

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 14 FEBRUARY 2023

NATIONAL PLANNING FRAMEWORK 4 – POLICY UPDATE

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

**Abstract:** This report advises committee that [National Planning Framework 4](#) (NPF4) was approved by the Scottish Parliament on 11 January 2023 and will be published on 13 February 2023. In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 (as amended), NPF4 and the national planning policies it contains will form part of the statutory development plan from date of publication.

**1. RECOMMENDATIONS**

It is recommended committee notes that: -

- (i) following approval by parliament and formal publication, NPF4 will form part of the statutory development plan;
- (ii) the statutory development plan for Angus will comprise NPF4, the Angus Local Development Plan 2016, and, for that part within the Cairngorms National Park, the Cairngorms National Park Local Development Plan 2021;
- (iii) implications for the council's development planning functions will be set out as soon as practicable once the new development planning regulations and associated guidance is published.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/ COUNCIL PLAN**

This report contributes to the following local outcome(s) contained in the Angus Community Plan: -

- Safe, secure, vibrant and sustainable communities;
- An inclusive and sustainable economy;
- Improved physical, mental and emotional health and well being;
- A reduced carbon footprint; and
- An enhanced, protected and enjoyed natural and built environment.

**3. BACKGROUND**

- 3.1 The Planning (Scotland) Act 2019 introduced various amendments to the Town and Country Planning (Scotland) Act 1997 (the "1997 Act"). Amongst other things, those amendments included revisions to the format and status of the national planning framework and changes to the definition of the development plan. Specifically, the amendments made provision for the national planning framework to include national planning policies, and for it to become part of the statutory development plan.
- 3.2 NPF4 was approved by parliament on 11 January 2023, and it will be formally published on 13 February 2023. With effect from 13 February 2023, NPF4 will form part of the statutory development plan framework and will have enhanced status in the determination of all planning applications, planning decision appeals, and planning decision reviews. In accordance with the 1997 Act, planning decisions must be made in accordance with the development plan unless material considerations

indicate otherwise.

- 3.3 NPF4 has wide-ranging implications for delivery of the planning function in Angus. However, this report focuses specifically on development management and decision making on development proposals.

#### **4. DISCUSSION**

- 4.1 At date of consideration of this report, NPF4 is approved and published. It replaces NPF3, Scottish Planning Policy 2014, and TAYplan. Together with the Angus Local Development Plan (ALDP) 2016 and the Cairngorms National Park Local Development Plan (CNPLDP) 2021 (but only for the national park area) it now forms the statutory development plan for Angus.
- 4.2 NPF4 is a long-term plan looking to 2045 and seeks to guide spatial development, direct the policy approach in local development plans, set out national planning policies for development management decision-making, designate national developments, and highlight regional spatial priorities.
- 4.3 The document is split into three sections. Part 1 provides a national spatial planning strategy for Scotland to 2045 and amongst other things identifies national developments and regional spatial priorities. Part 2 provides national planning policy covering the themes of sustainable places, liveable places, and productive places. It provides 33 national planning policies and provides guidance on the policy approach that should be taken by future local development plans. Part 3 provides annexes to the main document including guidance on how it should be used, statements of need for the national developments, and significantly minimum all-tenure housing land requirements for each local authority area.
- 4.4 The policy topic areas set out in NPF4 are broadly comparable to those provided in the ALDP and, in general terms the ALDP policy requirements are broadly consistent with the national planning policies. However, NPF4 policies provide greater emphasis on tackling the twin global climate and nature crises and seek to ensure the decisions we take today will be in the long-term interest of the country. That emphasis is reflected in policy 1 which requires significant weight to be given to the global climate and nature crises in considering all development proposals. Some policies are likely to require guidance on interpretation at a national level, while some will require the preparation of guidance by the council to aid interpretation. Appendix 1 provides a list of the national planning policies and the topic area that each covers.
- 4.5 The NPF4 policies are cross cutting and must be read as a whole. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies. In applying the policies and making decisions it is necessary to have regard to the policy intent and the intended outcomes, as well as the wider strategy of the NPF. It is for the decision maker to determine what weight to attach to policies on a case by case basis.
- 4.6 While the policies in the ALDP are broadly consistent with those in NPF4, the 1997 Act has been amended to indicate that, in the event of any incompatibility between the provision of the national planning framework and a provision of a local development plan, whichever of them is the later in date is to prevail. In practical terms, that is likely to mean that the national planning policies in NPF4 will carry more weight than those in the ALDP in circumstances where there is any incompatibility. However, government has indicated that it intends to publish guidance on transitional arrangements for local development plans, which will also cover implementation of housing policies and some other considerations during the changeover period, including for decision-making. The guidance will be referenced in reports on specific development proposals where relevant once it is available.

- 4.7 The council determines few applications within the area covered by the Cairngorms National Park and therefore full review of the compatibility of the policies in the CNPLDP with NPF4 has not been undertaken at this date. Officers will work with colleagues in the national park authority as appropriate in relation to that exercise.
- 4.8 The national planning policies are new, and they place additional responsibilities on applicants, including the requirement to submit information and assessment covering new matters. This will be a further expense for prospective developers and will also require review and analysis by consultation bodies, other council services, and planning officers as appropriate. The policies will also require preparation of further guidance at national and local level to aid interpretation and implementation. The full impact of some policies may not be entirely clear until they have been tested at appeal or through Court challenge and, given the national reach of the policies, officers will be required to monitor appeal and Court decisions across the country to ensure this council is interpreting and applying them in a manner that is consistent with comparable decisions in other areas.
- 4.9 Meantime, subject to the content of any transitional arrangements, all planning applications will be assessed against the national planning policies provided by NPF4 and the policies in the ALDP or CNPLDP as appropriate. This may mean that some planning decisions are delayed to allow submission of additional information required by NPF4 and it is likely to mean that planning decision appeals and reviews are delayed as statements assessing proposals against the new policies will be required. Decisions will be made in accordance with the updated development plan policy framework unless material considerations indicate otherwise.

## **5. OTHER IMPLICATIONS**

There are no direct financial implications arising directly from this report. The revised status of NPF4 will mean that undetermined planning appeal and planning review cases will need to take full account of its provisions and that will require the planning service to provide position statements for outstanding cases. The publication and enhanced status of NPF4 is significant in the planning system and additional resource will be required to assess proposals, provide information to local agents/ applicants and will also require the preparation of new local guidance to aid interpretation and implementation of policies. The additional workload for the planning service will be met from within the planning & sustainable growth service budget, but the additional duties are likely to impact other service areas.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

**REPORT AUTHOR: JILL PATERSON**  
**EMAIL DETAILS: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)**

**DATE: 6 FEBRUARY 2023**

**APPENDIX 1: LIST OF NATIONAL PLANNING POLICIES**