



PLANNING (SCOTLAND) ACT 2019 (PSA19) – THE FOURTH NATIONAL PLANNING FRAMEWORK (NPF4) PUBLIC CONSULTATION

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 This report seeks the Committee's approval of the draft response, attached as Appendix A, to the Scottish Government's ongoing National Planning Framework (NPF4) consultation.

2 BACKGROUND

- 2.1 A report setting out the background to the NPF4, the consultation process, an overview of its contents and initial observations was presented to the Committee at its meeting of January 2022. The report set out the position that a draft response to NPF4 will be presented to the Committee at its meeting in March 2022 for consideration. In addition, the Committee requested a seminar on NPF4 – this was held on 1 March 2022. This report should be considered in conjunction with the January 2022 report to the Committee and the seminar. A copy of the draft NPF4 was presented to the Committee in January 2022.
- 2.2 The Planning (Scotland) Act 2019 (PSA19) introduces a number of changes to the development plan process, most significantly, the change in status of the NPF. Once approved by Scottish Ministers and published, NPF4 will become part of the statutory development plan. The removal of the need for strategic development plans (SESplan in Edinburgh and the South East of Scotland) under the same legislation means that the spatial strategy, national developments and the national planning policies set out in NPF4 have primacy in the determination of planning applications (and subsequent appeals and notices of review). It will also influence the form and content of the next Midlothian Local Development Plan (MLDP2).
- 2.3 Draft NPF4 sets out the Scottish Government's vision, ambition and policy for land use and development until 2045. It includes an updated collection of national planning policies, superseding the previous Scottish Planning Policy (SPP, 2014), and sets out a comprehensive land use plan for the future. NPF4 is ambitious in that it combines land use strategy and policy framework in their traditional forms, with the inclusion of wider environmental, economic, social, health and wellbeing and human rights and equality priorities.

3 PUBLIC CONSULTATION

3.1 Draft NPF4 was published for consultation on 10 November 2021. The closing date for responses is 31 March 2022. The consultation asks 58 questions over a range of topic areas covering:

- Part 1 – A Proposed National Spatial Strategy for Scotland
- Part 2 – 18 Proposed National Developments
- Part 3 – 35 Proposed National Planning Policies
- Part 4 – Delivering the Spatial Strategy
- Part 5 – Annexes

3.2 12 additional questions relating to an integrated impact assessment have also been set, but it is considered that no comments are necessary.

4 PROPOSED CONSULTATION RESPONSE

4.1 A copy of the proposed consultation response is attached to the report as Appendix A. A copy of the draft NPF4 was presented to Committee at its meeting of January 2022 and is also available for information in the Members' library as well as on the Scottish Government's Website.

4.2 The proposed response has been prepared so that it can be read in conjunction with a copy of the draft NPF4. To assist with cross-referencing, each response corresponds with a page number of the draft NPF4, where the relevant section of the document can be read in full.

4.3 While it would be impractical to cover every detail of the proposed consultation response in this covering report, it does set out some of the key elements of draft NPF4 which are relevant to Midlothian and the preparation of the next MLDP and include:

- A. ***The National Spatial Strategy for Scotland (pg.1-9 of Appendix A)*** - The draft NPF4 sets out a new national spatial strategy for Scotland to 2045 incorporating a revised suite of national planning policies, replacing the previous Scottish Planning Policy (SPP 2014). It marks a significant departure from previous iterations with the emphasis now on climate action and plan led sustainable development as key priorities. The Scottish Government reinforces its target to reach net zero emissions by 2045; the need to make significant progress towards achieving this by 2030, and the development priorities required to achieve this target. Overall, the Council welcomes this approach and believes that NPF4 succeeds in combining traditional land use strategy and policy framework with a wider focus on the environment, economy, health and wellbeing, human rights and equality, and the climate change targets within draft NPF4 which will enable Midlothian to achieve its target of net-zero carbon emissions by 2030.

B. **National Developments (pg. 10-11 of Appendix A)** – NPF4 identifies eighteen national developments – twelve are site/area specific and six are Scotland wide in nature. The proposed national developments relevant to Midlothian and the surrounding area (as indicated in the January 2022 Committee Report) are welcomed, as reference to these in the NPF4 will provide the statutory leverage to achieve positive outcomes for Midlothian and align well with the agreed outcomes in the Single Midlothian Plan.

C. **National Planning Policies**

Policy 7 (Local Living) (pg.13 of Appendix A) introduces the concept of 20 Minute Neighbourhoods. The Council recognises 20 Minute Neighbourhoods may be challenging to define and apply consistently in all areas and circumstances. As worded, Policy 7 (Local Living) is interpreted as allowing each local authority to decipher what 20 Minute Neighbourhoods will look like within the context of their own area. The Council welcomes this interpretation, given the urban and rural dynamics of Midlothian.

Policy 8 (Infrastructure First) and Policy 10 (Sustainable Transport) (pg. 14 & 15 of Appendix A) – These policies acknowledge the need to align development with existing capacities and planned investment strategies and to put the travel hierarchy at the heart of the appraisal and assessment of new development. These policy approaches are welcomed by the Council, as they acknowledge the importance of supporting a more sustainable approach to the location of development and the role a more accessible and sustainable transport network can play in tackling the challenges of climate change and reducing inequalities.

Policy 9 (Quality Homes) and Annex B- Housing Numbers (pg.15 & 25 of Appendix A, respectively). The draft housing figures are expressed as minimum all tenure housing land requirement (MATHLR) and are based on the accredited Housing Needs and Demand Assessment (HNDA) methodology. At its meeting in May 2021, Committee agreed not to propose any adjustment to the draft housing figures for Midlothian (8,050 over a 10 year period). The latest HNDA was agreed at the Edinburgh and South East Scotland City Region Deal (ESES CRD) Director's meeting on 3 February 2022. The outturn figures for Midlothian (based on the agreed HNDA steady growth scenario) would produce a slightly higher overall figure than the proposed MATHLR in the published draft NPF4 8,088 compared to 8,050. Given that the difference is marginal the Council does not consider it appropriate to request an adjustment to the figure at this time but will review the position at the Evidence Report stage of the next Midlothian Local Development Plan.

It should be noted that the previous need to maintain a minimum 5-year supply of effective housing land is no longer required. NPF4

now takes a longer-term policy direction in respect of deliverable housing land. In the event that sites are unable to be delivered as programmed, later allocations in the delivery supply pipeline or potentially unallocated land can be brought forward for development.

Policy 11 (Heating and Cooling) and Policy 19 (Green Energy)

- These are linked to taking action to combat the global climate emergency. The Council supports the principles of the policies and for the development and extension of low/zero carbon heat networks. The Council already has a similar policy to Policy 11 (Heating and Cooling) in the current MLDP and has established Midlothian Energy Limited in partnership with Vattenfall to deliver a low carbon district heating system at the new town of Shawfair (and potentially wider area). This partnership will assist with the preparation of a Local Heat and Energy Efficiency Strategy (LHEES) for Midlothian and the investigation of potential future low and zero carbon heat network solutions for new developments and as part of a retrofit programme for existing housing stock. It has been suggested that this partnership could be an example to reference in NPF4.

Policy 16 (Business and Employment) – The Council feels that this is a reasonable policy and, given its broad reach, will allow local policies to be tailored to the local circumstances and needs of Midlothian. Although NPF4 may take a rather light-touch approach with this policy, the Council feels that it presents Midlothian with an opportunity to add further value in the next MLDP, with a policy framework aligned with the latest economic development strategy tailored to capture future business employment and innovative development opportunities in the short and longer term.

Policy 22 (Minerals) (pg. 19 of Appendix A) - There is a clear signal of the Scottish Government's intent to move towards a net zero carbon future in respect of its revised policy on minerals. The removal of policy support for the extraction of fossil fuels and for unconventional oil and gas exploration and production is welcomed, particularly in light of Midlothian's ambition to be net-zero by 2030.

Policies 24 to 27 (Distinctive Places) (pg. 20 of Appendix A) - Draft NPF4 includes policies relating to city, town, commercial and local centres (policies 24 – 27). Policies 24-26 embrace the existing town centre first approach. The policies are now also aligned with delivering the 20 Minute Neighbourhood principle and demonstrating enhanced accessibility to established centres. Policy 27 introduces new policy support for Town Centre Living and encourages planning authorities to provide a proportion of their housing land requirements in town centres. This policy approach is welcomed as it aligns with current Council thinking in respect of options for redeveloping Dalkeith in the emerging

Dalkeith Town Centre Masterplan and other centres where redevelopment opportunities are identified.

Policy 33 (Peat and Carbon Rich Soils) – This policy compares with a policy in the adopted MLPD, with a presumption against the extraction of peat and development on peatlands. The next MLDP will map these areas to provide a spatial perspective to the policy and indicate the extent of these soil types across the region.

Policy 34 (Trees, Woodlands and Forestry) – The Council welcomes the inclusion of this policy and recognises that there is a similar policy in the MLPD which seeks to enhance existing tree and woodland stock and maintain a presumption against loss. This policy also relates to the requirement set out within PSA2019 for local authorities to prepare a Forestry and Woodland Strategy which the Council will commence preparation of in due course.

5 RECOMMENDATION

5.1 It is recommended that the Committee:

- a. Approves the proposed consultation response (attached as Appendix A) and instructs the Planning, Sustainable Growth and Investment Manager to submit the response to the Scottish Government via its online consultation portal.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

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Background Papers: Response to draft NPF4 Consultation, attached as Appendix A
Draft NPF4 uploaded to Members' Library

APPENDIX A

The below provides a summary of Midlothian Council's responses to the Scottish Governments' draft Fourth National Planning Framework (NPF4). The tabulated responses (58 in total) should be read in conjunction with a copy of NPF4 which has been uploaded to the Members' Library and is also available to download on the [Scottish Government's Website](#). Each response directs the reader to the corresponding page of the NPF4 (e.g. Sustainable Places (p.6)) where the relevant section of NPF4 can be read in full.

PART 1- National Spatial Strategy for Scotland

Sustainable Places (p.6)	
Summary	Our future net zero, nature-positive places will be more resilient to the impacts of climate change and support the recovery and restoration of our natural environment.
Consultation Question 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?
MLC Response	Yes, we agree with and support the direction of the NPF. The document puts climate change and the adaptation to the impacts of climate change at the heart of the NPF which is aspirational, as well as necessary.

Liveable Places (p.7)	
Summary	Our future places, homes and neighbourhoods will be better, healthier and more vibrant places to live.
Consultation Question 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?
MLC Response	Yes, we agree with and support this approach. This is an appropriate aspiration but potentially challenging in terms of creating physical 20 Minute Neighbourhoods in all cases and promoting the behavioural changes for people to make the adjustment to living more locally more of the time. For example, when the range and choice of facilities is more limited such as in rural areas where local shops and services may be under threat or do not exist.

Productive Places (p.8)	
Summary	Our future places will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working – improving economic, social and environmental wellbeing.
Consultation Question 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?
MLC Response	Yes, we generally agree. This is an appropriate aspiration and is necessary to transition to a greener economy and a different working pattern/opportunity for many. This could provide a mix of opportunities for new business and skills development as well as existing businesses adapting and re-training.

Distinctive Places (p.9)	
Summary	Our future places will be distinctive, safe and pleasant, easy to move around, welcoming, nature-positive and resource efficient.
Consultation Question 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?
MLC Response	Yes, agree. This is an appropriate aspiration and potentially an area where planning authorities could capture opportunities and ideas from the LPP process/outcomes.

Distinctive Places (p.9)	
Summary	Our future places will be distinctive, safe and pleasant, easy to move around, welcoming, nature-positive and resource efficient.
Consultation Question 5	Do you agree that the spatial strategy will deliver future places that overall are sustainable, liveable, productive and distinctive?
MLC Response	<p>Yes, we generally agree that it is aspirational and includes the right messages about adapting to climate change and transitioning to new and different lifestyles, job opportunities and ways of facilitating sustainable development.</p> <p>The six spatial principles reinforce the message behind the themes and provide a logical link with, and across, the proposed national planning policies. However, the route map will need to be resourced and the proposed delivery plan requires further context in that respect. The suggested partnership/collaborative approach in this regard is accepted, but may be challenging to deliver in reality. It will largely be local planning authorities that are tasked with enabling the spatial strategy and principles at a local level through the relevant Local Development Plan and Development Management decisions.</p>

The Six Spatial Principles for Scotland 2045 (p.10)	
Summary	Compact Growth, Local Living, Balanced Development, Conserving & recycling assets, urban and rural synergy, Just Transition
Consultation Question 6	Do you agree that these spatial principles will enable the right choices to be made about where development should be located?
MLC Response	<p>Yes, we generally agree, however wish to reinforce that the 20 Minute Neighbourhood concept may be challenging to define and apply consistently in all areas and circumstances. The six spatial principles reinforce the message behind the themes and provide a logical link with, and across the proposed national planning policies which should assist in the development of an appropriate development strategy and delivery programme in the next Midlothian Local Development Plan.</p>

Action Areas for Scotland (p.11)	
Summary	Each part of Scotland can make a unique contribution to building a better future. Our shared strategy will be taken forward in five action areas. Each area can support all spatial principles, and the following section sets out priorities for the action areas.
Consultation Question 7	Do you agree that these spatial strategy action areas provide a strong basis to take forward regional priority actions?
MLC Response	Yes, we generally agree. The five identified Action Areas broadly reflect the general geographies, features/characteristics of the country and make it manageable for the reader to relate them to the themes, national developments and the national policies in the document. The boundaries indicated on the action area map are schematic rather than definitional and there is a degree of overlap between them but consider this to be a similar approach taken to other strategic land use documents where the physical extent of the area is such that it warrants this type of approach.

North and West Coast Innovation (p.12)	
Summary	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.
Consultation Question 8	Do you agree with this summary of challenges and opportunities for this action area?
MLC Response	While each action area will have different characteristics (urban/rural; highland/lowland; islands/mainland coast etc.) each area is expected support all the spatial principles. This will present quite different challenges in some areas and not others, for example the 20 Minute Neighbourhood concept and may lead to inconsistency in the application and delivery of the spatial strategy and national planning policy.

North and West Coast Innovation (p.12)	
Summary	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.
Consultation Question 9	What are your views on these strategic actions for this action area?
MLC Response	No comment.

Northern Revitalisation (p.19)	
Summary	This area broadly includes Highland with parts of Argyll and Bute, Moray and much of the national parks. There are links west and north to the island communities.
Consultation Question 10	Do you agree with this summary of challenges and opportunities for this action area?
MLC Response	While each action area will have different characteristics (urban/rural; highland/lowland; islands/mainland coast etc.) each area is expected support all the spatial principles. This will present quite different challenges in some areas and not others, for example the 20 Minute Neighbourhood concept and may lead to inconsistency in the application and delivery of the spatial strategy and national planning policy.

Northern Revitalisation (p.19)	
Summary	This area broadly includes Highland with parts of Argyll and Bute, Moray and much of the national parks. There are links west and north to the island communities.
Consultation Question 11	What are your views on these strategic actions for this action area?
MLC Response	No comment.

North East Transition (p.25)	
Summary	This area broadly includes Aberdeen City and Aberdeenshire with links through Moray towards Inverness, and south towards the Tay estuary.
Consultation Question 12	Do you agree with this summary of challenges and opportunities for this action area?
MLC Response	While each action area will have different characteristics (urban/rural; highland/lowland; islands/mainland coast etc.) each area is expected support all the spatial principles. This will present quite different challenges in some areas and not others, for example the 20 Minute Neighbourhood concept and may lead to inconsistency in the application and delivery of the spatial strategy and national planning policy.

North East Transition (p.25)	
Summary	This area broadly includes Aberdeen City and Aberdeenshire with links through Moray towards Inverness, and south towards the Tay estuary.
Consultation Question 13	What are your views on these strategic actions for this action area?
MLC Response	No comment.

Central Urban Transformation (p.29)	
Summary	This area broadly covers central Scotland from the Glasgow city region and the Ayrshires in the west to Edinburgh city region in the east, including the Tay cities, the Forth Valley and Loch Lomond and The Trossachs National Park.
Consultation Question 14	Do you agree with this summary of challenges and opportunities for this action area?
MLC Response	Yes, we generally agree with this summary. This area includes the previous NPF commitment to the Central Scotland Green Network National Development but now takes on more significance in respect of climate change mitigation and adaptation, which is welcome.

Central Urban Transformation (p.29)	
Summary	This area broadly covers central Scotland from the Glasgow city region and the Ayrshires in the west to Edinburgh city region in the east, including the Tay cities, the Forth Valley and Loch Lomond and The Trossachs National Park.
Consultation Question 15	What are your views on these strategic actions for this action area?
MLC Response	The CUT area is densely urbanised so issues such as the 20 Minute Neighbourhood concept should be achievable in many places. It also has the benefit of physical and human scale to support more sustainable approaches to development, living and travel than other areas.

Southern Sustainability (p.40)	
Summary	This area broadly includes Dumfries and Galloway and The Scottish Borders, with links to the Ayrshires and Glasgow city region in the west and to the Edinburgh city region in the east.
Consultation Question 16	Do you agree with this summary of challenges and opportunities for this action area?
MLC Response	While each action area will have different characteristics (urban/rural; highland/lowland; islands/mainland coast etc.) each area is expected support all the spatial principles. This will present quite different challenges in some areas and not others, for example the 20 Minute Neighbourhood concept and may lead to inconsistency in the application and delivery of the spatial strategy and national planning policy.

Southern Sustainability (p.40)	
Summary	This area broadly includes Dumfries and Galloway and The Scottish Borders, with links to the Ayrshires and Glasgow city region in the west and to the Edinburgh city region in the east.
Consultation Question 17	What are your views on these strategic actions for this action area?
MLC Response	The strategy and policy framework of NPF4 stops at the border with England. However the plan somewhat underplays the emphasis and potential opportunity that cross border collaborations (with Northumberland and Cumbria) could bring to the area. Section 4 of the draft plan talks about the need for collaboration and partnership to ensure the strategy is delivered. This should be extended to include cross border collaboration and partnership and more emphasis should be placed on the future potential of such an approach such as extending Borders Rail to Carlisle and improving and developing passenger rail and freight facilities.

Overall Spatial Strategy (p.43)	
Consultation Question 18	What are your views on these strategic actions for this action area?
MLC Response	<p>The strategy is coherent and focused on addressing the challenge of climate change in terms of its impact on our places, the way we live our lives, and in terms of what must do to adapt and provide opportunity and protection for future generations.</p> <p>There is a clear and obvious acknowledgement to the work and the role of Regional Spatial Strategies and City Region Growth Partnerships in securing the stated outcomes. The status of NPF4 as part of the statutory development plan also means that the spatial strategy will now form part of Local Development Plans and be a material consideration in determining future planning applications (and appeals).</p>

PART 2 – National Developments

National Developments (p.44-67)	
Summary	National developments are significant developments of national importance that will help to deliver our spatial strategy.
Consultation Question 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?
MLC Response	We generally agree with the classes of development and have no suggested amendments.

National Developments (p.44-67)	
Summary	National developments are significant developments of national importance that will help to deliver our spatial strategy.
Consultation Question 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?
MLC Response	Yes.

National Developments (p.44-67)	
Summary	National developments are significant developments of national importance that will help to deliver our spatial strategy.
Consultation Question 21	Do you think there are other developments, not already considered in supporting documents that should be considered for national development status?
MLC Response	No, beyond the nationwide developments that will impact on Midlothian and the next Midlothian Local Development Plan - the Central Scotland Green Network and the Walking, Wheeling and Cycling Network - we do not have any further recommendations of other developments in Midlothian that should be considered for national development status.

PART 3- National Planning Policy

Part 3- National Planning Policy (p.68)	
Summary	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.
Consultation Question 22	Do you agree that addressing climate change and nature recovery should be the primary guiding principles for all our plans and planning decisions?
MLC Response	Yes, we agree that tackling climate change and tackling nature recovery are vital to achieving the aims of Sustainable Development

Policy 1: Plan-led Approach to Sustainable Development (p.68)	
Consultation Question 23	Do you agree with this policy approach?
MLC Response	We generally agree with this policy and particularly welcome the definitions of Sustainable Development and Planning. There is clear synergy between this policy and other parts of the 2019 Act as well as references to National Outcomes.

Policy 2: Climate Emergency (p.69)	
Consultation Question 24	Do you agree that this policy will ensure the planning system takes account of the need to address the climate emergency?
MLC Response	We generally agree with this policy as land use planning has a key role to play in agreeing and identifying the change of use of land. However, as the policy is written, it introduces the need for additional assessments into the planning application process and raises a question in respect of the capacity of many planning authorities in terms of staff resource and skill set to satisfactorily interpret such assessments. It would be helpful to have further clarification/confirmation of what level of emissions constitutes "<i>significant</i>" emissions – possibly a scale from low-medium-high. Is it the intention to provide additional, specific training for planners, and what assistance will be available to Local Planning Authorities where resources and expertise is limited? Additionally, we would also be interested in knowing whether a standard template for assessing carbon emissions will be made available in order to make recommendations in line with this policy.

Policy 3: Nature Crisis (p.69)	
Consultation Question 25	Do you agree that this policy will ensure that the planning system takes account of the need to address the nature crisis?
MLC Response	<p>We agree, in principle, with this valid and wide-ranging policy. It aligns with Policy 2 in as much that it uses natural solutions to enrich and enhance natural assets and biodiversity which would be impacted by development.</p> <p>That being said, the policy is perhaps too long and its meaning risks becoming lost in translation. The policy could be more directional so that ministerial intention is clear. The policy also suffers from a lack of cross-referencing to external information sources e.g. NatureScot Guidance. The policy would benefit from clearer and more consistent terminology as it feels as though too much is left up to individual interpretation.</p>

Policy 4 : Human Rights and Equality (p.70)	
Consultation Question 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?
MLC Response	We agree, in principle, with the aims of this policy. It links to Policy 1 (Plan-led Approach to Sustainable Development) and the definition of Planning. However, there could be a slight duplication of the Equalities Act, therefore the need for this policy is questioned.

Policy 5: Community Wealth Building (p.71)	
Consultation Question 27	Do you agree that planning policy should support community wealth building, and does this policy deliver this?
MLC Response	Yes, we agree in principle. This policy also aligns with the new Local Place Plans process and the requirement in the 2019 Act for the inclusion of children and young people in the planning system. There is also a link here with our Community Planning Partnership and the priority outcomes of the current Single Midlothian Plan.

Policy 6: Design, Quality and Place (p.71/72)	
Consultation Question 28	Do you agree that this policy will enable the planning system to promote design, quality and place?
MLC Response	While we agree in principle and welcome design guidance within the document, we feel that the guidance may benefit from being simplified.

Policy 7: Local Living (p.73)	
Consultation Question 29	Do you agree that this policy sufficiently addresses the need to support local living?
MLC Response	We agree with this policy and welcome the further cross-linkage to climate change and local living. We would suggest that "<i>consideration should be given to</i>" is quite a loose term, and should be tightened. As worded, we interpret the policy as allowing each Local Authority to decipher what 20 Minute Neighbourhoods will be within the context of their own area. We welcome this approach, given the urban and rural dynamics of Midlothian.

Policy 8: Infrastructure First (p.75)	
Consultation Question 30	Do you agree that this policy ensures that we make best use of existing infrastructure and take an infrastructure first approach to planning?
MLC Response	We feel that this is a reasonable policy, however the cumulative impact or allocation of large sites with safeguarded adjacent land should be considered. It should be a requirement to identify how sustainable transport solutions can be built in parallel to works on site. For example, where there are large allocations or sites which cumulatively result in large scale development, the ability to put in place walking or bus routes etc. as early as possible, will help shift behavioural habits and travel choices for residents from the outset.

Policy 9: Quality Homes (p.76)	
Consultation Question 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?
MLC Response	<p>In the absence of the proposed guidance on Housing Land Audits, clarification regarding how NPF4 will operate in respect of the Minimum All-Tenure Housing Land Requirement (MATHLR) is required. The MATHLR represents the overall amount of land required in order that the estimated need can be met in full and includes a use of a generosity allowance (25%) for an urban area to this end. It should be clarified that the housing land pipeline is expected to show allocations of effective sites equal to the MATHLR but cannot be expected to show programmed completions meeting the MATHLR as this exceeds demand.</p> <p>The policy should indicate how the Housing Need and Demand Assessment (HNDA) requirements are to be taken into account. In Midlothian the emerging HNDA indicates that half of demand is for affordable housing. Constraints on housing funding control the level of affordable housing output before any planning factors take effect. NPF4 should give further clarification on the link between the HNDA requirements and the all tenure requirement to ensure that affordable needs are not overlooked, and that planning system is not attempting to compensate for non-delivery of affordable homes by allocating more market homes than there is demand for.</p>

Policy 10: Sustainable Transport (p.78)	
Consultation Question 32	Do you agree that this policy will reduce the need to travel unsustainably, decarbonise our transport system and promote active travel choices?
MLC Response	<p>While we agree with the policy in principle, we feel as though it would benefit from being split-up under multiple headings e.g. Active Travel, DPTAG, Trunk Roads, Health and Safety, in order to be more legible.</p> <p>The policy would also benefit from cross references to Policy 6B (Design, quality and place) to make the reader aware that these two policies should be considered in conjunction.</p> <p>10a) alongside prioritising locations of future development that can be accessed by sustainable modes, local development plans also need to identify where retrofitting is required/desirable. Retrofitting would benefit existing communities and may also support/enable new development as well.</p> <p>We would also suggest the following amendments to the wording of 10g):</p> <ul style="list-style-type: none"> - <i>“The design of development should prioritise safe and easy pedestrian movement, including disabled access, and other active travel modes within and to/from the development.”</i> - <i>“The design of new transport infrastructure for all modes should incorporate sustainable drainage systems and other nature-based solutions which are designed to support biodiversity.”</i>

Policy 11: Heating and Cooling (p.80)	
Consultation Question 33	Do you agree that this policy will help us achieve zero emissions from heating and cooling our buildings and adapt to changing temperatures?
MLC Response	This policy could be a major contributor to reducing emissions and satisfying the aims of Policy 2. It is aspirational that all Local Authorities in Scotland will have to address this policy. Midlothian have a similar policy in our currently adopted Local Development Plan and have established Midlothian Energy Limited in partnership with Vattenfall to deliver a low carbon district heating system at the new town of Shawfair (and potentially wider area); to assist with the preparation of the Local Heat and Energy Efficiency Strategy (LHEES) and to investigate the potential of future low and zero carbon heat network solutions. This partnership could be an example to reference in NPF4.

Policy 12: Blue Infrastructure, Play and Sport (p.81)	
Consultation Question 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?
MLC Response	<p>While we agree in principle, this policy would benefit from the addition of cross-references, for example to Policy 3 (Nature Crisis), ensuring that terminology is consistent and to make cross-referencing straightforward. Furthermore, references to Open Space Strategies and Play Sufficiency Assessments and to Transport Scotland Cycling by Design guidance would assist the NPF4 end user.</p> <p>Additionally, the first bullet of 12k) should refer to providing stimulating environments and “a range of play experiences”.</p> <p>The policy would also benefit from being split in two so that 'Play and Sport' and ' Blue and Green Infrastructure' are dealt with separately.</p> <p>It would be helpful for all design guidance mentioned in this, and every policy, to be referenced by way of a direct hyperlink or included in a footnote so that the reader can easily locate the external guidance.</p>

Policy 13: Blue Infrastructure, Play and Sport (p.83)	
Consultation Question 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?
MLC Response	We generally agree with this policy, however it lacks cross-referencing to other key considerations and would be strengthened by making the connection to blue infrastructure and nature-based solutions throughout the document and to the importance of ensuring that SUDS are designed to benefit biodiversity.

Policies 14: Health and Wellbeing and Policy 15 : Safety (p.86)	
Consultation Question 36	Do you agree that this policy will ensure places support health, wellbeing and safety, and strengthen the resilience of communities?
MLC Response	<p>We generally agree with these policies, however would like to suggest the following amendments to the text:</p> <ul style="list-style-type: none"> • Policy 14a) should read "<i>healthier and <u>safer</u> places</i>" rather than "<i>healthier and safe places</i>". • Policy 14 could go further and make specific reference to mental health and the relationship between that and the environment. The policy could also indicate the relationship between mental health and active health.

Policy 16: Land and premises for business and employment (p.87)	
Consultation Question 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?
MLC Response	This is a reasonable policy and we welcome the inclusion of the term " <i>employment</i> " as it provides more flexibility when allocating sites to consider a mix of potential uses which will generate jobs than the standard economic allocations for class 4 business, class 5 general industrial and class 6 storage and distribution uses. Increasingly we are seeing applications for a mix of commercial developments of one sort or another on economic sites.

Policy 17: Sustainable Tourism (p.88)	
Consultation Question 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?
MLC Response	While we appreciate the direction of this policy, it is still primarily focused on the economic benefits of tourism. That being said, we feel that the policy does not address low-carbon transport solutions for tourism and that this should be addressed in cross-reference to achieving net-zero.

Policy 18: Culture and creativity (p.89)	
Consultation Question 39	Do you agree that this policy supports our places to reflect and facilitate enjoyment of, and investment in, our collective culture and creativity?
MLC Response	We agree with and welcome the inclusion of this policy.

Policy 19: Green Energy (p.90)	
Consultation Question 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?
MLC Response	We agree with and support the inclusion of this policy. One suggested amendment is that the policy could perhaps include locational guidance for the erection of solar panels. It is important that key land adjacent to campus style development is not utilised for solar panels when roof space could be considered instead. We therefore feel that the policy's criteria should be expanded to include roof-mounted solar panels.

Policy 20: Zero Waste (p.92)	
Consultation Question 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?
MLC Response	We are supportive of this policy, however would like to raise the concern of potential impact of waste developments on neighbouring land uses and windfall sites.

Policy 21: Aquaculture (p.94)	
Consultation Question 42	Do you agree that this policy will support investment in aquaculture and minimise its potential impacts on the environment?
MLC Response	We generally agree with this policy. However, more clarity could be given in relation to whether 'industry' needs are being prioritised over environmental impact. Perhaps re-wording of this policy would be beneficial.

Policy 22: Minerals (p.95)	
Consultation Question 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?
MLC Response	We welcome the removal of policy support for the extraction of fossil fuels and for unconventional oil and gas exploration and production. We agree with the policy position to support aggregate extraction in line with the suggested criteria and acknowledge the contribution this makes to local, regional and the national economy. However we would consider the requirement to support a ten year landbank for minerals at all times will be challenging given past experience of site operators reluctance to share market information essential for this purpose.

Policy 23: Digital Infrastructure (p.96)	
Consultation Question 44	Do you agree that this policy ensures all of our places will be digitally connected?
MLC Response	We generally agree with this policy and strongly agree with the need to futureproof digital infrastructure. We also welcome the acknowledgement to the importance of visual amenity and siting and design issues of digital infrastructure. This is particularly the case where the infrastructure is located within or adjacent to residential areas and open spaces.

Policies 24 to 27: Distinctive Places (p.97-99)	
Consultation Question 45	Do you agree that these policies will ensure Scotland's places will support low carbon urban living?
MLC Response	We agree with the majority of the provisions of these policies, in particular Policy 27 (Town Centre living). The use of the term " <i>seek to provide</i> " is welcomed as it will not be possible to achieve in every circumstance. Redevelopment and regeneration opportunities quite often have long lead in times, complex issues to resolve and potentially higher costs involved. The ability to provide a range of suitable (and adaptable) house types in a town centre is also limited and this will limit the proportion of the overall land requirement that will be identified in such areas. However, where the Council owns land and/or property in town/neighbourhood centres this requirement is more realistic and potentially achievable.

Policy 28: Historic Assets and Places (p.100)	
Consultation Question 46	Do you agree that this policy will protect and enhance our historic environment, and support the reuse of redundant or neglected historic buildings?
MLC Response	We agree with this thorough policy. One suggestion is that 28(f) may benefit from a reference to demolition recycling and the reuse of building materials onsite as a means of reducing waste and carbon emissions. The circular economy diagram in the Glossary is a useful reference in terms of outlining waste hierarchy and the reader could be directed to that in this policy.

Policy 29: Urban Edges and the Green Belt (p.102)	
Consultation Question 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?
MLC Response	We are supportive of this policy and particularly welcome the Scottish Government's sentiment that the Green Belt should remain a protected entity. We do wish to raise the point, however, that criterion 29b) would strengthen the policy support for developments in Green Belt locations if it included reference to the need to ensure that sustainable transport links existed or could be extended to commercial/visitor operations and attractions in the green belt and that these links could accommodate a range of sustainable modes of travel. The policy would also benefit from a cross-reference to Policies 1 (Plan-led approach to Sustainable Development) and 2 (Climate Emergency) to further enhance the spirit of NPF4.

Policy 30: Vacant and Derelict Land (p.104)	
Consultation Question 48	Do you agree that this policy will help to proactively enable the reuse of vacant and derelict land and buildings?
MLC Response	We generally agree with this policy. One observation would be that the policy may benefit from a reference to recycling of demolition materials and the re-use of building materials onsite as a way of reducing waste and reducing the carbon footprint of the development.

Policy 31: Rural Places (p.104)	
Consultation Question 49	Do you agree that this policy will ensure that rural places can be vibrant and sustainable?
MLC Response	While we agree with this policy to a certain extent, we feel that it would benefit from defining "rural" or at least including a definition in the Glossary. The policy could be further bolstered by reference to the Scottish Government's Six-Fold Urban Rural Classification. The policy will not be applicable in all local authority areas but it does raise an important question as to whether rural development is genuinely sustainable in nature. Interpretation and application will require careful and balanced consideration, particularly when Policy 2 (Climate Emergency) requires significant weight to be given to the global climate emergency when considering development proposals and that all development should be designed to minimise emissions.

Policy 32: Natural Places (p.107)	
Consultation Question 50	Do you agree that this policy will protect and restore natural places?
MLC Response	<p>We generally agree with this policy however feel as though more clarity is required on several points.</p> <ul style="list-style-type: none"> • The policy would benefit from a cross-reference to Policy 3 (Nature Crisis) as well as relevant legislation. • It is not clear what is meant by "<i>unacceptable impact</i>" in 32b). This should be changed to "<i>adverse</i>" or "<i>significantly adverse</i>" to maintain consistency with Environmental Assessment terminology. • 32f) may wish to add reference to "<i>invasive non-native species</i>". • 32g) would be correct to remove capitals from local nature conservation site and local landscape area to allow for different naming conventions – we use Local Biodiversity Site and Special Landscape Area.

Policy 33: Peat and Carbon Rich Soils (p.109)	
Consultation Question 51	Do you agree that this policy protects carbon rich soils and supports the preservation and restoration of peatlands?
MLC Response	While we generally agree with the direction of this policy, there is a slight contradiction in part d) with the overall spirit of NPF4.

Policy 34: Trees, Woodland and Forestry (p.110)	
Consultation Question 52	Do you agree that this policy will expand woodland cover and protect existing woodland?
MLC Response	We agree with and welcome the direction of this policy.

Policy 35: Coasts (p.111)	
Consultation Question 53	Do you agree that this policy will help our coastal areas adapt to climate change and support the sustainable development of coastal communities?
MLC Response	We acknowledge the importance of this policy and its relevance to those areas which include coastlines in their vicinity. However, as Midlothian is not a coastal region, we do not have any specific comments to make.

PART 4 - Delivering our Spatial Strategy

Delivering our Spatial Strategy (p.112-114)	
Summary	Delivering our strategy and realising our collective ambitions requires collaborative action from the public and private sectors and wider communities. Actions will range across different scales and include a mix of strategic and project investments. It will be important to focus implementation and monitoring on delivering strategic actions and key developments.
Consultation Question 54	Do you agree with our proposed priorities for the delivery of the spatial strategy?
MLC Response	<p>Yes, we agree. This presents a pragmatic approach to securing and prioritising sufficient resources to ensure delivery of the spatial strategy priorities and proposed national developments. Particularly evident, in the establishment and development of City Region Growth Deals (and latterly Green Growth Deals) as a funding and governance model to manage investment and coordinate the delivery of development opportunities at a strategic scale.</p> <p>The infrastructure first approach is welcome as it puts climate change and sustainable development at the centre of capital planning and investment decisions and seeks to ensure the most effective use of infrastructure as possible.</p> <p>The acknowledged need to invest in the planning system is also welcomed, however more resource is also needed in respect of extra learning support and training for planners to be able to undertake some of the additional duties arising from the legislation, including the impact of/adaptation to climate change and health and well-being requirements.</p>

Delivering our Spatial Strategy (p.112-114)	
Summary	Delivering our strategy and realising our collective ambitions requires collaborative action from the public and private sectors and wider communities. Actions will range across different scales and include a mix of strategic and project investments. It will be important to focus implementation and monitoring on delivering strategic actions and key developments.
Consultation Question 55	Do you have any other comments on the delivery of the spatial strategy?
MLC Response	We agree that monitoring is an important part of the Local Development Plan (LDP) process. If the ambition is to combine NPF4 monitoring, PPF and National Performance Framework then it would make sense to extend this to cover LDPs as well – that is if a ‘one size fits all’ is appropriate and would work. We do however, appreciate that not all councils are similarly resourced and/or use the same back office systems as Midlothian Council that would facilitate a meaningful monitoring process.

PART 5 - Annexes

Annex A – NPF4 Outcomes Statement (p.115-117)	
Consultation Question 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?
MLC Response	Yes, we agree.

Annex B – Housing Numbers (p.118-119)	
Consultation Question 57	Do you agree with the Minimum All-Tenure Housing Land Requirement (MATHLR) numbers identified above? – We may have to submit a locally adjusted estimate in response to HNDA3 adjustments in respect of the HoToc calculation.
MLC Response	Midlothian Council did not submit a locally adjusted housing estimate as part of the MATHLR consultation in June 2021 as it was satisfied with the methodology and initial outturn figure. The latest HNDA was agreed at the ESESCRD Director’s meeting on 3 February 2022. The partnership agreed the steady growth scenario which (using the HNDA annualised figure and 25% flexibility allowance) would produce a slightly higher overall figure than the MATHLR in the published draft NPF4 8,088 compared to 8,050. Given that the difference is marginal the Council does not consider it appropriate to request an adjustment to the figure at this time but will review and considered the position at the Evidence Report stage of the next Midlothian Local Development Plan.

Annex C – Glossary of Definitions (p.120-128)

**Consultation
Question 58**

Do you agree with the definitions set out above? Are there any other terms it would be useful to include in the glossary?

MLC Response

We agree with much but feel that the glossary could be amended and extended to take account of responses to previous questions. For example:

Useful terms used in Draft NPF4 but not included in the Glossary:

- Borrow pits (ref. policy 22)
- Community wealth (ref. policy 5)
- Creating Places (Scottish Government, 2013) (ref. policy 6)
- Design and Access Statement (ref. policy 6)
- Design Code (ref. policy 6)
- Design Framework (ref. policy 6)
- Design Guide (ref. policy 6)
- Design Statement (ref. policy 6)
- Designing Streets (Scottish Government, 2010) (ref. policies 6 and 12(j))
- Development Brief (ref. policy 6)
- Low carbon fuels (ref. policy 19)
- New Design in Historic Settings (HES, 2013) (ref. policy 6)
- Place Principle (ref. policy 1 and 7)
- Place Standard (ref. policy 6)
- Play Sufficiency Assessment (ref. policy 12)
- Public art (ref. policy 18)
- Ramsar site (ref. policy 32(d))
- Site of Special Scientific Interest (SSSI) (ref. policy 32(d))
- Special Area of Conservation (SAC) (ref. policy 32(c))
- Special Protection Area (SPA) (ref. policy 32(c))

Other terms which could potentially be used in Draft NPF4 policy and included in the Glossary:

- The Building (Scotland) Regulations 2004 (ref. policy 2)
- Building Standards (ref. policy 2)
- Cycling by Design (Transport Scotland, 2021) (ref. policies 6(b), 10, 12(j) and 14)
- Digital Planning Strategy (Scottish Government, 2020) (ref. policy 23)