

THE HIGHLAND COUNCIL

**PLANNING, ENVIRONMENT AND DEVELOPMENT
COMMITTEE – 15 MAY 2013**

**NATIONAL PLANNING FRAMEWORK 3 MAIN ISSUES
REPORT AND DRAFT SCOTTISH PLANNING POLICY**

Agenda Item	10
Report No	PED 35/13

Report by Director of Planning and Development

Summary

This report informs Committee of the Main Issues Report for the Third National Planning Framework and Draft Scottish Planning Policy both of which have recently been published for consultation. It outlines the key issues raised in the documents that are relevant to the Highland area. The report also provides an update on the wild land issue for consideration by Committee, further to the minutes of the North Planning Application Committee meeting of 12 February 2013.

1. Background

- 1.1. The National Planning Framework 3 (NPF3) Main Issues Report and Draft Scottish Planning Policy (SPP) were published by the Scottish Government for consultation on 30 April 2013. The consultation period will last for 12 weeks, ending on 23 July 2013. This Report outlines the key issues that are likely to be addressed in further detail in the Council's full response. The full response will be presented to the Committee for homologation at its 14 August 2013 meeting.
- 1.2. The NPF provides a framework for the spatial development of Scotland. It will have implications for the way Highland develops over the next 20-30 years, including future Local Development Plans and how planning decisions are made. The Main Issues Report sets out the Government's preferred option as well as reasonable alternatives. Views are being sought on the emerging strategy in NPF3 and what should be included in the Proposed National Planning Framework when it is laid before the Scottish Parliament towards the end of this year.
- 1.3. SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. Its purpose is to set out national planning policies which reflect Scottish Ministers' priorities for the development and use of land. It directly relates to: the preparation of development plan; the design of development, from initial concept through to delivery; and the determination of planning applications

and appeals. The publication of draft SPP marks the main public consultation stage for SPP and the Scottish Government is seeking comments on policy wording prior to its finalisation.

- 1.4. Members will recall that in September last year the Scottish Government announced preparation of NPF3 and a review of SPP had begun. The initial stage of the preparation of NPF3 was an invitation for proposals to be nominated as national developments as well as views on other key issues which will shape how Scotland will change. A report was presented to the Planning, Environment and Development Committee on 14 November 2012 where Members agreed to a series of infrastructure and development projects being nominated to the Scottish Government as national developments and other key issues for inclusion in NPF3. Similarly at the Planning, Environment and Development Committee meeting on 16 January 2013 Members agreed the Council's response on the first stage of the review of SPP.

2. Overview of Key Issues

- 2.1. An initial review of the NPF3 Main Issues Report and Draft SPP has been undertaken. An overview of key issues that are likely to be addressed in further detail in the Council's full response are outlined below.

NPF3 Main Issues Report

- 2.2. Many of the key infrastructure and development projects nominated by the Council for inclusion in NPF3 have been identified in the Main Issues Report. In comparison to NPF2 where only 1 national development was directly relevant to Highland, 4 of the proposed national developments in the report are directly relevant. A brief commentary describing the extent to which the issues raised in the Council's initial response have been addressed in the NPF3 Main Issues Report is provided below.

Candidate National Developments

- Strategic Road Improvements

Dualling/upgrades to the A96, A9 and A82 are not identified as proposed national developments. However these projects are referenced and illustrated in the report, including reviewing the need for further investment in transport infrastructure to remote rural areas, such as the A9 from Scrabster to Inverness. The report notes that the NPF3 preferred spatial strategy must align with the Strategic Transport Projects Review and the Infrastructure Investment Plan.

- Strategic Port and Harbour Enhancements

In terms of ports and harbours Aberdeen Harbour is the only harbour identified in the report as a proposed national development. However ports and harbours promoted by the Council as national developments, particularly those in Orkney, Pentland Firth and North Caithness and the Moray Firth are

recognised in the report for their potential to support the renewables industry based on the findings of the National Renewables Infrastructure Plan.

- Strategic Airport Enhancements

NPF3 proposes Airport Enhancements to remain designated as national developments, but with the inclusion of an additional airport, Inverness, given its role in accessing areas identified for economic development and the low carbon economy and the ongoing work to improve access to it via the A96 and Dalcross Station. Whilst not identified as national developments Wick - John O'Groats airport is identified as a regional airport and the text notes that there are proposals to improve connections to, and facilities within Wick - John O'Groats and the prospect of a new airstrip on Skye.

- Inverness to Elgin Life Sciences Corridor

Similar to NPF2, NPF3 proposes to identify Inverness and the Inner Moray Firth as an Area of Coordinated Action. It states that the wider Inverness to Elgin corridor will continue to be a focus for NPF3, including development of the life sciences sector at key locations.

- Superfast Broadband

The report recognises that high quality mobile and fixed broadband connections have become essential to support communities and business development, in both rural and urban areas. It makes reference to the commitments from the Infrastructure Investment Plan which aims to accelerate the roll out of next generation broadband to all parts of rural Scotland over the next 5 years, and the importance of public sector action to ensure rural and remote communities are not left behind.

- Electricity Grid Reinforcements

NPF3 proposes to continue to promote electricity grid reinforcements as a national development, albeit updated to incorporate requirements for further enhancements. Of particular relevance to Highland is grid reinforcements between Peterhead and the Isle of Lewis.

Other Key Issues nominated for Inclusion

- Improvements to Highland Mainline and Inverness to Aberdeen Line

Upgrades to the Highland Mainline and Inverness to Aberdeen Line are referenced and illustrated in the report, including a new rail station at Dalcross. The report notes that the NPF3 preferred spatial strategy must align with the Strategic Transport Projects Review and the Infrastructure Investment Plan.

- Strengthening the Role of Inverness and Inverness West Link Road

Several references are made in the report to Inverness' role as the Highland Capital, and the importance of gateways and key entry points to Scotland. It references West Link as key development that will support Inverness' role in the future.

- Waste Management

NPF3 does not propose to provide any steer on the locations and types of nationally significant waste facilities that will be required. The Government considers that there is a need to maintain a flexible, market-driven approach to provision for the waste and resource management sector, as set out in the draft Scottish Planning Policy.

- Decommissioning of Dounreay Power Station

The challenges to the Caithness economy to be faced arising from the decommissioning of Dounreay Power Station are referenced, as well the potential for wave and tidal projects in the area to help offset the eventual loss of jobs and investment.

- Climate Change

The report places significant emphasis on the creation of low carbon, sustainable place. It recognises the importance of reducing demand for energy and promoting greater use of renewable sources of heat energy and recovery of 'waste' heat.

- Coastal Development

In terms of potential for coastal development the report appears to focus on opportunities around our coasts to benefit from our low carbon strategy, noting that the Moray Firth and Caithness amongst others have the potential to see significant investment. It also recognises the importance of aquaculture as an important economic activity in the West Coast and in the Islands and the coasts general tourist potential.

- Natural Heritage

NPF3 proposes to provide a map of Scotland's finest and most iconic landscapes – National Parks and National Scenic Areas, many of which are in the Highland area. It outlines that the draft Scottish Planning Policy makes clear the Scottish Government does not wish to see new wind farms in these areas. It also states the Government wants to continue their strong support for protection for our wildest landscapes. Further detail on wild land is provided in section 3.

- Long Distance Routes

NPF3 proposes to place significant emphasis on long distance paths and trails by designating new and improved links to further develop the network as a

national development. It identifies 'Scotland's Great Trails' which includes the West Highland Way, Great Glen Way, Great Glen Canoe Trail and the Speyside Way. In the Proposed National Development map the national cycling and walking network is defined as covering the entire country. The report requests that Scottish Natural Heritage lead a project which would bring together existing routes, set out a long-term vision for such a network and identify, as a priority, the most important 'missing links' which could be prioritised for development.

- Promotion of Lochaber as Outdoor Capital of the UK

The report states that NPF3 could highlight other areas where tourism potential could be further developed including the hubs for outdoor sports that have grown in places such as Fort William. Fort William is also identified as a strategic hub.

Draft Scottish Planning Policy

- 2.3. The Scottish Government emphasises that the aim of the SPP review is to bring the policy up-to-date, focus it on sustainable economic growth and emphasise placemaking. The Council's response to the first stage of the review of SPP which sought views on priorities for change outlined that the Council were broadly satisfied with the existing content of SPP, but outlined a number of key issues we wished to see addressed in the Revised SPP. Particular issues raised were onshore wind and wild land policy, a detailed overview of these issues is provided from section 2.3 below, including an update on the wild land issue for consideration by Committee, further to the minutes of the North Planning Application Committee meeting of 12 February 2013.
- 2.4. Comments were also provided on a range of other subject policies including economic development, town centres and retailing, housing, rural development, coastal planning, fish farming, the historic environment, open space, transport, flooding, waste management and minerals. Key changes in comparison to the existing SPP include:
 - Housing Land Requirement – in terms of generous supply this has now been changed to between 10% and 20% rather than the 25%;
 - Open Space – long term management and maintenance of open space is a requirement for new residential development;
 - Green Networks – emphasis has moved from biodiversity/greenspace to health and wellbeing and to be used as a tool for regeneration and addressing social deprivation; and
 - SPP has been merged with Designing Places, this is highlighted right from the start of the document to give a single policy on the creation of place.
- 2.5. A full response to the Draft SPP will be considered at the 14 August 2013 Planning, Environment and Development meeting.

Onshore Wind

2.6. The Draft SPP includes a number of proposed changes from the current SPP with respect to planning for onshore wind energy developments. The principal changes proposed are as follows:

- i. The spatial framework for onshore wind energy should be in the Local Development Plan (whereas we have prepared ours as Supplementary Guidance). However, the Draft SPP is not entirely clear on this requirement, as other references made are to the spatial framework being in statutory development plans – a definition that includes Supplementary Guidance – so we should seek clarity from Scottish Government on this matter.
- ii. Inclusion within the Draft SPP of more details of the methodology for preparing the spatial framework, rather than the detail being solely within associated advice, and clear expectation that the methodology should be followed closely.
- iii. Amendment of the methodology, from the current 3-stage process to a 4-stage process (named “Groups 1 to 4”). The key changes that are proposed to the methodology are as follows:
 - Proposed Group 1 – A new super-protective first stage, covering National Parks and National Scenic Areas (elevated from current areas of significant protection), where “wind farms will not be acceptable”;
 - Proposed Group 2 – Areas of significant protection (currently stage 1), covering the remaining matters currently under stage 1 – certain designations, plus areas at or near cumulative limit – plus the following additions: areas that support the integrity of the European nature conservation sites, core areas of wild land, flood risk areas, high quality unaltered peat, plus the following (elevated from the current stage 2 areas with potential constraints): scheduled monuments, conservation areas, curtilages of listed buildings, inventoried gardens and designed landscapes, aviation and defence consultation zones, broadcasting installations and community separation (the latter separation distance being proposed to be increased from “up to 2km” to “up to 2.5km”);
 - Proposed Group 3 – Areas where planning constraints are less significant (a similar level to the current stage 2 areas with potential constraints), covering the remaining matters currently under stage 2 – certain regional and local landscape and natural heritage designations – plus the following additions: scenic routes identified in NPF3, long distance walking routes, and finally land with local landscape or natural heritage interest which is not designated (including land falling within the high or medium sensitivity categories in landscape capacity studies);
 - Proposed Group 4 – Areas where wind farm proposals are likely to be supported subject to detailed consideration against identified policy criteria (a similar level to the current stage 3 areas of search).

2.7. If the methodology becomes finalised in this form, the Council will need to revise its spatial framework. There are some aspects of the Draft SPP that we feel we should be able to support, including the proposed ability to take account of non-designated landscape considerations within the framework. However, we may feel that our designated Special Landscape Areas should

carry greater safeguard than those non-designated landscapes. It should be noted that the Draft SPP reiterates the following current national policy positions:

- There should be no sequential test within the spatial framework;
- There should be no blanket ban on windfarms within the spatial framework areas (that is, with the exception of the proposed new Group 1 areas);
- There should be no moratorium on new planning permissions for windfarms whilst spatial frameworks are being updated.

3. Wild Land

- 3.1. One of the actions identified in the Action Programme for the Highland-wide Local Development Plan is the provision of Supplementary Guidance for Wild Areas. As identified in the Action Programme update, which is subject of a separate report to this meeting, this Supplementary Guidance has yet to be produced. A prerequisite to this work is for the Scottish Government to provide to planning authorities greater clarity about 'wild land' as a planning consideration, together with any associated mapping, but Scottish Government is still in the process of doing so. At the meeting of the North Planning Applications Committee held on 12 February 2013, following consideration of proposals for wind farms at Dalnessie and Glenmorie in respect of which impact on wild land was discussed, the Committee agreed that "the Chief Executive considers writing to Scottish Ministers on the subject of Wild Land to ask them to bring their policy on this issue to a more concluded position which will enable the Council to attach appropriate weight to what is a material consideration." The Chief Executive considers it appropriate that the matter be brought to PED Committee in the first instance. This section of the report therefore provides an update on the wild land issue, in order that PED Committee can consider whether a letter from the Council to Scottish Ministers would be appropriate.
- 3.2. Paragraph 128 of the current Scottish Planning Policy says: "Areas of wild land character in some of Scotland's remoter upland, mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of these areas in the development plan."
- 3.3. The Council's current policy position is as follows - Our Development Plan contains no embargo on development within areas of wild land and such areas are not formal planning designations. Wild land is identified within Policy 57 and Appendix 2 of the Highland-wide Local Development Plan as being a feature of local/regional importance (not national or international importance) and is a consideration alongside others of relevance to an application. It may be noted that it could be a consideration for any type of development, not just for wind or hydro energy schemes – although these are two of the main types of proposal to potentially give rise to significant impact. Also, wild land areas could be impacted upon by proposals located outwith it, not just by those located within it. SNH's policy statement 'Wildness in Scotland's Countryside' (No. 02/03), published in 2002 and which is a material consideration,

considers the value of wildness to society and its significance as a distinctive part of Scotland's natural heritage; this document maps Search Areas for Wild Land (SAWL). Given that these are 'search areas' only, the Council's HwLDP and Onshore Wind Energy Interim Supplementary Guidance do not treat them as designations, but rather as a trigger and starting point for the assessment of the impacts of proposed development on the wild land resource under Policy 57, following the approach set out in SNH's interim guidance note "Assessing the Impacts on Wild Land" (2007).

- 3.4. SNH has, in recent years, been advancing mapping of 'wildness'. In early 2012 SNH published provisional 'Phase 1 mapping' showing relative wildness of Scotland and invited comments. The Council provided comments to SNH on the methodology they were applying. SNH subsequently considered the comments on the 'Phase 1' mapping and methodology in developing 'Phase 2'. 'Phase 2' has been examining options for identifying wild land areas, which are considered of particular importance from a national perspective because of their quality and extent. SNH provided Scottish Ministers with options and the matter has been with Scottish Ministers for consideration. As members may be aware, meanwhile the Scottish Parliament's Public Petitions Committee has been considering and continues to consider a petition, from Helen McDade on behalf of John Muir Trust (PE01383), entitled "Better protection for wild land".
- 3.5. Members should note that the Council has already written to the Scottish Government on the matter in recent months. The Council submitted consultation responses inputting to NPF3 and Scottish Planning Policy Review (following consideration by PED Committee on November 2012 and January 2013 respectively), seeking provision in those forthcoming national documents of clarity from Scottish Government on 'wild land' as a planning consideration. Whilst it may be acknowledged that there will be differing points of view amongst people about the extent of wild land that should be safeguarded and its level of importance, reaching a point of greater clarity and through that greater certainty to the planning process would be of benefit to all.
- 3.6. As noted above, very recently (on 30 April 2013) Scottish Government published the NPF3 Main Issues Report and Draft reviewed Scottish Planning Policy for a 12-week period of consultation. In association with this, SNH has published the latest output from its mapping exercise, which is mapping of core areas of wild land (see map appended). There would appear to be limited value in the Council writing to Scottish Government on the wild land issue in advance of fully considering what the consultation documents say about the issue. There will be an opportunity for the Council to submit full responses, including appropriate comments on the wild land issue. In response to the decision of the North PAC referred to above, it is recommended that no letter need be sent to Scottish Ministers on the wild land issue in advance of those consultation documents being considered and responded to by the Council.
- 3.7. In the NPF3 MIR, the Scottish Government indicates that it wishes to continue its strong protection for Scotland's wildest landscapes although it is not

proposing to make wild land a statutory designation. In the Draft SPP it states that Development Plans should identify and safeguard areas of wild land character, which should be based on SNH's mapping of core wild land. In respect of onshore wind energy, in the NPF3 MIR Scottish Government indicates its thinking that the SNH mapping can inform future planning for windfarm development and asks whether there is agreement with their proposal that "we use the SNH mapping work to identify more clearly those areas which need to be protected". Within Draft SPP, Scottish Government proposes that when planning authorities are preparing or revising their spatial framework for wind energy development (see below), core areas of wild land as shown on the SNH map should be included within areas identified for significant protection.

4. Process and Timescales

4.1. The Scottish Government's intended stages and timescales for review are outlined in the table below.

	NPF3	SPP
Winter 2012/13	Call for National Development and other key issues	Pre-draft engagement and drafting
Spring 2013	Publish NPF3 Main Issues Report	Publish Draft SPP and consultation
Late 2013	Submit Proposed NPF3 to Scottish Parliament	Publish finalised SPP
Summer 2014	Publish finalised NPF3	N/A

5. Resource Implications

5.1. It is not anticipated that there will be any direct resource implications for the Council.

6. Equality and Climate Change Implications

6.1. It is not anticipated that there will be any equality or climate change implications for The Highland Council. The Scottish Government are the responsible authority for undertaking the relevant equality and climate change assessments for NPF3 and SPP.

7. Legal and Risk Implications

7.1. It is not anticipated that there will be any legal or risk implications for The Highland Council. The Scottish Government are the responsible authority for assessing any legal and risk implications of NPF3 and SPP.

Recommendation

The Committee is asked to:

- (i) Note the publication of the Main Issues Report for the Third National Planning Framework and Draft Scottish Planning Policy for consultation and that a full response will be reported to the Planning, Environment and Development Committee on 14 August 2013; and
- (ii) Agree that, in response to the decision of the North Planning Applications Committee at its meeting of 12 February 2013, no letter need be sent to Scottish Ministers on the wild land issue in advance of the recently published consultation documents on NPF3 and SPP Review being considered and responded to by the Council.

Designation: Director of Planning and Development

Date: 7 May 2013

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Background Papers:


Scottish Government (2013) National Planning Framework 3 Main Issues Report

Scottish Government (2013) Draft Scottish Planning Policy

The map of core areas of wild land is appended but is available, together with information on the methodology followed in preparing it, at:

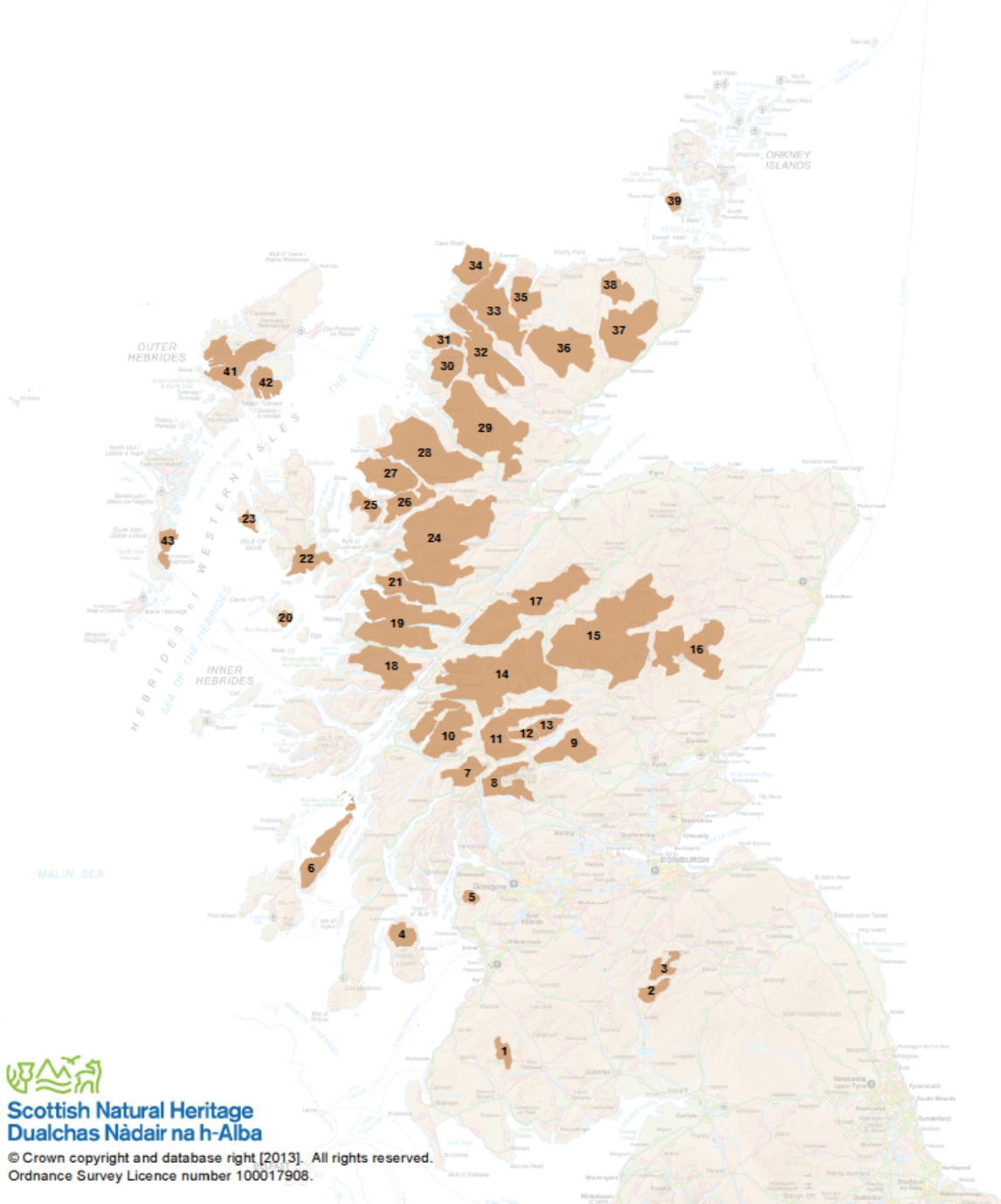
<http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/landscape-policy-and-guidance/wild-land/mapping/>

Core areas of wild land in Scotland 2013

 Core areas of wild land

Only the most extensive areas of high wildness have been selected as core areas of wild land

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