



Consultation Response

Scotland 2045 – Our Fourth National Planning Framework

Scottish Wildlife Trust Response

31 March 2022

We welcome the Scottish Government's high-level ambition in this document and the desire to tackle the climate and nature crisis holistically. The NPF4 does have the potential to deliver transformative change. However, we are disappointed that delivery mechanisms, pathways, timescales and resources to achieve flagship policies to combat the nature crisis are absent.

The Scottish Wildlife Trust welcomes this opportunity to respond to the National Planning Framework 4 consultation.

Summary

- We welcome the Scottish Government's high-level ambition in this document and the desire to tackle the climate and nature crisis holistically.
- The NPF4 does have the potential to deliver transformative change. However, we are disappointed that delivery mechanisms, pathways, timescales and resources to achieve flagship policies to combat the nature crisis are absent. When we compare the previous Framework (NPF3) with the new draft we see no substantive difference in the nature commitments.
- We call on the Scottish Government to back up the high-level ambition with definable delivery pathways, timeframes, reporting duties and routes to resourcing this commitment in the final National Planning Framework 4. Without this there is a very real risk that this document will only add to the rhetoric around the nature and climate crisis and do nothing to tackle it.
- There needs to be far more urgency about tackling the nature and climate crisis holistically. The lack of urgency in the draft sends the wrong message to planners, developers and concerned communities of place and interest.
- We are also concerned about the lack of strength of language around the environment, nature and climate. In short there are too many "shoulds" around environmental obligations and no "musts". We are in a declared emergency and the tone and expectations from Government must reflect this. In some cases legislative changes may have to be made.
- In particular we would like to see significant improvement to the proposals on local nature networks and "positive effects for Biodiversity" which we cover in more detail in our response below. In particular we need to see delivery pathways, timeframes and clear responsibilities/reporting duties outlined.
- There is a need to ensure greater policy coherence with other strategies and policy particularly the Land Use Strategy, Regional Land Use Partnerships, early-stage discussions on the new Scottish Biodiversity Strategy, the forthcoming Natural Environment Bill, the Infrastructure Investment Plan and National Strategy for Economic Transformation.

Our Response

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

No.

We are in the decade of ecosystem restoration. UN Secretary General, António Guterres has stated *"Making peace with nature is the defining task of the 21st century. It must be the top, top priority for*

*everyone, everywhere*ⁱ, European Commission President von der Leyen has stated *“It is time to Make Peace with Nature”*ⁱⁱ and the Scottish Government have stated *“We are living in a global climate and nature emergency, with climate change and nature loss the greatest threats facing people and the planet”*.

The draft National Planning Framework 4 (NPF4) carries on this high-level ambition and we welcome this genuinely the change in tone from the previous Frameworks. For example, statements such as *“The way we live, learn, work and play in the future will need to be consistent with our ambition to achieve net zero emissions and nature recovery”* are important in setting the right tone. However, we are very disappointed in the subsequent lack of detail on delivery mechanisms / implementation pathways, responsibilities, reporting duties and performance indicators/ markers of success.

The draft NPF4 does not set out the paradigm shift needed to take us from our current position to a “nature-positive” situation. If the draft is not revised and continues to only contain high level messaging without delivery mechanisms this will send extremely damaging messages to developers, planning authorities and communities of place and interest that solving the nature and climate crisis holistically is nothing more than a platitude.

We fail to see any specifics in this draft which will substantively change the situation from where we are now to where we need to be. Part 4 does state a delivery programme will be published and we hope there will be engagement and consultation on this.

As a general point “nature-based solutions” should be properly defined in the glossary of terms and we suggest the IUCN definition is used:

“Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously providing human wellbeing and biodiversity benefits.”

Failing to define nature-based solutions risks confusion and what actually is required as open to interpretation.

We are worried about the emphasis placed on Local Authority based delivery of environmental outcomes without any commitment to resourcing this particularly in relation to nature networks and positive effects for biodiversity.

We think that without coherent delivery, individual actions on nature-based solutions or green infrastructure will be less effective and provide fewer benefits. If used as a holistic planning tool, nature networks created using opportunity mapping would provide the ideal tool to ensure coordination and maximise benefits. Please see our further answers below for more details on the improvements we would like to see.

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

Not as currently drafted. Health and well-being are intrinsically tied to healthy, flourishing natural environments and a stable climate. As stated above we do not think the draft NPF4 is setting out the transformational change required to move to a nature-positive planning system.

More needs to be done to ensure that nature-based solutions are considered as a first option when reducing inequality across Scotland. Access to good quality natural green space is essential to improving health and well-beingⁱⁱⁱ. Living in greener urban areas is associated with lower chance of cardiovascular disease^{iv}, diabetes^v, obesity^{vi}, severe asthma attacks^{vii}, mental illness^{viii} and ultimately mortality^{ix}, while also giving benefits for flood mitigation and drought resilience among other benefits. The poorest in Scotland will feel the greatest effects of climate change but will benefit the most from providing practical nature-based solutions to this and associated issues^x.

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

Not as currently drafted. We welcomed Scotland's National Strategy for Economic Transformation^{xi} (NSET) in particular the strong references in the strategy to the fundamental importance of our natural environment and a nature-positive economy. We are pleased to see these references carried through into this draft NPF4. However, we do need to see greater coherence between the NSET and wider delivery mechanisms including the NPF4. As currently drafted, we do not think the delivery mechanisms are outlined that can deliver the necessary improvements in nature and this will mean we cannot deliver the required improvements in social and environmental wellbeing.

14. Central urban transformation. Do you agree with this summary of challenges and opportunities for this action area?

No

General:

The numerous mentions of "green areas", "natural spaces", "nature restoration" and "landscape scale opportunities" is very welcome but there is no indication of scale, delivery mechanism or timescale around any of their biodiversity elements. Without a greater focus on delivery, we will not see the transformative change outlined at the high level in this draft.

Elements of urban greening^{xii} would be included within any useful nature network that is taken forward under NPF4, but nature networks are not the only delivery mechanism for urban greening.

We would like the NPF4 to set out new policies and levers to deliver Green Infrastructure and deliver nature-based solutions. This should be over all of urban Scotland and not just confined to the Central Scotland Green Network area.

Ardeer:

We note that the Ardeer Peninsula has been identified as a "clear investment proposition" to be supported. Led primarily by our active local members group, we have been campaigning to highlight the ecological importance of Ardeer Peninsula^{xiii}. To only frame this area as a development opportunity and not highlight any environmental considerations or loss of biodiversity that development would incur is at odds with the vision.

It has been highlighted on several occasions that this site would easily meet the criteria for an SSSI and could then form part of an expanded Bogside Flats SSSI.

We support our local members group response specifically on Ardeer and suggest that reference to Ardeer as a potential site for development should be removed.

Central Scotland Green Network:

Please see our main points below in relation to the CSGN. We would like to see the nature network within the CSGN highlighted as a delivery mechanism for green and blue infrastructure and nature-based solutions.

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?

Central Scotland Green Network (CSGN):

We have been long term supporters of the CSGN as a concept and we are pleased to see its continued inclusion in the NPF4. However, in an era of nature and climate emergency we need to see the CSGN doing much more to achieve transformational change.

In order to achieve this, we would like to see the following priorities taken forward within the CSGN:

- A holistic opportunity mapping-based approach to nature networks across the CSGN project area. We urge the NPF4 team to take account of the work taking place under the Edinburgh Living Landscape on the “Edinburgh Nature Network”^{xiv} using the Ecological Coherence Protocol^{xv} which was developed with European Life funding by CSGN and its partners. This represents a massive opportunity and one which must be enshrined within the final NPF4.
- Put a clear timescale on delivering the nature network in the CSGN with clear ecological health indicators.
- Use the nature network across the CSGN to strategically plan green and blue infrastructure
- Application of a consistent, data driven, approach to “Positive Effects for Biodiversity” within a mitigation hierarchy to actually achieve net-gain.
- A commitment to resourcing this approach consistently across the CSGN area. The benefits and return on investment on nature networks and associated green and blue infrastructure are huge^{xvi}.

Urban Sustainable, Blue and Green Drainage Solutions

This national development does highlight a nature-based approach, but we do think there are opportunities to explicitly link this to the specific green and blue infrastructure interventions which can deliver positive outcomes across economic, social and environmental objectives which would be highlighted by an opportunity map based nature network (see answer 25 for more detail).

There is particular opportunity to develop riparian woodland in this area highlighted as part of a CSGN wide nature network. The Trust is leading a Scotland-wide initiative to create a network of thriving riverbank woodlands and healthy river systems across Scotland called Riverwoods^{xvii} and strong delivery focused policy in NPF4 could significantly help the success of a project such as this.

Aberdeen Harbour:

Regarding this proposal the Trust have previously raised concerns in this area about the impact to natural heritage features, particularly at St Fittick's Park. Indeed, the Reporter for the Local

Development Plan (LDP) acknowledged these concerns and has requested additional information on, amongst others, the following:

- How the proposals provides for protection of the Green Space Network?
- How the proposals demonstrates that alternative solutions have been considered and ruled out, detrimental effects can be minimised through mitigation and overall biodiversity gains can be achieved?
- How the development proposals will include suitable open space and landscape enhancements for the wellbeing of people and wildlife?

NatureScot have also given a preliminary response:

“We will be responding in full on the detail of this national development as part of our main consultation response. We recommend broadening its scope so it can also deliver a sustainable, nature-rich 20 minute neighbourhood, help to regenerate Torry and its quality of environment, and encourage tourism. To achieve this, we suggest a wider place-based, integrated approach to the Aberdeen Harbour development which encompasses Torry, and recognition of the multiple health and wellbeing benefits provided by St Fittick’s Park greenspace. Therefore, we would question whether this would be possible in practice should St Fittick’s Park be developed, and whether the location and quality of any alternatives would be as accessible and beneficial to the Torry community as St Fittick’s”

With the above causing concern not only to the Trust but also to the Reporter and NatureScot regarding the natural environment, we would like to see far greater reference to how biodiversity and its importance to communities will be accommodated in the NPF4 proposals. As things stand the proposals could not be considered coherent with the high-level aspiration to *“rebalance our planning system so that climate change and nature recovery are the primary guiding principles for all our plans and decisions.”* (Pg 68 of the draft).

The above comments from the Reporter on the LDP on net-gain also strengthen and add weight to our call below for a robust, data driven, approach to biodiversity net gain / ‘positive effects for biodiversity’ to be outlined in the final NPF4. Without this we will have no way of knowing if any actions taken have had any impact or been beneficial for biodiversity.

Edinburgh Waterfront:

This proposal does designate green and blue infrastructure as a class of development, but we would strongly urge the NPF4 team to include reference the Edinburgh Nature Network^{xviii} using the Ecological Coherence Protocol^{xix} to maximise the strategic development and benefits from this infrastructure.

We would also like to see meaningful net-gain for biodiversity which should be taken forward through the wider NPF4 (further detail below).

21. Do you think there are other developments, not already considered in supporting documents, that should be considered for national development status?

Yes. The Trust have repeatedly asked for proper implementation of a nation-wide nature network and we have covered this extensively in our previous submissions to the NPF4 consultation process and in joint LINK/Scottish Wildlife Trust verbal evidence to parliament. We think this is exactly the kind of transformational action that would help turn high level ambition on holistic nature and

climate action into reality by providing options for blue and green infrastructure at scale. NPF3 contained a commitment to “completing the suite of protected places and improving their connectivity through a national ecological network centred on these sites”. Considering we have made no progress towards this in Scotland, despite similar commitments in the Scottish Biodiversity Strategy, we must do more than “consider” ecological networks.

We are still very much in favour of local nature networks and want to see them progressed with urgency, however, additionally we feel there is a need for coordination at a national scale. As well as ensuring ecological coherence this approach would allow easier sharing of ideas and approaches across planning authorities. Nature Scot would be best placed to lead on this coordination role and delivery of the overall Scottish Nature Network.

A recent independent assessment of progress against the Scottish Climate Change Adaptation Programme by the UK Climate Change Committee^{xx} highlights that: “*The Scottish Government has made insufficient progress against its targets for terrestrial habitats and species, for example for peatland restoration and reducing habitat loss.*” Progress against a National Ecological Network / Scottish Nature Network would have provided an ideal coordination tool to drive delivery. We must make the most of the NPF4 opportunity and develop this important tool.

The national development aspect of the Scottish Nature Network is the coordination of the individual local nature networks to make sure they are maximising the benefits. This approach is adopted across, for example, the CSGN area, nationally across the National Walking, Cycling and Wheeling Network and nationally across the Digital Fibre Network. We do not accept that it cannot be done for green and blue infrastructure as well.

Without the strategic approach offered by the Scottish Nature Network^{xxi and xxii} (please refer to our previous response to the initial consultation and the comments of Scottish Environment LINK) we will not realise the opportunities that investing in our natural capital can present. The benefits of a Scottish Nature Network include, but are not limited to, coordination of:

- Green and blue infrastructure investment in the Infrastructure Investment Plan
- Environmental aspects of rural development/agriculture funding
- NGO effort
- Philanthropic spend
- Major charitable investors such as the lottery
- Positive Effects for Biodiversity / Biodiversity net gain projects
- Conservation finance investment

Indeed, without a tool such as the Scottish Nature Network we will not achieve the scale of projects necessary to attract investment in conservation finance-based approaches. Scale of opportunity, with regard to green and blue infrastructure projects, is repeatedly highlighted as an issue in the joint SEPA and Scottish Wildlife Trust “Conservation Finance Route Map” document.^{xxiii}

We feel our detailed ambition regarding the Scottish Nature Network which we set out in our response to the initial scoping document for NPF4 has not been taken forward in this draft and we urge Scottish Government to take forward the Scottish Nature Network as a National Development.

Adopting a Scottish Nature Network as a national development will enable delivery of green and blue infrastructure, and restoration of nature and the ecosystem services that underpin societal wellbeing. Scotland's nature needs a long-term, overarching investment plan that is able to

coordinate the achievement of shared objectives across the planning and land use sector, particularly in terms of taking action on the climate and nature crises at local, regional and national scales.

The inclusion of the Scottish Nature Network as a national development would build on the recognition that natural infrastructure should be a part of Scottish infrastructure planning. There needs to be a joined-up approach where money allocated to green and blue infrastructure in the Infrastructure Investment Plan (IIP) is applied in a coherent and strategic way to meet our climate and biodiversity objectives. Likewise, NPF4 can highlight where the gaps in our natural infrastructure are and where investment in the IIP should be directed. If the objective, as stated in this draft, is to “link development with infrastructure investment” the Scottish Nature Network must be implemented to achieve the greatest overall benefit and return on investment.

Our call for a Scottish Nature Network is consistent with the recent, seminal, Dasgupta Review into the Economics of Biodiversity:

“Humans have influenced and changed many ecosystems around the world. Some severely affected ecosystems have been re-categorised as anthromes, reflecting the extent of human activity within them. One way in which we can manage this influence and activity, including for conservation and restoration, is through careful land-use and marine spatial planning to balance economic, social and environmental trade-offs.”

The National Strategy for Economic Transformation has a high-level ambition to demonstrate “*global leadership in delivering a just transition to a net zero, nature-positive economy, and rebuilding natural capital*”. The Scottish Nature Network, if properly integrated with the Land Use Strategy and Regional Land Use Frameworks, could provide the spatial expression of this ambition in Scotland.

We have co-developed the Scottish Nature Network concept with Scottish Environment LINK members and we support the LINK response.

The Scottish Nature Network is a central “ask” within Scottish Wildlife Trust, RSPB Scotland and WWF Scotland’s joint Nature Recovery Plan xxiv. The proposal for a Scottish Nature Network also has support from all of Scottish Environment LINKs membership.

Having the Scottish Nature Network in place and the coordination it would provide to Local Nature Networks would allow for easier implementation of collaborative, community focused, landscape scale projects such as Living Landscapes^{xxv} and Riverwoods^{xxvi}.

22. Sustainable Places. We want our places to help us tackle the climate and nature crises and ensure Scotland adapts to thrive within the planet’s sustainable limits. Do you agree that addressing climate change and nature recovery should be the primary guiding principles for all our plans and planning decisions?

Yes we strongly agree. However, a guiding principle without delivery mechanisms and stronger supporting text will only result in greenwashing and this must be addressed in the final NPF4. As we have detailed in our answers to other questions in this response, references to nature-based solutions, nature networks, “positive effects for biodiversity” need to be strengthened and backed with delivery mechanisms and resources in order for it to be meaningful.

23. Policy 1: Plan-led approach to sustainable development. Do you agree with this policy approach?

Do you agree with this policy approach?

Yes we strongly agree. However, as with many other areas in NPF4 we want to see much more detail in NPF4 to make this a reality. From our understanding of this draft the emphasis is on the LDPs and without plans and policies in the NPF4 which help guide LDPs towards sustainable development we will not have a "Plan-led approach to sustainable development".

The NPF4 should provide guidance to local authorities regarding how the plan led approach meshes with nature networks, LBAPS and green and blue infrastructure in order to be truly plan led.

24. Policy 2: Climate emergency. Do you agree that this policy will ensure the planning system takes account of the need to address the climate emergency?

No – There is lots to welcome in terms of progress on this issue, but further detail is needed and we support Scottish Environment LINKs response to this question. In particular we ask the government to provide more detail on what is meant by allowing planning authorities to grant exemptions to applicants who "*provide evidence that this level of emissions is the minimum that can be achieved for the development to be viable and it is demonstrated that the proposed development is in the long-term public interest.*" (Draft NPF4, p.69) How is 'the public interest' to be defined in this context and could there be an upper cap for emissions created by a single development? We feel additional detail is required in the final NPF4 so it is clear how the planning system will transform in response to the climate emergency.

25. Policy 3: Nature crisis. Do you agree that this policy will ensure that the planning system takes account of the need to address the nature crisis?

No.

Importance of language:

Whilst we strongly welcome the high-level messaging around solving the nature and climate crisis holistically and further welcome the recognition of the nature crisis we remain concerned that the draft NPF4 lacks both the delivery mechanisms and strength of language required to make meaningful change and address the nature crisis.

We know that we live in one of the most nature depleted countries in the world^{xxvii} and that 1 in 9 of our species are at risk of extinction^{xxviii}. We also know that attempts in previous planning documents to "ask nicely" for planners and developers to address nature loss has not delivered the environmental recovery required. For example, stating "developers should" instead of "developers must".

Sadly, we see very little change in language / tone in the draft NPF4. A good example of this is in Policy on the Nature Crisis - Policy 3 on Nature Crisis states "Development plans *should* facilitate biodiversity enhancement", "*should* contribute to the enhancement of biodiversity" and "Any potential adverse impacts of development proposals on biodiversity, nature networks and the natural environment *should* be minimised". To achieve an NPF4 which truly delivers "transformational change" the use of "should" needs to turn to "must". Simply put, if we do not do things differently regarding our expectations for the natural environment, we cannot reasonably expect NPF4 to learn from previous frameworks and deliver the transformational change necessary. If necessary, this must be backed up with legislative changes.

Nature networks:

The Scottish Wildlife Trust have written and campaigned extensively on nature networks and their importance has been central to CoP 15 discussions^{xxix} and European discussions on biodiversity^{xxx}.

We know that a “National Ecological Network” was a commitment in the previous Scottish Biodiversity Strategy and a “key action” in NPF3. However, we have had absolutely no delivery on this from either of these important policy documents. This is because there was no delivery plan attached to this commitment. This needs to change in NPF4 and the forthcoming new Biodiversity Strategy.

NPF4 should:

- Explicitly require each Planning Authority to produce an opportunity mapping-based nature network, encouraging collaboration between neighbouring areas for example the CSGN area or borderlands RLUP pilot
- Attach a specific time frame to this process including a requirement to report to Nature Scot (avoiding mistakes of the failed “biodiversity reporting duty”)
- Make resources available to Planning Authorities to facilitate this including central resource at Nature Scot to ensure effort is not duplicated needlessly and enact the Infrastructure Levy included in the current Planning Bill to allow local authorities to raise funds from developments that can pay for investment in green and blue infrastructure
- Explain how nature networks fit together with Local Development Plans, the Infrastructure Investment Plan and Regional Land Use Partnerships / Frameworks. This necessary to achieve strategic join up.

We suggest the work taken forward by the Edinburgh Living Landscape^{xxxi} on the Edinburgh Nature Network^{xxxii} would provide an excellent blueprint for how to deliver nature networks across Scotland. The approach involves using the EcoCo LIFE Ecological Coherence Protocol¹ and has meaningful community engagement and involvement included from the very start.

Designating a Scottish Nature Network as a National Development would make overall coordination from Nature Scot as part of the Scottish Biodiversity Strategy easier and bring much needed coherence.

Positive Effects for Biodiversity:

This concept is only fleetingly addressed in the document and we understand it to be the Scottish Government’s desired approach to delivering “net-gain for biodiversity”. We would like to see the Scottish Government definition of this approach in the Glossary of Terms.

The main reference to this is in Policy 3 (e) “Proposals for local development should only be supported if they include appropriate measures to enhance biodiversity, in proportion to the nature and scale of development” and “Development proposals which integrate nature-based solutions and deliver positive effects for biodiversity should be supported.” This language is ambiguous and does not mention the mitigation hierarchy.

¹ This is a £2.3 million (project funded by the Life+ financial instrument of the European Community for habitat restoration and creation to improve ecological coherence within the Central Scotland Green Network area (CSGN).

The NPF4 Draft leaves us unclear about developments contributions to “Positive Effects for Biodiversity’ will be assessed in a tangible, measurable and consistent way and this must be clarified in the final document. If the approach stands as it is in the Draft NPF4 we fail to see how any development could be considered to have had any positive impact on biodiversity. We would also question what, if any, monitoring is mandated. This needs to be addressed.

*The Trust supports the principle of **biodiversity net gain** but only where it is consistent with the following principles:*

That all projects have rigorously applied all steps in the mitigation hierarchy (avoid, minimise, restore before offset) and that:

- *A full set of alternatives have been considered.*
- *The approach has demonstrated it can address concerns around measuring biodiversity, displacement, additionality, timescales, uncertainty, monitoring/evaluation and governance.^{xxxiii}*
- *That the margin of net gain is sufficient to reduce some of the risks of the approach.*
- *In certain circumstances, biodiversity offsets are not appropriate because residual impacts on biodiversity cannot be offset or where there is a high risk of failure. Protected areas such as SSSIs and habitats such as ancient woodlands and peatlands should never be considered for development. There are some biodiversity impacts that can never have an appropriate offset.*
- *Regional Land Use Partnerships should be engaged fully and early in the net gain process to ensure local values are properly accounted for.*

“Positive Effects for Nature”, as it currently stands, is not consistent with “IUCN Review Protocol for Biodiversity Net Gain”^{xxxiv}

Resourcing:

We note that the vast majority of biodiversity action and delivery is expected from Local Authorities (LAs) there needs to be an increase in resources so that LAs can resource this effectively. In the experience of the Trust and our Planning Volunteers the ecological resource and expertise vary massively across different LAs and this needs to be addressed otherwise we will see inconsistent approaches to biodiversity measures across Scotland.

At a minimum each LA should have environmental planners, ecologists and environmental economists to fulfil what is expected of them in the draft NPF4. There is a particular need around “Positive Effects for Biodiversity” and Nature Network commitments.

Resourcing should not come exclusively from public funding sources and more must be expected of developers. After strict adherence to the mitigation hierarchy, the larger the impact on biodiversity the more should be expected of developers in terms biodiversity net gain enhancement and net gain. This expectation should come from stronger wording i.e. “must” in Policy 3.

Please also refer to our answer to question 34 below.

Protected Areas:

We are in agreement with other LINK members that Policy 3 should be strengthened to promote the use of Management Plans for National Scenic Areas and SSSIs.

26. Policy 4: Human rights and equality. 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?

No. The Trust agrees with the Scottish Government that the human right to a healthy environment should be included in law.^{xxxv} Our concern is that we do not see how the NPF4 will help protect that right in any meaningful way, indeed, if this draft NPF4 is nothing more than high level rhetoric it could potentially negatively impact the right to a healthy environment by, for example not properly ensuring that housing stock has ecologically coherent biodiverse greenspace in close proximity.

27. Policy 5: Community wealth building Do you agree that planning policy should support community wealth building, and does this policy deliver this?

Not as currently drafted. We would like to see this policy make reference to the Four Capitals Approach otherwise we fear that the approach outlined will risk not properly including the environment. The Scottish Government, in response to the Advisory Group on Economic Recovery (2020) previously stated that:

"In order to capture an assessment of the needs of both current and future generations, we will adopt a four capitals approach to understand how we are impacting on our key economic, human, social and environmental assets, and thereby gain an understanding of the long-term strength and resilience of the economy, environment and society. This approach will help us understand the interconnectedness of the drivers of a wellbeing economy."^{xxxvi}

29. Policy 7: Local living. Do you agree that this policy sufficiently addresses the need to support local living?

No. The Trust wants to see accessible nature in our neighbourhoods, towns and cities. Nature should not be something you have to commute to at the weekend. Developing nature networks, with associated explicit delivery mechanisms and resources attached is key to ensuring high quality, biodiverse, green and blue spaces are easily accessible from where people live.

30. Policy 8: Infrastructure First. Do you agree that this policy ensures that we make best use of existing infrastructure and take an infrastructure-first approach to planning?

Not as currently drafted. We would like to see green and blue infrastructure included in this definition, which would be consistent with the Planning Act and Infrastructure Investment Plan.

31. Policy 9: Quality homes. 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?

Not as currently drafted. We would like to see a greater consideration of biodiversity when designing new residential areas. New homes should be net positive for biodiversity and provide good quality natural spaces for residents. Nature-based solutions to climate change, such as installing green roofs and walls, nature positive sustainable drainage systems and tree planting must be a key aspect of any new development for properties to be nature positive, sustainable and ensure equality in health and wellbeing of residents^{xxxvii}.

34. Policy 12: Blue and green infrastructure, play and sport. 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?

Whilst we agree with the high-level intention and strongly support green and blue infrastructure being used to provide nature-based solutions, as with all other aspects relating to biodiversity in the draft NPF4, there is no clarity around delivery mechanisms, responsibility and timeframes.

As we have stated in several places elsewhere in this response there is a clear opportunity to link green and blue infrastructure and the nature-based solutions it would provide with the nature network to highlight opportunities for investment which would create the greatest overall benefit.

Infrastructure levy

Within the Programme for Government there is recognition that development can “*put pressure on existing infrastructure. In such instances, it is right that developers make a fair and proportionate contribution to new or upgraded facilities*” and that Scottish Government will “*deliver an effective, fair mechanism for capturing, for public benefit, a share of the increase in land value that occurs when development is supported through the planning system*”

This mechanism already exists in the shape of the Infrastructure Levy and is detailed in section 5 of the Planning (Scotland) Bill and associated Schedules. “*An infrastructure levy (within the meaning of this Act) is a levy— (a) payable to a local authority, (b) in respect of development wholly or partly within the authority’s area, (c) the income from which is to be used by local authorities to fund, or contribute towards funding, infrastructure projects.*”

Both green and blue infrastructure are included in the definition of infrastructure in the Planning Act. “*“green and blue infrastructure” means features of the natural and built environments (including water) that provide a range of ecosystem and social benefits*”

The Draft NPF4 misses the opportunity to give a clear steer on the use of this Levy in relation to green and blue infrastructure and the nature-based solutions it can provide. We would like to see further detail on this in the final NPF4. In Scotland the amount of investment needed to tackle the nature and climate crisis is substantial and it must not be borne by the public purse alone, mechanisms such as the infrastructure levy must be encouraged.

35. Policy 13: Sustainable flood risk and water management. 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?

Not as currently drafted. Flooding is a serious risk in Scotland and the frequency and severity of flooding events will only increase. There needs to be greater investment in sustainable, natural flood defences. There are many different nature-based solutions which can help reduce the occurrence and impact caused by flooding. Nature-based solutions must be a key tool within all flood risk management plans across Scotland. Natural flood mitigation schemes such as increasing riparian planting of appropriate native trees will have multiple on-going positive effects for reducing the severity of flood events, stabilising riverbanks, and reducing pollution, while also enhancing biodiversity and absorbing carbon^{xxxviii}. Nature-based solutions prevent exacerbating flooding elsewhere and have far reaching positive impacts in the wider catchment^{xxxix}.

38. Policy 17: Sustainable tourism. 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?

Visitor surveys conducted by Visit Scotland repeatedly show that the natural environment is a key motivation for choosing Scotland as a holiday destination.^{x1} In order to support policy 17 we must have delivery mechanisms to invest in our natural environment and ways for meaningful community engagement. Please see our answers in relation to nature networks and RLUPs in regard to this.

A flourishing natural environment is the bedrock of a sustainable tourism industry and we must have an NPF4 restores and protects ecosystems.

41. Policy 20: Zero waste. 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?

Please refer to the Scottish Environment LINK Submission.

We welcome the inclusion of zero waste as a specific policy and, importantly, that the planning system should support development which reflects the waste hierarchy, prioritising the reduction and reuse of materials, and facilitate the delivery of new infrastructure to achieve this. We strongly urge stronger wording in this statement, changing 'should' to 'needs to' or similar. Other places where wording needs strengthening are under points a), b), c), d) changing 'should' to 'needs to'.

In general we welcome the integration of the circular economy, the waste and investment hierarchies, making best use of existing buildings and infrastructure and a life-cycle approach to developments into NPF4. We would like to emphasise that although the circular economy might be seen as an 'economic and environmental opportunity'; it is a necessity for climate, nature and international justice. Our material footprint is more than double sustainable levels and we consume several times our share of planetary resources. Any measures to further strengthen and embed a shift to circularity would be welcome.

We have signed a letter produced by Keep Scotland Beautiful and other UK partners which welcomed proposals for extended producer responsibility and make them responsible for the full net costs of managing packaging waste, including bin and ground litter management costs. This should be kept in mind when planning relevant infrastructure.

42. Policy 21: Aquaculture. Do you agree that this policy will support investment in aquaculture and minimise its potential impacts on the environment?

Not as currently drafted. The Trust welcomes the reference to minimising 'impacts on the environment'. However, section (a) of Policy 21 recommends local development plans 'guide new aquaculture development to locations that reflect industry needs', which suggests a preference for development over environmental health. This places an emphasis on growing the salmon farming industry rather than protecting the natural environment.

The focus on local development plans also puts the decision-making responsibility on local authorities, and their planners, who may have limited understanding of the environmental impacts (local and/or cumulative) of salmon farming.

The continued assumption against development on the north and east coasts to safeguard migratory fish species in section (b) is welcomed. However, key migratory routes on the west coast should also be accounted for, as highlighted by the recent Salmon Interactions Working Group report^[1]. The outcome of the SEPA consultation on '*Proposals for a risk-based framework for managing interaction between sea lice from marine finfish farm developments and wild Atlantic salmon in Scotland*'^[2] should also be acknowledged as a key source to consult for identifying appropriate areas for development.

Sections (c) and (d) emphasise support for future development, but fail to acknowledge the associated environmental impacts, again leaving planners to interpret what is 'appropriate for the location'. The wording here again indicates a focus on growing the industry rather than growth within environmental limits that ensures environmental sustainability.

The Framework provides no guidance on what should be considered acceptable environmental impacts, or what action should be taken if environmental impacts are not acceptable, i.e. penalties for failing to meet Environmental Quality Standards.

There is a lack of reference to other strands of policy and regulation that should be used to inform planning decisions, such as SEPA's Aquaculture Sector Plan, the development of the Scottish Government's Aquaculture Vision, or the independent review of the current regulatory framework for Scottish aquaculture by Professor Griggs.^[3]

The Framework does not provide any reference to salmon farm proposals within Scotland's MPA network, and how development can co-exist with conservation objectives. Of particular concern should be developments within MPAs that have designated features at risk from salmon farm activity (e.g. deposition of waste material on fragile and sensitive habitats, such as maerl, seagrass, and flameshell beds).

The MPA network was established to 'meet national objectives and help deliver an ecologically coherent MPA network in the North East Atlantic, contributing to the protection and enhancement of [Scotland's marine area]' (Marine (Scotland) Act 2010). However, there are a number of salmon farms that operate within MPAs with at-risk designated features, and there are applications for more farms. In order to conserve and improve the health of Scotland's marine environment, it is imperative that new farm proposals are prohibited within MPAs containing features that are at risk from salmon farm activity.

Our full aqua culture policy can be found [here](#).

47. Policy 29: Urban edges and the green belt. 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?

As with all other aspects relating to biodiversity in the draft NPF4, there is no clarity around delivery mechanisms, responsibility and timeframes. We also want to see "green belt" defined in the glossary.

48. Policy 30: Vacant and derelict land. Do you agree that this policy will help to proactively enable the reuse of vacant and derelict land and buildings?

We support the proposal for LDPs to try and use vacant and derelict land as a priority, but a full assessment must be made of the contribution existing brownfield sites make to biodiversity and the mitigation hierarchy must be rigorously applied.

There are significant examples of biodiversity value being higher on brownfield sites than surrounding areas and Ardeer Peninsula (example above) could be considered in this category.

Vacant and derelict land should also be considered for its potential to provide nature-based solutions for local communities, improving access to good quality (natural) green space and the health and well-being benefits this can provide, especially in areas of high multiple deprivation where the benefits of such spaces are essential to reduce inequality^{xli}.

49. Policy 31: Rural places. Do you agree that this policy will ensure that rural places can be vibrant and sustainable?

No – we are extremely disappointed that the critical role that rural areas have to play in delivering NetZero and fighting the nature emergency is not properly taken account of. There appears to be no mention of future agriculture policy, Regional Land Use Partnerships/ Frameworks or a just transition. This is a significant omission and gives us further cause for concern regarding the high-level rhetoric versus considered policy aimed at creating change.

50. Policy 32: Natural places. Do you agree that this policy will protect and restore natural places?

Do you agree that this policy will protect and restore natural places?

No - Excluding the high-level ambition, which is very welcome especially in relation to nature networks and nature-based solutions, it is difficult to see any substantive changes to policy that is aimed at protecting natural places versus what has come previously in NPF3.

There needs to be explicit reference to the Scottish Government Guidance on Environmental Principles^{xliii} and guidance produced.

51. Policy 33: Peat and carbon rich soils. Do you agree that this policy protects carbon rich soils and supports the preservation and restoration of peatlands?

No - The NPF4 should be significantly strengthened in this area by:

- Removing vague ambiguity around what type of development is acceptable on peatland
- Removing ambiguity over any exemptions, any “industry of national importance” must be specified with rational

52. Policy 34 – Trees, woodland and forestry: Do you agree that this policy will expand woodland cover and protect existing woodland?

Trees and woodlands are vital for targets on climate and nature, and would be vital for nature networks and delivery of landscape scale visions such as Riverwoods^{xliiii}. We welcome the policy changes that are for ancient woodlands and ancient and veteran trees and woodlands, trees, hedgerows. This is an area of the of the draft NPF4 that we think gives good, new protections and we praise Scottish Government for this and expect to see this carried through into the final document.

We agree with Scottish Environment LINK and Woodland Trust that the following changes would be useful strengthening additions:

- Scottish Government must follow through on the SNP manifesto and Programme for Government ancient woodland register commitment so that the current Ancient Woodland Inventory (AWI) is updated and made fit for purpose.
- Local authorities must be resourced with biodiversity and tree officers associated with their planning departments.
- As is the case for ancient woodlands, there needs to be an ancient and veteran tree inventory such as the Woodland Trust's Ancient Tree Inventory, to ensure planners and developers can comply with the requirements of policy 34.
- We also encourage a definition of ancient woodland to be added to the Glossary.

53. Policy 35: Coasts. Do you agree that this policy will help our coastal areas adapt to climate change and support the sustainable development of coastal communities?

While the Trust appreciates that the policy considers the importance of coastal nature-based solutions in adapting to climate change, we are disappointed to see that there is no consideration of the contribution of marine and coastal habitats to carbon storage and sequestration or biodiversity. Protection of blue carbon^{xiv} habitats is essential if we are to reduce existing atmospheric carbon, prevent further significant release of carbon into the environment^{xlv} and damage to the wider coastal ecosystems. The protection and restoration of coastal habitats is essential for wildlife and human communities and there are multiple projects around Scotland where coastal communities are working to protect and restore coastal habitats to improve biodiversity and ecosystem services. For development of coastal areas in Scotland to be considered sustainable, the existing and potential biodiversity should play a significant role in decision making.

ⁱ <https://twitter.com/antonioguterres/status/1334252460509179907?lang=en>

ⁱⁱ https://eeas.europa.eu/headquarters/headquarters-homepage/104140/closing-remarks-european-commission-president-von-der-leyen-leaders-pledge-nature_hr

ⁱⁱⁱ <https://www.mentalhealth.org.uk/campaigns/nature/nature-research#:~:text=People%20with%20good%20nature%20connectedness%20tend%20to%20be%20happier&text=Nature%20can%20generate%20a%20multitude,lower%20depression%20and%20anxiety%20levels.>

^{iv}

https://www.nature.com/articles/srep11610?mkt_tok=3RkMMJWWfF9wsRoiuavPZKXonjHpfX/6OwkXaS2IMI/OER3fOvrPUfGjI4GTspgl%2BSLDwEYGJlv6SgFS7jNMbZkz7gOXRE%3D

^v <https://care.diabetesjournals.org/content/37/1/197>

^{vi} <https://onlinelibrary.wiley.com/doi/10.1002/oby.20772>

^{vii} <https://www.sciencedirect.com/science/article/pii/S0160412017304026?via%3Dihub>

^{viii} [https://www.ajpmonline.org/article/S0749-3797\(15\)00041-0/fulltext](https://www.ajpmonline.org/article/S0749-3797(15)00041-0/fulltext)

^{ix} <https://www.sciencedirect.com/science/article/pii/S0160412015300799?via%3Dihub>

^x <https://scottishwildlifetrust.org.uk/2021/11/how-nature-based-solutions-can-help-boost-gender-equality/>
<https://linkinghub.elsevier.com/retrieve/pii/S1618866719306545>

^{xi} <https://scottishwildlifetrust.org.uk/news/scottish-wildlife-trust-welcomes-scotlands-national-strategy-for-economic-transformation/>

^{xii} <https://scottishwildlifetrust.org.uk/2018/10/greener-healthier-cities-are-within-our-reach/>

^{xiii} <https://scottishwildlifetrust.org.uk/our-work/our-advocacy/campaigns/ardeer/>

^{xiv} <https://storymaps.arcgis.com/collections/9e57bb4b3d4c443889392b725ad2ae46>

^{xv} <https://www.ecocolife.scot/ecological-coherence#The%20EcoColife%20Ecological%20Coherence%20Protocol>

^{xvi} <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2012/09/making-communities-natural-assets-green-infrastructure/documents/00401485-pdf/00401485-pdf/govscot%3Adocument/00401485.pdf>

^{xvii} <https://www.riverwoods.org.uk/>

^{xviii} <https://storymaps.arcgis.com/collections/9e57bb4b3d4c443889392b725ad2ae46>

^{xix} <https://www.ecocolife.scot/ecological-coherence#The%20EcoColife%20Ecological%20Coherence%20Protocol>

^{xx} <https://www.theccc.org.uk/publication/is-scotland-climate-ready-2022-report-to-scottish-parliament/>

^{xxi} Please see: <https://www.scotlink.org/publication/nature-networks/>

- xxii Please see <https://www.scotlink.org/wp-content/uploads/2019/11/Scotlands-NEN-LSC-Working-Group-Paper-Oct-2019.pdf>
- xxiii Please see: https://scottishwildlifetrust.org.uk/wp-content/uploads/2020/05/202001_1-Billion-Challenge-Document_FINAL.pdf
- xxiv Please see: <https://scottishwildlifetrust.org.uk/our-work/our-advocacy/policies-and-positions/nature-recovery-plan/>
- xxv <https://scottishwildlifetrust.org.uk/our-work/our-projects/living-landscapes/>
- xxvi <https://www.riverwoods.org.uk/>
- xxvii <https://www.nhm.ac.uk/our-science/data/biodiversity-indicators/about-the-biodiversity-intactness-index.html>
- xxviii <https://www.nature.scot/doc/state-nature-scotland-report-2019>
- xxix <https://www.cbd.int/decision/cop/?id=12297>
- xxx <https://www.eea.europa.eu/publications/building-a-coherent-trans-european>
- xxxi <https://edinburghlivinglandscape.org.uk/>
- xxxii <https://storymaps.arcgis.com/collections/9e57bb4b3d4c443889392b725ad2ae46>
- xxxiii Adapted from IUCN biodiversity Net Gain protocol <https://www.iucn.org/news/business-and-biodiversity/201708/iucn-unveils-new-protocol-measuring-progress-towards-biodiversity-net-gain>
- xxxiv https://portals.iucn.org/library/sites/library/files/documents/2017-033_0.pdf
- xxxv <https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/pages/13/>
- xxxvi <https://www.gov.scot/publications/economic-recovery-implementation-plan-scottish-government-response-to-the-advisory-group-on-economic-recovery/documents/>
- xxxvii <https://scottishwildlifetrust.org.uk/2021/08/nature-for-equality-a-just-transition/>
- xxxviii <https://www.nfm.scot/topics/multiple-benefits>
- xxxix <https://onlinelibrary.wiley.com/doi/full/10.1111/jfr3.12717>
- xl <https://www.visitscotland.org/binaries/content/assets/dot-org/pdf/research-papers-2/exploring-sustainable-mobility-for-sustainable-tourism.pdf>
- [1] <https://www.gov.scot/publications/salmon-interactions-working-group-report-scottish-government-response/>
- [2] <https://consultation.sepa.org.uk/regulatory-services/protection-of-wild-salmon/>
- [3] <https://www.gov.scot/publications/review-aquaculture-regulatory-process-scotland/>
- xli <https://www.sciencedirect.com/science/article/abs/pii/S1618866719306545?via%3Dihub>
- xlii <https://www.gov.scot/publications/guiding-principles-environment-draft-statutory-guidance/>
- xliii <https://www.riverwoods.org.uk/>
- xliv <https://scottishwildlifetrust.org.uk/our-work/our-projects/living-seas/blue-carbon/#:~:text=Scotland's%20seas%20contain%20a%20wealth,expands%20far%20beyond%20carbon%20storage.>
- xlv <https://digitalpublications.parliament.scot/ResearchBriefings/Report/2021/3/23/e8e93b3e-08b5-4209-8160-0b146bafec9d>