

National Planning Framework 4

Final Business and Regulatory Impact Assessment

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Title of Proposal: Draft Revised National Planning Framework 4

Purpose and intended effect

Background

The purpose of planning is to manage the development and use of land in the long-term public interest. The decisions we make today will have implications for future generations. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places.

- Scotland 2045: our Fourth National Planning Framework, commonly known as NPF4, is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. Scotland's third National Planning Framework and Scottish Planning Policy (SPP) were published in June 2014 and will remain in place until the Scottish Ministers' adoption of NPF4.
- The new NPF4 sits within a [wider programme of planning reform](#) which aims to simplify and strengthen the planning system to ensure it better serves all of Scotland's communities.
- This Business and Regulatory Impact Assessment (BRIA) considers the potential costs and benefits to businesses and other stakeholders arising from the Draft Revised NPF4 ('NPF4').

Objective

NPF4 sets out a long-term spatial strategy and national planning policies for Scotland. Looking ahead to 2045, it considers how we will work together in the coming years to improve people's lives by making sustainable, liveable and productive places. This will play a key role in delivering on the United Nations Sustainable Development Goals, as well as our national outcomes.

NPF4 is required by law to contribute to 6 outcomes:

- Meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people,
- Improving the health and wellbeing of people living in Scotland,
- Increasing the population of rural areas of Scotland,
- Improving equality and eliminating discrimination,
- Meeting any targets relating to the reduction of emissions of greenhouse gases, and
- Securing positive effects for biodiversity.

NPF4 includes:

- A spatial strategy for Scotland to 2045;
- 18 national developments – significant developments of national importance that will help to deliver the spatial strategy;
- Regional Spatial Priorities – setting out how each part of the country can use their assets and opportunities to help deliver the overall strategy. The detail of these priorities should be further considered and consulted upon through the local development planning process, and where appropriate through Regional Spatial Strategies and Regional Transport Strategies.
- National Planning Policies – the detailed planning policies for use in day-to-day decision making that collectively provide a policy framework to meet the strategy intentions that will be consistently applied across Scotland; ([See Appendix A](#))
- A Minimum All-Tenure Housing Land Requirement for each planning authority in Scotland.

Rationale for Government intervention

The Town and Country Planning (Scotland) Act 1997, as amended, requires Scottish Ministers to review the current NPF no later than 23 June 2024 and either, a) revise the NPF; or b) publish an explanation of why they have decided not to revise it. Regardless of timetable considerations, there have been numerous significant changes in wider society since the publication of NPF3 that necessitate an updated NPF. These include:

- The United Nations Intergovernmental Panel on Climate Change has made clear the very real threat and heightened risk the climate emergency poses to the planet. Scotland's ambitious targets for addressing climate change demand a fresh approach to how we plan for development and infrastructure.
- The twin climate and nature crises mean we need to ensure decisions we make today are in the long term interests of tomorrow.
- The coronavirus pandemic, which has highlighted how the places where we live and work can make a big difference to our health and wellbeing. The need for a green economic recovery from the coronavirus pandemic, and the role that planning can play in that.
- Changing population demographics both now and in the future, which mean we need to focus more on improved health and wellbeing and a better natural environment for everyone.
- A continued need for enough good quality homes, in the right places, alongside the services and facilities that communities need.

It is considered that NPF4 contributes to all of the National outcomes set out in the [National Performance Framework](#).

Consultation

Within Government

Responsibility for preparing NPF4 lies within the Planning, Architecture and Regeneration Division of the Scottish Government. A small team was set up within this Division to undertake the drafting of the document, with input from colleagues across the wider Division who have oversight of individual policy topics. More widely, the views of colleagues throughout the Scottish Government and its Agencies have been sought at each stage of the preparation process. This included officials responsible for policies covering topics such as the natural and built environment, climate change, transport, housing, etc. At each stage of the NPF4 preparation process, we have sought to develop an evidence base on the potential impacts arising.

Public consultation – Call for Ideas

Between January and April 2020, we held an open call for ideas to hear views on what Scotland should be like in 2050 and the changes needed to get there from a planning point of view, and invited suggestions for national developments. A number of resources were provided to stimulate debate.

350 written responses were received to the call for ideas from a wide range of stakeholders and members of the public. There were also 180 participants at roadshow events across the country and a further 100 people came to drop-in sessions. Responses to the call for ideas can be viewed online¹.

An Integrated Impact Assessment (IIA) Screening/Scoping Report accompanied the call for ideas. This noted that a BRIA was to be prepared to assess the likely costs, benefits and risks of any proposed policy changes that may have an impact on the public, private or third sectors. However, there were no comments made on this issue in the responses to the call for ideas. This was likely to be because, at that stage, it was unclear what policies would be changed so it was not possible to assess any potential costs and savings. It is generally indicative of past consultations where industry will initially prioritise commenting on specific policy issues rather than focussing on the likely costs and benefits that changes of policy will have on the sector.

Public consultation - Position Statement

The Scottish Government published a Position Statement² in November 2020. This reflected on the wealth of information received through the call for ideas engagement programme. The Position Statement was intended to inform further discussions

¹ [Call for Ideas | Transforming Planning](#)

² [Position statement | Transforming Planning](#)

around the policies that could be developed to address the issues raised through the call for ideas.

The Position Statement signalled a key shift towards a net zero agenda and set out thinking over 4 key themes – Net Zero Emissions, Resilient Communities, Wellbeing Economy and Better, Greener Places. It signalled some of the most significant changes that were expected to be explored in the development of NPF4.

The views of stakeholders and the public were sought on the Position Statement. 252 responses were received through the consultation. Both the consultation responses and an independent Analysis of Responses are available to view online.³

Public consultation – Draft NPF4

Draft NPF4⁴ was laid in the Scottish Parliament on 10 November 2021 for Parliamentary scrutiny. Alongside Parliament’s consideration of the draft NPF4, the Scottish Government invited comments from all stakeholders. The public consultation was launched on 10 November 2021 and closed on 31 March 2022.

The consultation asked 70 open questions and included a question inviting comments on a partial BRIA⁵ which was published alongside the Draft. In total 761 responses were analysed, of which 539 were submitted by organisations and 222 by individual members of the public. The independent analysis of consultation responses is available online⁶.

The total responses included 82 responses from development, property or land management companies or representative bodies; 58 responses from energy-related suppliers, developers associations or representative bodies and 20 responses from Planning, development, architectural or environmental consultancies.

Question 70 asked respondents for their comments on the Partial BRIA that accompanied the consultation, and generated around 45 responses.

In brief, some of the issues raised are summarised below:

- Concerns that the cumulative resource burden on planning authorities and additional resources will be required and should be considered through a skills and resource plan.
- Doubt that the introduction of a MATHLR for each planning authority will reduce workload.
- National policies need to be clear and robust to ensure the kind of certainty which will enable developers to engage less with the planning system.

³ [Position statement - links to consultation responses and independent analysis](#)

⁴ [Draft NPF4 | Transforming Planning](#)

⁵ [Scotland 2045: fourth National Planning Framework - draft: partial business and regulatory impact assessment - gov.scot \(www.gov.scot\)](#)

⁶ [Draft NPF Analysis of Responses](#)

- The impact of limited local authority resourcing on businesses dependent on the planning system to identify sites for business e.g. housebuilders, energy sector and digital network.
- Planning authorities will require a skills plan.
- Calls for work on monitoring to combine with wider performance work including planning performance frameworks and RTPI work on monitoring outcomes.

BRIA Consultation

As part of the consultation on NPF4, background information on the BRIA and a questionnaire was sent to around 33 key stakeholders from across Scotland, including key business and industry representatives ([See Appendix B](#)). Those contacted included regulatory bodies, business representatives and professional representative bodies. Contacts were encouraged to send the questionnaire on to their memberships to encourage a response from businesses. Meetings were offered to the 33 key stakeholders and their members but none took up the offer.

Two responses were received which supplemented the information received through question 70 of the consultation. One was from a local authority who set out details of the additional resource requirement and savings resulting from NPF4. They noted the reduced frequency of examination as a key cost saving. However increased costs were noted associated with additional consultation requirements; the evidence report and the preparation of Regional Spatial Strategies among other things.

The RTPI held the following consultation events during the consultation period on behalf of the Scottish Government:

- Business roundtable – 7 Feb 2022
- Energy roundtable – 14 Feb 2022
- Environment roundtable – 16 Feb 2022
- Housebuilding roundtable – 9 Feb 2022

The business roundtable included 9 representatives and provided an opportunity to discuss NPF4 in the context of business, facilitated by the RTPI. Further meetings took place during the consultation period with key groups where business and regulatory issues were discussed. This included meeting with the housing industry's representative body as well as rural economy and communities representatives. The information received has been used alongside the Draft NPF4 consultation feedback to inform this Final BRIA.

The Scottish Government has engaged individually with a range of business interests as part of the policy development process. The comments received focussed strongly on how policies could be developed so that the high level outcomes could be achieved, including the contribution that specific business sectors could make. The issue of resourcing within planning authorities and potential additional burdens on applicants were also discussed.

Options

Option 1: No change

The amended Town and Country Planning (Scotland) Act 1997 requires the Scottish Ministers to review or revise the NPF by 23 June 2024. This approach would require the Scottish Ministers to publish an explanation of why they have decided not to revise the NPF. In practice, Scotland's third NPF and the existing SPP, which were published in June 2014, would remain in place. In view of the significant changes in wider society since the publication of NPF3, it is considered that a revised NPF is required.

Option 2: The Government's preferred strategy

NPF4 is a long term plan looking to 2045. It guides spatial development, sets out our national planning policies, designates national developments and highlights regional spatial priorities. It will be part of the statutory development plan for the first time, and will directly influence decisions on planning applications across Scotland.

The Scottish Government's Programme for Government 2021-2022 highlighted the role of NPF4 in accelerating emissions reduction and responding to COVID-19. This will be done as part of a cohesive plan to update existing strategies, policies and the national developments needed to ensure that the planning system effectively contributes to the delivery of wider policies around issues such as climate change; biodiversity, infrastructure; population change; health and wellbeing; good quality homes and the green economic recovery.

Option 3: Non-regulatory options

The preparation of NPF is a statutory requirement. Recent changes to planning legislation mean NPF4 will have an enhanced status as part of the statutory development plan which informs planning decision making in each planning authority area. Any alternative strategy used to deliver national policies would not have the same status and influence as NPF4 and would likely need to be brought forward in a piecemeal way as the Scottish Government seeks to ensure that the planning system is changed to deliver wider policy priorities. This could result in a confusing and weakened landscape for planning decisions which would affect the whole sector.

Sectors and groups affected

Business – all options

NPF4 is a strategic document likely to impact on all business sectors across Scotland who are likely, in the future, to engage with the planning system through the submission of a planning application or commenting on applications that affect them. It may also influence businesses' decision-making on what they do with their land. Forming part of the development plan, NPF4 will influence how decisions on such applications are made. The most significant impacts will be on business that are dependent on the planning system for identifying new sites for their ongoing operations. This will, in particular, include housebuilders, digital network providers and the renewable energy, tourism and culture, minerals and aquaculture sectors.

The move away from individual local policies in every local authority area, towards more consistently applied national planning policies through NPF4, will provide greater certainty to developers. This will also considerably reduce the number of occasions where they will need to engage with the planning system on the development of policies that affect their businesses. The impact of specific policies on their businesses may therefore be magnified compared to previous arrangements. Comments received on the partial BRIA highlighted that benefits from increased certainty will only be fully realised if national planning policies are sufficiently clear and robust.

Proposals can also directly impact business where NPF4 designates a proposal as a national development. Where the development is consented through the planning system, the prospective applicant is required to undertake additional consultation before applying (pre-application consultation) for planning permission. In some consenting regimes further procedures may be triggered by national development status. However, establishing the need for a national development should facilitate an application's passage through the planning system and care has been taken to ensure that National Development descriptions avoid adding substantial procedure in a disproportionate way, for example to relatively minor developments.

Local authorities – all options

Local authorities are also affected in that they are required to take account of NPF4 in preparing their local development plans. Previously, those plans would include planning policies specific to the development plan area. However, the intention is to reduce the need for local policies by introducing national planning policies that apply across Scotland, while still leaving scope for local variation in policies where appropriate. This will free up time and resources for local authorities to focus on spatial elements in their development plans, although not all consultation respondents agreed with this. Responses to the partial BRIA highlighted that where NPF4 policies introduce requirements for assessments to be undertaken in new work areas, this will require investment in skills development. However, not all

respondents agreed with this. It is normal for changes in policy and/or new types of development featuring in the planning system to require some degree of skills and knowledge development.

Where a national development is designated within a local authority area there are additional requirements on the processing of any associated application for planning permission, including pre-application consultation and pre-determination hearings.

Housing is critical to a wide range of socio-economic issues. Experience of the pandemic has highlighted the importance of quality homes in quality places. There is therefore a need to focus on accelerating delivery and improving the quality of homes and places. This can be supported by introducing a long-term, strategic and public interest approach that clearly, consistently and transparently establishes the housing land requirement much earlier in the plan preparation process. The Planning (Scotland) Act 2019 requires that the National Planning Framework contain “targets for the use of land in different areas of Scotland for housing”. To meet this, Annex E of NPF4 includes a Minimum All-Tenure Housing Land Requirement (MATHLR) for each planning authority in Scotland. We are of the view that this, together with a new policy approach, will help to streamline local development planning and free up resources, and can provide greater confidence, with potential benefits for local authorities, communities and businesses, although not all consultation responses agreed with this.

Communities – all options

NPF4 will impact on communities as it will influence the future development of the places where people live. In addition, those community bodies which are preparing Local Place Plans will be required to have regard to the NPF in preparing such plans.

The designation of a proposal as a national development will require enhanced scrutiny in the planning system. Primarily this will require the prospective applicant to undertake pre-application consultation with the community in advance of submitting a planning application.

New policies around community wealth building will have benefits for communities in that priority is given to local economic development which focuses on community and place benefits. However, some consultation responses felt the policy was vague and needed more detail to support businesses and planning authorities.

Public Bodies – all options

The Scottish Government has set a target of net zero emissions by 2045, and must make significant progress towards this by 2030. NPF4 aims to support this target and this has the potential to impact on the decisions, plans and strategies made by infrastructure providers in the areas of flood management, housing, transport and education and historic environment, as examples.

Costs and Benefits

Option 1: No change

The benefits to businesses of this option is that they would continue to work to existing arrangements. There would be no direct additional costs, although national planning policies would become outdated and not reflect current national priorities around e.g. climate change and biodiversity, leading to possible uncertainty and delays around the preparation of development plans and making decisions on planning applications. Such uncertainties would likely have significant impacts on businesses and could lead to greater costs in bringing forward proposals in such an uncertain climate. There is likely to be continuing complexity and resource requirements arising from some existing policies, including the approach to housing in SPP (2014) which has generated extensive debate and litigation.

Option 2: The Government's preferred strategy

At the highest level, NPF4 will provide certainty to developers on the issues that they will need to address when developing their planning proposals. The national planning policies will apply across Scotland and are intended to reduce the need for different policies to be put in place by individual planning authorities. This will provide greater consistency, predictability and certainty for businesses, and other stakeholders, on the issues that must be addressed by specific proposals regardless of where they are located. This should result in cost savings arising as a result of not having to engage with different local authorities on different policies and also free up resources for local authorities to bring forward development plans that primarily focus on the spatial issues within their areas.

Although some consultation responses query these cost savings, we remain of the view that the new system will result in savings to authorities in this regard.

NPF4 sets out a spatial strategy for Scotland to 2045, including six spatial principles that should influence all our plans and decisions. These principles are:

- Just transition
- Conserving and recycling assets
- Local living
- Compact urban growth
- Rebalanced development; and
- Rural revitalisation

They sit alongside the following 3 themes:

- Sustainable places: where we reduce emissions, restore and better connect biodiversity
- Liveable places: where we can all live better, healthier lives
- Productive places: where we have a greener, fairer and more inclusive wellbeing economy

These principles and themes should be the basis for all Local Development Plans and where appropriate should be reflected within Regional Spatial Strategies and Local Place Plans.

The principles have been carried forward from the existing SPP, although they have been adapted and expanded to ensure that they better reflect updated priorities.

There are 33 'subject' policies that set out the issues that should be addressed by development proposals and LDP policies. These policies have been developed collaboratively and are intended to ensure that proposals take into account wider Scottish Government policy objectives and satisfactorily address impacts including on local communities and the environment. The policies can be applied to development management decision-making as well as informing the preparation of local development plans and, in doing so, ensure the spatial principles are reflected in planning decisions and plans. The subject policies introduce a number of new requirements that are likely to have cost implications for businesses. This includes enhanced requirements for reducing carbon emissions, conserving and enhancing biodiversity and contributing to community wealth building. In the interests of proportionality, it is likely that considering many of these requirements can be aligned with existing assessment requirements.

Significant changes are proposed throughout the development management policies in NPF4. These are intended to ensure that future development contributes to the Scottish Government's objectives of creating sustainable, liveable and productive places.

A fuller analysis of the likely benefits and costs of specific policies is provided in the table at [Appendix A](#).

National Developments

The developments which Scottish Ministers propose to designate as national developments are considered to be essential to support the delivery of the spatial strategy in NPF4.

Designation in NPF4 is the mechanism for establishing the need for these developments. National developments will still require to secure planning permission and other relevant consents; however the principle of the development should not be considered again in the consenting process. National developments may need to be consented under regimes such as: the Town and Country Planning (Scotland) Act 1997; the Electricity Act 1989; the Harbours Act 1964; the Transport and Works (Scotland) Act 2007; and the Roads (Scotland) Act 1984, and will have to comply with all the relevant legislative requirements.

Designation as a national development can make the consenting process more straightforward, but does not guarantee consent will be granted.

Planning applications for national developments are subject to pre-application consultation and opportunity must be provided for a pre-determination hearing. This approach informs both the applicant and communities from an early stage and can help bring about proposals with better outcomes and potentially quicker decisions. Once new regulations (required by the 2019 Planning Act) are in place, planning applications for national developments will also be subject to an assessment of the likely health effects of the proposal, in addition to any other statutorily required assessments.

NPF4 subjects national developments to additional requirements relating to biodiversity enhancement. These requirements are also applied to major developments (as defined in regulations) and those requiring an environmental impact assessment; so it is likely that national developments would be subjected to these requirements regardless of designation. National developments are also required by legislation to consider the lifecycle carbon impact on greenhouse gas emissions targets within the NPF4.

Where the development is subject to consenting under the land use planning system, other additional costs associated with national developments are likely to relate to enhanced scrutiny requirements, namely the above mentioned pre-application consultation and pre-determination hearing requirements. Again, as the national developments specified would otherwise be categorised as major development, these requirements would largely apply anyway (requirements for pre-determination hearings apply to all national developments, but only certain major developments – i.e. those which are a significant departure from the development plan for the area).

There will be some costs to planning authorities in checking that the appropriate documentation has been received and in holding the pre-determination hearing, where this would not otherwise be required. For communities and community groups, there will be marginal costs in preparing for, accessing, and contributing to the enhanced scrutiny events.

Option 3: Non-regulatory options

This option would likely result in a need for the Scottish Government to bring forward changes to specific planning policies as and when the need arises. This will result in piecemeal consultation that is likely to lead to an increase in the costs associated with engaging on specific planning policy issues individually rather than considering all policies together via Option 2.

Scottish Firms Impact Test

The Scottish Government has ensured that careful consideration is given to the impacts that NPF4 will have on businesses so that the framework is informed by a sound understanding of what these impacts are.

A tailored approach to inviting views on the preparation of the BRIA was utilised through the preparation of a questionnaire which was sent to the representative bodies of those industries most directly affected by the proposals in the draft NPF4, for onward transmission to their members. The questionnaire was also sent to key agencies, local authorities and third sector bodies. It asked for information on the current costs of engaging with the planning system and views on the possible impacts of the proposals (both individually and cumulatively) in draft NPF4 on those costs. The questionnaire was issued shortly after the publication of draft NPF4. A copy of the questionnaire and the questions asked can be found at [Appendix B](#).

Given that most small and micro businesses will only occasionally deal with the planning system, it was considered that a questionnaire sent to representative bodies was the best way to engage with this sector. Recipients were encouraged to send on the questionnaire to members and other relevant business contacts. Respondents were offered the opportunity for further engagement with officials, although none took up that opportunity.

Only two responses were received to the questionnaire. The results are summarised below:

- Resourcing and skills within planning authorities and key agencies needs to be looked at, and the impact of the changes coming from NPF4 on those resources and skills.
- Scottish Government has recently increased planning fees and is working with the High Level Group on Planning Performance on how full cost recovery (still to be defined) can be achieved. Work on these issues is being informed by research (Skills Development Scotland and RTPI Future Planners project).
- Some stakeholders were suggesting the Scottish Government develops a skills and resource plan. It was considered this issue would benefit from a cross sectoral approach, including being co-produced and owned by representatives from across the sector. Heads of Planning Scotland and RTPI Scotland have produced a list of additional duties with costs introduced by the 2019 Planning Act. As an ongoing piece of work, the High Level Group (a group of key public sector representatives from across planning) is considering these in detail and making sure that costs and savings have been adequately represented.

The findings of the questionnaire were grouped alongside consultation responses and have fed into the finalisation of this BRIA, as well as feeding into the development of NPF4.

Competition Assessment

We do not believe that the NPF4 will distort or restrict competition between firms or suppliers selling the same or similar products or services as it does not:

- directly limit the number or range of suppliers;
- indirectly limit the number or range of suppliers;
- limit the ability of suppliers to compete; or
- reduce suppliers' incentives to compete vigorously.

Consumer Assessment

We do not believe the NPF4 will impact on consumers, though there may be indirect benefits where NPF4 supports and facilitates the expansion of infrastructure including digital communications infrastructure; telecommunications infrastructure; all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution and transmission electricity grid networks and primary sub stations; water and waste water infrastructure; and transport proposals and travel networks.

Test run of business forms

NPF4 will not require the creation or completion of business forms.

Digital Impact Test

NPF4 will be made available online, as was the case with NPF3.

There is no possibility that the measures could be circumvented by digital / online transactions.

It is not considered that having paper and digital copies of the policy will have any adverse impacts on incumbent operators.

Legal Aid Impact Test

The proposals do not create new criminal sanctions or civil penalties. The Scottish Government's Access to Justice / Legal Aid Team has confirmed that it is not expected that these proposals will have a significant impact on use of the Legal Aid fund.

Enforcement, sanctions and monitoring

NPF4 will be implemented by a range of stakeholders, including by planning authorities. It will inform the preparation of local development plans and, as it will be part of the statutory development plan, it will have a statutory role in development management decisions. There are no specific enforcement measures or sanctions related to the NPF. It will also be implemented by the Division for Planning and Environmental Appeals through recommendations resulting from development plan examinations and recommendations/decisions on planning appeals and called-in applications.

NPF4 will be subject to review under the provisions set out in the amended Town and Country Planning (Scotland) Act 1997.

The Scottish Government has committed to working with a range of stakeholders to develop an appropriate monitoring programme for NPF4 that allows us to assess progress and take action where required. Monitoring will be required at both a national and local level and will be proportionate and effective.

An agreed monitoring programme will complement, and potentially combine, wider planning performance work including Planning Performance Frameworks and Royal Town Planning Institute work on monitoring outcomes, as well as reflecting national outcomes set out in the National Performance Framework.

Implementation and Delivery Plan

NPF4 will be accompanied by a delivery programme, which will evolve over the lifetime of NPF4. The delivery programme has an important role in co-ordinating stakeholders to contribute to implementing the framework, but also has a role for NPF4 monitoring. Monitoring the progress of the NPF4 spatial strategy and the success and implementation of its policy aspirations is a key element of delivering the framework. Work will be progressed with the High Level Group to agree an approach to monitoring, with key stakeholders.

The delivery programme aims to secure a cross-government approach to the delivery of NPF4, informed by input from stakeholders, that is unlikely to result in significant cost burdens for businesses.

Summary and recommendation

NPF4 will be a long term plan looking to 2045. It will guide spatial development, set out our national planning policies, designate national developments and highlight regional spatial priorities. This will support a wide range of issues such as climate change; biodiversity, infrastructure; population change; health and wellbeing; good quality homes and green economic recovery.

This BRIA has been informed by consultation with the business sector which has supported the finalisation of NPF4.

NPF4 will be part of the statutory development plan for the first time, providing greater certainty to developers and considerably reducing the number of occasions where they will need to engage with the planning system on the development of policies that affect their businesses.

The national planning policies which will apply across Scotland should also free up resources for local authorities to bring forward local development plans that primarily focus on the spatial issues within their areas. Any policy wording included in the plan should focus on adding value by providing any necessary detail not provided by the NPF or where national policy does not reflect local circumstances and local variation is therefore considered appropriate.

National development status gives greater certainty to developers because it establishes the need for the development, although additional costs may be associated with progressing proposals through the planning system.

Responses to the partial BRIA highlighted that business may be impacted where NPF4 policies introduce requirements for assessments to be undertaken in new work areas. Further, there is doubt that cost savings will outweigh need in local authorities for resource and skills to deal with new work areas. However, where additional requirements are more significant, primarily in relation to climate change related policies, additional guidance and skills development will be undertaken.

Work being taken forward by the High Level Group will be central to informing a cross sectoral approach to skills and resourcing following the adoption of NPF4. The delivery programme aims to secure a cross-government approach to the delivery of NPF4 that is unlikely to result in cost burdens for businesses.

Annex A summarises the costs and benefits of proposals by policy area. Of the proposals broken down by policy area, it is considered that overall, costs are outweighed by the strong justification for proceeding with the intended approach, in particular the contributions to national outcomes.

This, coupled with the fact that the other options presented are not viable, means that the recommendation is to proceed with the preferred strategy.

Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that, given the available evidence, it represents a fair and reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact has been and will continue to be assessed with the support of businesses in Scotland.

Signed:

A handwritten signature in black ink, appearing to read 'Tom Arthur', written over a light blue horizontal line.

Tom Arthur MSP

Minister for Public Finance, Planning and Community Wealth

Date: 8 November 2022

Scottish Government Contact point: scotplan@gov.scot

Appendix A: Analysis of Benefits and Costs

Spatial Strategy

Proposed policy change	Sector and groups affected	Benefits	Cost
Spatial Principles and Themes			
Part 1 of NPF4 sets out our spatial strategy for Scotland to 2045, identifying: spatial principles and 3 themes. The spatial priorities feed into the three themes sustainable places, liveable places, productive places.	All stakeholders involved in delivering development.	Positive outcomes from development, contributing to the national outcomes and statutory outcomes for the NPF.	The cost of planning policy changes have been considered and balanced against their overall contribution to these wider policy themes/ principles.
National Developments			
Eighteen national developments are put forward in NPF4 to support the delivery of the spatial strategy. These are significant developments of national importance and can be single, large scale projects, or collections and networks of several smaller scale proposals. 8 of the national developments in NPF4 are new/ additional from those in NPF3.	Lead partners and planning authorities involved in delivering national developments.	Designation in NPF4 establishes the need for these developments, so the principle of the development should not be considered again in the consenting process. This provides a level of certainty for developers and businesses, which can support investment in places and removes cost and time in proving the case in principle.	Additional costs may be associated with progressing national development proposals through the planning system e.g. where the development is consented through the planning system, the prospective applicant is required to undertake additional consultation before applying (pre-application consultation) for planning permission. This has been mitigated where appropriate by ensuring the classes of development included in the description are proportionate and avoid adding process to relatively minor developments.

Proposed policy change	Sector and groups affected	Benefits	Cost
		It reduces considerations in the consenting process.	<p>In some consenting regimes further procedures may be triggered by national development status.</p> <p>These procedures are already set in planning and other legislation. NPF just designates those developments the procedures apply to.</p>

National Planning Policies

The full policies are in NPF4, available at www.transformingplanning.scot

Sustainable Places

Proposed policy change from SPP to NPF4	Sector and groups affected	Benefits	Cost
Tackling the Climate and Nature Crises			
A new policy responding to the twin climate and nature crises, requiring local development plans to address the crises and for significant weight to be given to the crises in the consideration of development proposals.	All stakeholders involved in delivering development.	<p>Ensures that greater weight will be given to climate change as a crucial factor influencing decision making on future land use. Positive effects for nature are secured from development, helping to address the global challenge of biodiversity loss in line with the new statutory outcome for NPF4.</p> <p>New, clear policy has potential to offer a cost benefit by reducing uncertainty in the planning and applications process for developments which will reduce emissions and promote nature.</p>	<p>Designing proposals to meet development plan strategies for reduced emissions, climate change adaptation, nature recovery and restoration may need new approaches and development costs may differ to current approaches. The policy intent is to ensure adequate weight given to these considerations rather than specifically requiring complex or technical assessments to support this specific policy. Planning authorities may have to consider evidence, which would be provided by the applicant, in keeping with any policy change in planning.</p>

Proposed policy change from SPP to NPF4	Sector and groups affected	Benefits	Cost
Climate Mitigation and Adaptation			
Supporting minimisation of development related emissions and help adapt to current and future impacts of climate change.	All stakeholders involved in delivering development.	Works towards meeting net-zero targets, which helps reduce long-term risks from climate change and supports a just transition to net zero. Works towards improving community and place resilience, and therefore to risks from climate change, supporting place viability in the long term.	<p>Potential for some additional costs to planning authorities from understanding the likely emissions generated by the plan approach and the climate risks and adaptation approaches pertinent to the plan area. Some developers/ designers may incur additional costs in minimising lifecycle greenhouse gas emissions.</p> <p>Over time emissions minimal/net zero designs will become the routine approach and policy is designed to be flexible ahead of a single agreed standard methodology emerging.</p> <p>Some developers/ planning authorities may find additional costs in preparing adapted and adaptable designs. Some costs for developers and planning authorities in up-skilling staff for emissions minimisation and adaptation. Some costs for planning authorities in appraising reports/ approaches related to emissions minimisation and adaptation.</p>

Biodiversity			
A new policy responding to the nature crisis, requiring plans and proposals to contribute to the enhancement of biodiversity.	All stakeholders involved in delivering development.	Positive effects for biodiversity are secured from development, helping to address the global challenge of biodiversity loss in line with the new statutory outcome for NPF4.	<p>New requirements to conserve, restore and enhance biodiversity may introduce additional evidence requirements for developers which will also require consideration by planning authorities. New requirements may also lead to additional costs for developers relative to the impact, and scale of the development.</p> <p>Appropriate Assessment has been removed as a trigger from part (b) of this policy in response to consultation responses highlighting that this can be small scale and it would have been disproportionate to include. This removal may lead to cost savings for such applications.</p>
Natural places			
An updated policy on natural places which aims to protect the natural environment, including important natural assets and protected species, biodiversity and landscape, including protected sites and species.	All stakeholders involved in delivering development.	Continues to ensure that natural assets are managed in a sustainable, regenerative way so they can continue to provide the essential benefits and services upon which people and businesses rely.	A requirement around wild land impact assessments for development on wild land may result in additional costs including for some businesses although this is not a new concept introduced by the policy, but currently undertaken in accordance with existing guidance for significant development proposals affecting wild land areas.

Soils			
An updated policy to protect carbon rich soils, restore peatlands and minimise disturbance to soils from development.	Peat extraction industry, whisky industry, housebuilders, renewables, low-carbon and net-zero tech industries, planning authorities, key agencies, horticulture industry.	Ensures greater protection is given to soils, peatland, carbon rich soils and priority peatland habitats in recognition of the role they play in carbon sequestration and climate change adaptation.	The greater protection afforded to peatland may result in additional costs for certain businesses. For the horticulture industry this may be for sourcing alternative growing mediums.
Forestry, woodland and trees			
An updated policy on forestry, woodland and trees which requires local development plans to link with Forestry and Woodland Strategies, and does not support any loss or adverse impact on ancient woodland, ancient or veteran trees, or adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value. Proposals that enhance, expand and improve tree and woodland cover are supported.	All stakeholders involved in delivering development.	Recognises the role that trees and woodland will play in helping to achieve net zero by 2045 through sequestering and storing carbon and providing essential ecosystem services for nature, people and the economy.	May result in additional costs for businesses where policies lead to changes to proposals that incur additional development costs.

Historic places and assets			
An updated policy on historic assets and places aims to safeguard valued historic assets and places including listed buildings, conservation areas, scheduled monuments, historic gardens and designed landscapes, battlefields, and World Heritage Sites.	All stakeholders involved in delivering development.	Ensures appropriate recognition is given to the need to protect and enhance historic environment assets and places in recognition of their important cultural, social, and economic value.	Potential for costs for assessment, but changes in relation to current practice are unlikely to result in significant additional costs.
Green belts			
An updated policy on green belts aims to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably. It limits the circumstances where development on green belt land can be acceptable to specific uses.	All stakeholders involved in delivering development.	Ensures continued recognition of the role of green belts as a settlement management tool around Scotland's towns and cities.	Policy is updated from SPP but changes are unlikely to result in significant economic costs.

Brownfield, vacant and derelict land and empty buildings			
An updated and expanded policy on brownfield land and vacant and derelict land and empty buildings which encourages re-use of land and buildings and discourages greenfield development unless supported by the local development plan.	All stakeholders involved in delivering development.	Greater emphasis on using brownfield land and buildings has the potential to deliver significant benefits including sustainable, inclusive growth and reduced emissions. There will likely also be wider health benefits as there is a potential relationship between poor health, inequality and disadvantage, and proximity to vacant and derelict land.	The shift towards a greater emphasis on using brownfield land (including vacant and derelict land), including remediation, may have implications on the locational choices of some businesses and the development sector. Revised policy from SPP avoids introducing substantial additional tests for applicants.
Coastal Development			
An updated policy to provide a framework for protecting coastal communities and assets. Developments will consider adaptation to future climate impacts, and will be supported in areas of developed shoreline provided coastal protection measures are not required.	All stakeholders involved in delivering development.	Policies confirm how the future development of coastal areas and communities can be achieved in a way that helps them adapt to long term challenges, such as climate change.	Policy is updated from SPP but changes are unlikely to result in significant economic costs.

Energy			
Updated policies on energy to encourage, promote and facilitate all forms of renewable energy development.	Renewables industries, planning authorities, key agencies.	Ensures that the planning system continues to support the expansion of renewable, low-carbon and net-zero energy technologies as a key contributor to net-zero emissions by 2045.	Added clarity in policy and refreshed suite of key considerations has potential to offer a cost benefit by reducing uncertainty in the planning and applications process for renewables, low carbon and net zero technologies.
Zero Waste			
An updated and expanded policy on zero waste, requiring plans to identify locations for new infrastructure and supporting development in line with the waste hierarchy. Landfill and energy from waste proposals will only be supported in very limited circumstances.	Waste management industries, planning Authorities, key agencies.	Ensures the planning system continues to support development which reflects the circular economy and waste hierarchy, prioritising the reduction and re-use of materials, and facilitating the delivery of new infrastructure required to achieve this.	No substantial additional costs are likely to arise for developers from the policy itself and some elements of the policy may in fact, given LDPs role to identify appropriate locations for new waste management infrastructure, reduce the likelihood of substantial investment being wasted in applications which may not be granted consent.
Sustainable transport			
An updated policy on sustainable transport and active travel. This aims to reduce the need to travel by discouraging applications for significant travel generating uses at locations which rely on the car. Provision of active travel is actively encouraged.	All stakeholders involved in delivering development.	Refocuses existing transport policies to specifically draw out how land use planning can build in sustainable travel choices.	There may be additional costs to developers around some of the updated policies, such as those relating to active travel, although such requirements are likely to already be required by existing local development plan policies, to varying degrees. Requirements of specific development proposals will vary on a case by case basis and may be offset depending on other changes

			influencing the development economics of a site, e.g. densities, lower car parking etc.
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Liveable Places

Proposed policy change from SPP to NPF4	Sector and groups affected	Benefits	Cost
Design, quality and place			
An updated policy on design, quality and place requiring plans and proposals to reflect the six qualities of successful places.	All stakeholders involved in delivering development.	Continues to ensure that place making and quality development are key outcomes for the planning system.	Policy is updated from SPP but changes are unlikely to result in significant economic costs.
Local living and 20 minute neighbourhoods			
A new policy on local living, requiring plans and proposals to support the principle of 20 minute neighbourhoods.	All stakeholders involved in delivering development.	Ensures that people have access to everyday local infrastructure so that the need to travel is reduced and the places where they live and work are more resilient and sustainable.	These policies will impact on locational choices for development and are unlikely, in themselves, to generate significant costs.

Quality homes			
An new approach to providing more quality homes. This requires authorities to identify a Local Housing Land Requirement which is expected to exceed the 10 year Minimum All-Tenure Housing Land Requirement.	Housebuilding industry, registered social landlords, housing associations, planning authorities, key agencies, built environment professionals.	NPF4 takes a new approach to planning for new homes. It aims to address issues of current policy, and limit resources being focused on debates over calculations and methodologies of housing numbers. It looks to support delivery of homes over a longer timeframe of 10 years, enabling a more co-ordinated and considered approach, aligned with key drivers of social justice, infrastructure provision, local living and climate change. Resource capacity in future should therefore focus on the quality, location and delivery of new homes and places.	<p>Some housebuilders raised concerns about possible impacts relating to changes to existing housing policies and to other policy areas, including net zero and brownfield land. The latter are addressed in relation to those specific policies.</p> <p>The housebuilding industry highlighted potential costs in relation to local infrastructure, job opportunities and economic output.</p> <p>Issues relating to skills and resourcing of the public sector to deliver were also raised in consultation responses. It should be noted, however, that the current policy approach generates significant resource requirements for planning authorities.</p>
Rural homes			
New policy on rural housing to give greater clarity on the overall intent of supporting vibrant and sustainable rural communities.	Housebuilding industry (SMEs), registered social landlords, housing associations, built environment professionals operating in rural areas,	New approach is clearer on the overall intent of supporting vibrant and sustainable rural communities, and to support the outcome on increasing the population of rural areas of Scotland. Its close link with housing policy	Policy is updated from SPP but changes are unlikely to result in significant costs.

	planning authorities in rural areas key agencies.	provides flexibility to rural circumstances. Supports business continuity through providing for retirement succession and worker accommodation as needed.	
Infrastructure First			
The infrastructure first approach is a new policy requiring infrastructure considerations to be put at the heart of planning decisions.	All stakeholders involved in delivering development.	<p>Puts in place an infrastructure-first approach, involving infrastructure providers, developers and other public bodies to ensure an integrated and coherent outcome-based approach to land use planning. Supports the efficient use of infrastructure and identification of infrastructure needs of communities. Supports a better understanding of infrastructure needs and costs.</p> <p>Alignment with the infrastructure investment hierarchy will ultimately reduce costs to the public and private sectors.</p>	As the infrastructure first approach seeks the front loading of infrastructure information, this may have cost implications for planning authorities. However, it is expected that they would be supported by input from stakeholders who are responsible for infrastructure data. Good practice and skills development, as supported by the delivery programme, will also mitigate the impact on planning authorities.

Heat and cooling			
An updated and expanded policy on heat and cooling requiring LDPs to take into account the area's Local Heat and Energy Efficiency Strategy. Proposals should be designed to connect with existing or future heat networks.	Developers and housebuilders, planning authorities, key agencies.	Ensures that the planning system supports development that connects to heat networks so that they can support net zero emissions from heating and cooling buildings and adapt to changing temperatures.	Additional skills and resources may be required to support the assessment of technical proposals. Recognising this, the Scottish Government has supported local authorities, such as through an initial LHEES pilot scheme. Local authorities are being paid £75k as part of their block funding until 27/28 to support work on LHEES.
Blue and green infrastructure			
An updated policy on blue and green infrastructure, requiring assets and networks to be safeguarded and seeking opportunities for expansion, enhancement and connections. Long-term maintenance of blue and green infrastructure are to be addressed in development proposals.	Developers and housebuilders, RSLs, planning authorities, key agencies, local authorities, parks authorities, land owners.	Ensures that the planning system continues to protect and enhance provision of and access to blue and green infrastructure, delivering multiple functions including flood prevention, climate mitigation, nature restoration, biodiversity enhancement as well as providing opportunities for play and recreation.	No significant new costs arising from policy given coverage of the issues in existing local development plan policies, to varying degrees. Long term maintenance responsibilities may entail costs to land owners, local authorities, developers (including housing associations) and/or residents.

Play, Recreation and Sport			
A new policy created to encourage, promote and facilitate spaces and opportunities for play, recreation and sport.	Developers and housebuilders, RSLs, planning authorities, key agencies, local authorities, parks authorities, land owners.	Ensure the planning system continues to protect outdoor sports facilities as required and actively promote the provision and enhancement of play and recreation opportunities in the natural and built environments for people of all ages, recognising the benefits they bring to people and communities in their health and wellbeing.	<p>Some additional capital costs may arise from policy round provision for play opportunities where developments are occupied or frequented by children and young people.</p> <p>Long term maintenance responsibilities may entail costs to land owners, local authorities, housing associations and/or residents.</p>
Flood risk and water management			
An updated policy on flood risk and water management which aims to avoid developments in areas of flood risk and to strengthen future resilience by reducing the vulnerability of existing and future development to flooding, whilst encouraging the use of natural flood risk management to provide wider benefits for people and nature.	Developers and housebuilders, planning authorities, key agencies.	Ensures that the planning system strengthens future resilience to flood risk by reducing the vulnerability of existing and future development to flooding. This will essentially prevent significant costs arising where development is located in unsustainable locations.	<p>This provides a clearer and more consistent approach to planning policy on flood risk, rather than introducing a new concept.</p> <p>There may be some cost implications for developers associated with meeting design criteria that are needed to avoid flood risk.</p> <p>Planning services will need staff to continue to ensure that technical reports, such as drainage impact assessments and flood risk assessments, can be evaluated. Specialist skills are available within key agencies who are required to input to the planning process as relevant.</p>

Health and Safety			
A new policy supporting health, wellbeing and protection of people and places from environmental harms and safety hazards.	Developers and housebuilders, planning authorities, key agencies.	Ensures that the planning system supports, and has the information to support, health, wellbeing and safety, and strengthens the resilience of communities.	<p>Potentially minor costs of local authority partnership working with agencies as part of the local development plan process.</p> <p>Health impact assessment, noise, and air quality assessments and designs that account for suicide risk may generate costs for applicants although they noise and air quality impact assessments are already commonly required for relevant developments.</p>
Digital infrastructure			
An updated policy on digital infrastructure which requires proposals to incorporate appropriate, universal and future-proofed digital infrastructure.	Construction industry, telecommunications and broadband providers, planning authorities.	Ensures that the planning system continues to support the roll-out of digital infrastructure across Scotland, ensuring that policies recognise the importance of future-proofing infrastructure provision whilst addressing impacts on local communities and the environment.	No significant change from existing policy so no additional costs envisaged.

Productive Places

Proposed policy change	Sector and groups affected	Benefits	Cost
Community wealth building			
A new policy on community wealth building, including a requirement for national and major developments to contribute to community wealth building.	All stakeholders involved in delivering developments.	Ensures that the planning system considers how major developments can provide added value to communities.	<p>Potential for additional costs to developers delivering national and major developments. Policy approach is designed to be proportionate rather than introducing a substantial new assessment.</p> <p>In addition, requirements to contribute to community wealth building objectives are likely to involve better targeting of investment rather than increasing development costs.</p>
Business and Industry			
An updated policy on business and industry requiring development plans to identify land for business and industry in a way which supports a greener, fairer and more inclusive wellbeing economy. Supporting proposals for home-working, live-work units and micro-businesses.	Developers involved in delivering developments for the business sector, planning authorities, key agencies.	<p>Ensures that the planning system supports new and expanded businesses and investments, stimulates entrepreneurship and promotes alternative ways of working in order to achieve a green recovery and build a wellbeing economy.</p> <p>Proposals to support home-working, live-work units and micro-businesses may have positive benefits for small businesses.</p>	No significant change from existing policy so no additional costs envisaged.

Proposed policy change	Sector and groups affected	Benefits	Cost
City, town, local and commercial centres			
An updated policy on city, town, commercial and local centres which aims to support lower carbon urban living. The policy supports development which diversifies and strengthens city, town and local centres and existing commercial centres, whilst seeking to avoid the clustering of certain developments that can have negative impacts on communities.	Retail and commercial sectors housebuilders, planning authorities, key agencies.	Ensures that developments are directed to the most sustainable locations to provide communities with easy access to the goods and services they need, whilst supporting the need for urban centres to diversify as a result of the challenges that they are facing.	Applicants for out of city and town centre proposals will be required to provide a town centre first assessment, costs may vary depending on the circumstances / consultants' fees. New restrictions on drive-throughs will limit the locations suitable for this type of development, which could have an impact on land values for acquiring suitable sites.
Retail			
The policy has been amended to broaden its scope, the locational aspect that applied to development that will generate significant footfall now applies to all retail proposals to direct investment towards centres.	Retail and commercial sectors, housebuilders, planning authorities, key agencies.	Ensures that developments are directed to the most sustainable locations to provide communities with easy access to the goods and services they need, whilst supporting the need for urban centres to diversify as a result of the challenges that they are facing.	Withdrawal of support for out of town developments may have an impact on certain businesses who previously focused on this approach as part of their locational strategy.

Proposed policy change	Sector and groups affected	Benefits	Cost
Rural development			
More clarity on the policy for resettling previously populated areas has been provided, supporting development in principle but requiring suitable areas to be identified in the local development plan and proposals to be designed to a high standard and compatible with climate targets.	All stakeholders involved in delivering developments.	Ensures that policies on rural development will positively encourage development that helps to repopulate and sustain rural areas and stimulate rural economic growth and sustainability.	Designing proposals to be compatible with climate targets may require new approaches and as such development costs may differ to current approaches. Planning authorities may have to consider additional evidence, which would be provided by the applicant.
Tourism			
A new policy on sustainable tourism, supporting growth of the sector in a way which manages impacts on local communities. A new policy to manage short term holiday letting is introduced, and existing facilities which have a viable use are protected.	Tourism industry, planning authorities.	Ensures that the tourism sector can grow sustainably whilst ensuring that impacts on local communities and the environment are addressed.	Additional costs may arise for businesses wishing to locate in areas where existing tourism provision is having adverse impacts and for businesses that wish to change the use of a tourism facility away from a tourism use.
Culture and creativity			
A new policy on culture and creativity which recognises the importance of the sector, requires proposals to make provision for public art, encourages creative and cultural uses, protects existing venues, and reflects the Agent of Change principle.	Culture and creative sectors, developers involved in delivering developments that will impact on these sectors.	Ensures that the planning system supports the culture and the creative sectors in recognition of their contribution to Scotland's health and wellbeing and cultural, social, economic and environmental prosperity.	Additional costs may arise for developments that propose new public spaces where public art provision is expected, and for businesses that wish to change the use of their premises away from an arts and culture use. The Agent of Change principle is already applied to decision making so is unlikely to generate additional costs.

Proposed policy change	Sector and groups affected	Benefits	Cost
Aquaculture			
An updated policy on sustainable aquaculture which reflects industry needs whilst taking into account wider marine planning.	Aquaculture industry, planning authorities, key agencies.	Ensures that the planning system continues to support the sustainable growth of the finfish, shellfish and seaweed sectors, including by guiding new developments to locations that reflect industry needs and take into account wider marine planning.	Aquaculture developments are focused in a small number of planning authorities who will have to continue to ensure appropriate skills are available to handle applications.
Minerals			
Extraction of fossil fuels (excluding unconventional oil and gas) is not supported other than in exceptional circumstances that are consistent with national policy. We confirm our position of no support for the development of unconventional oil and gas in Scotland.	Mineral extraction industries, planning authorities, key agencies.	Ensures greater support is given to our transition away from fossil fuels by ensuring extraction of fossil fuels (excluding unconventional oil and gas) is only supported where it can be demonstrated that it can be aligned with national policy.	There should be no direct additional costs for industry. There may be minor additional costs incurred by some planning authorities resulting from the need to consider any future developments that might come forward under exceptional circumstances, but these are expected to be very limited in number.

APPENDIX B: BRIA QUESTIONNAIRE – LIST OF RECIPIENTS AND COPY OF THE QUESTIONNAIRE

List of Recipients of the BRIA Questionnaire

Association for the Protection of Rural Scotland
Association of Scottish Shellfish Growers
Association of Town Centre Managers
British Aggregates Association
COSLA
Culture Counts
Federation of Small Businesses
Heads of Planning Scotland (HOPS)
Homes for Scotland
Improvement Service
Key Agencies Group (KAG)
Minerals Product Association
Renewable Energy Association
Resource Management Association Scotland
Royal Incorporation of Architects in Scotland (RIAS)
Royal Institution of Chartered Surveyors (RICS)
Royal Town Planning Institute (RTPI)
Scottish Chambers of Commerce
Scottish Council for Development and Industry
Scottish Environment Link
Scottish Environmental Services Association
Scottish Federation of Housing Associations
Scottish Futures Trust
Scottish Grocers Federation
Scotland's Improvement Districts
Scottish Land and Estates
Scottish Property Federation
Scottish Renewables
Scottish Retail Consortium
Scottish Salmon Producers Organisation
Scottish Tourism Alliance
Scotland's Towns Partnership
Scottish Whisky Association
Westland Horticulture Limited

BRIA Questionnaire & Covering Information

BUSINESS AND REGULATORY IMPACT ASSESSMENT QUESTIONNAIRE: NATIONAL PLANNING FRAMEWORK 4 / LOCAL DEVELOPMENT PLAN REGULATIONS AND GUIDANCE:

National Planning Framework 4

Scotland's fourth National Planning Framework (NPF4) will be a long term plan to 2045 that will guide spatial development, set out national planning policies, designate national developments and highlight regional spatial priorities.

Draft NPF4 was published on 10 November 2021 and comments are invited from all stakeholders by 31 March 2022. Further details about how to get involved in the consultation process along with additional supporting material can be found at www.transformingplanning.scot.

A Business and Regulatory Impact Assessment (BRIA) will accompany the final draft NPF4 when it is presented to Parliament following consideration of the responses submitted to draft NPF4. The BRIA will consider the likely costs, benefits and risks that may be associated with the adoption of NPF4.

A Partial BRIA accompanied draft NPF4. This provides a very high level assessment of possible impacts. Our intention is to work closely with stakeholders to ensure that the final BRIA reflects their views.

Local Development Plan Regulations and Guidance

Local Development Plans (LDPs) set out how our local places will change in the future, including where development should and should not happen. They form part of the statutory 'development plan' and will, alongside the National Planning Framework, be the main basis for all decisions on planning applications. We want a new approach to preparing plans. Significant changes to development planning were made by the Planning (Scotland) Act 2019. To guide implementation of these changes we are consulting on proposed regulations and guidance for local development plans.

We also want to consider in greater detail any costs, benefits and risks that may be associated with these changes. A Partial BRIA accompanied the consultation paper.

Business and Regulatory Impact Assessment Questionnaire

The Partial BRIAs confirm that a questionnaire will be distributed primarily to the representative bodies of those industries most likely to be directly affected by the proposals in both the draft NPF4 and local development planning consultations. The questionnaire is attached below. We would like to invite you to participate in this process by completing the questionnaire and returning to us.

We would be grateful if you could forward the questionnaire to your member organisations so that they can consider whether any of the policy changes proposed are likely to have significant impacts, either individually or cumulatively, on their operations. In considering this, the focus should be on any changes that are being proposed to the existing policies set out in National Planning Framework 3, Scottish Planning Policy and the current development plan process, as amended by the Town and Country Planning (Scotland) Act 2019.

If your members consider that these proposals are likely to result in additional costs, benefits or risks then we would appreciate them taking the time to complete the questionnaire so that their views can be considered and reflected in the final BRIA. It is useful to discuss responses in more detail so we are proposing a number of follow up interviews with individual businesses across the sectors likely to be impacted by these changes. The questionnaire should be used to confirm whether businesses would like to engage in this way.

I would be grateful if completed questionnaires could be returned via the scotplan@gov.scot mailbox by 31 March 2022.

An alternative approach for contributing to the BRIA process would be to:

- respond to consultation Question 70 when completing a response to the draft [NPF4 consultation process](#);

and/or

- respond to consultation Question 2 when completing a response to the Local Development Planning Regulations and Guidance [Consultation process](#).

Thanks for your help in this process.

Planning and Architecture Division
Scottish Government
January 2022

Costs

Please provide details of all likely costs (additional and savings) associated with the proposals identified above including, where applicable, non-monetary costs.

National Planning Framework 4:

Local Development Plan's:

Benefits

What are the benefits associated with the proposals identified above?

National Planning Framework 4:

Local Development Plan's:

Impacts on competition

Are there any proposals that you think will have an impact on competition within the sector that you operate? This might include proposals that will directly or indirectly limit the number or range of suppliers or their ability to compete?

☐ Yes

☐ No

If yes, please provide further details:

National Planning Framework 4:

Local Development Plan's:

Impacts on consumers

Will the proposals limit or improve the choices available to consumers? This might include the quality, availability or price of any goods or services in a market or the provision of essential services, such as energy or water?

☐ Yes

☐ No

If yes, please provide further details:

National Planning Framework 4:

Local Development Plan's:

Other Comments

National Planning Framework 4:

Local Development Plan's:

Thank you for your comments. Would you be happy for the Scottish Government to contact you again to discuss your comments further?

☐ Yes

☐ No

If yes, please provide the following contact details:

Name	e-mail address



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80525-155-2 (web only)

Published by The Scottish Government, November 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1182002 (11/22)

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