: I have a question about deliverability, which was mentioned. It is difficult to monitor delivery, because every local authority is in a different position. Is there a mechanism for measuring it? If a local authority is seven or eight

years into the 10-year timeframe but has delivered only 20 per cent of its allocation, that will obviously create a problem. Do you look at that, within local authorities and in Scotland overall?

Fiona Simpson: There is a lot of debate about that in the planning system at the moment, and we have sought to address the issue in the guidance on local development planning. The housing land audits that local authorities currently prepare could play an important part in the process, but areas do audits differently. We would like to look at that, so that housing is informed by information that everyone is signed up to and clear about, and there are not a lot of different interpretations of the numbers and how things are progressing. The subject is important in the context of local development plans, so we have covered some of what we are expecting in the guidance on local development planning.

Paul McLennan: Thank you.

The Convener: Willie Coffey has questions about urban transformation.

Willie Coffey: I have been looking at the section in the NPF on central urban transformation action areas, in the context of the issue that I asked about earlier. The policy seems to be aimed at major

“disused sites, and areas that have been blighted by dereliction”.

I suppose that that means areas that are blighted by opencast mining and stuff like that. However, I was talking about our high streets and the blight of empty, abandoned and filthy shops that have trees and bushes growing out of them. I was thinking about the bits of abandoned land that we see in the urban envelope.

Am I barking up the wrong tree? Are powers to address such issues best left to other planning and enforcement policies, or can we reach out and tackle the issue through the proposals in the framework?

Fiona Simpson: That is very much what we are trying to achieve. The town centres review informed our policies, which recognise how places are changing. Although planning has to focus on and respond to proposals and applications for new developments, it does so in the context of thinking ahead about the vision for a place, through the local development plan.

In the section on central urban transformation zones, we talk a lot about reinventing and future proofing city centres, and we talk about different uses that can be supported. It will require some imagination to think differently about how such areas can be developed in the future. There is a new policy on town centre living, to back that up. It

will be important to strike the right balance between a range of uses for such areas.

I hope that that goes some way towards answering your question.

11:30

Willie Coffey: It does, a wee bit. I am sure that other members are seeing loads of empty shops being left to rot in town centre high streets. On a number of occasions, I have tried to get the owners or the agents to do something about such places—even just to clean them. Simple requests to clean up buildings and make them look a bit more appealing often fall on deaf ears because it all comes down to cost, eventually. The document contains noble aims about future proofing and reinventing our city centres, but how do we bridge that gap when some owners or agents refuse even to clean up a building or shop and get rid of the graffiti from the windows? How on earth do we achieve that? Is the NPF the right place for us to attempt it?

Fiona Simpson: Some of that might go beyond planning. Andy Kinnaird might be able to talk about enforcement powers.

Andy Kinnaird: I am happy to do that. As Willie Coffey mentioned earlier, amenity notices are in the range of enforcement powers that are available to authorities to require, to some extent, that such cleaning up happens.

Also running parallel to the review, we are going through a wide transformation—

The Convener: Andy—your microphone is too close to your mouth.

Andy Kinnaird: I beg your pardon. I will try that again.

Alongside the policy review, there is a much wider transformation of the whole planning system and how it operates. As part of that, we are committed to looking again at land assembly by supporting the push to have more investment in town centres. We also have proposals to look at how we might review and update compulsory purchase powers, and to look at compulsory sale orders, with a view to legislation being introduced later in the current parliamentary session.

The policy driver in NPF4 is certainly to get more activity in town centres. So much of what is happening across the whole planning reform agenda is interlinked; some will require legislation and some will require just a change of mindset.

Willie Coffey: If a local authority serves an amenity notice on an owner or an agent of a shop or a building, and it is not carried out, actioned, challenged or whatever, does the burden then fall on the local authority to complete the action? I

have heard that that might be the case. Perhaps that is why so few amenity notices are served. Is that case?

Andy Kinnaird: Local authorities have direct action powers that they can take then bill the owner for the work. I know, however, that there has been difficulty in recouping costs in the past, but the most recent planning act includes new powers to allow authorities to place charging orders on properties to ensure that they at least get back the costs at some point. Local authorities have the power to take that on.

Willie Coffey: Thank you for that, and thank you convener.

The Convener: For my final question, I want to follow on from Mark Griffin's earlier question about the process of monitoring and reviewing the NPF. What can trigger a review before the 10 years are up?

Fiona Simpson: It is impossible to set that out; it is a case of knowing it when we see it. I think a review would happen when the NPF needs to change because something significant has happened or there has been a significant shift in policy.

We have designed the NPF to be flexible, and we have struck a balance in providing certainty and predictability with that flexibility. I hope, therefore, that it will stand the test of time, but we will have to look at how circumstances have changed and consider whether that means that the planning response needs to change significantly.

The Convener: Thank you for that. That is important, because we are creating a document that, although it is somewhat evidence-based, is also abstract with a lot of changing contexts in relation to the climate and nature emergencies. It is therefore good to hear that there is potential flexibility and that reviewing is considered to be an important part of that.

That ends our questions. Thank you very much for joining us. It has been helpful to hear the thinking behind how the complex document came into being, and to hear what you have laid out about how, from the beginning, so many different stakeholders were engaged in the process. It has been very useful evidence.

Fiona Simpson: Thank you.

The Convener: As agreed, as part of our approach to NPF4 we will now consider in private the evidence that we have just heard.

11:36

Meeting continued in private until 11:57.

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