

# NPF4 Call for Ideas

A response from the Scottish Land Commission

30<sup>th</sup> April 2020



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# 1 Executive Summary

The purpose of planning, as set out in the Planning (Scotland) Act, is to “*manage the development and use of land in the long term public interest*”. This shares much in common with the Land Commission’s own vision of a “*fair, inclusive and productive system of ownership, management and use of land that delivers greater benefit for all Scotland’s people*” so it is inevitable that there is much in the Commission’s work that will be relevant to the next National Planning Framework (NPF4).

This submission synthesises the most relevant ideas from the Land Commission’s recent work but there is one dominant theme that joins these ideas together: the idea that **to deliver the public interest in land the state needs to play a much more proactive role in planning and delivering major development.**

This idea, which the Land Commission has been referring to as [Public Interest Led Development](#), is based on recognition that market forces alone cannot and will not deliver the high quality places that are so fundamental to human well being because what is economically rational does not necessarily best serve the public interest. Left to its own devices “the market” will naturally seek to minimise risks and maximise returns. The spatial manifestation of this is a persistent legacy of post-industrial dereliction in Scotland’s most deprived communities, a population sapping lack of affordable housing in our most fragile rural communities and the spread of soulless suburbs lacking in green space and public amenities around our towns and cities.

The ongoing public health crisis has brought the consequences of this for public wellbeing into sharp relief. Never has urban green space been more important or its absence so keenly felt. The lockdown has exposed the fragility of urban food supply systems in a way most people never imagined with the probable legacy of an increased interest in allotments and community growing. The sudden shift to home working may never be fully reversed and could mark a turning point for rural communities struggling with depopulation while the need to maintain social distancing is likely to lead to a radical rethink of the use of public space in towns and cities.

The societal benefits of these changes could be huge but they are not inevitable and are unlikely to be delivered by a return to business as usual. As Scotland starts to emerge from lockdown there will be a need to radically rethink the role of the state in planning for and delivering major development. This does not imply a reduced role for private enterprise but rather a need for the public sector to adopt a more proactive approach and a greater willingness to share in the risks and rewards of development.

The responsibility for achieving this rests with the public sector as a whole rather than the planning specifically – but planning is in a unique position to lead the change and NPF4 is an important opportunity to start embedding this change in policy and practice. This submission presents some ideas about how this could be achieved.

## **2 What Development Will We Need to Address Climate Change?**

In May 2019 the Scottish Government received advice from the UK Committee on Climate Change on the action that Scotland will need to take to play its part in delivering against international climate obligations. In providing their advice the Committee set an ambitious target for Scotland to achieve net-zero emissions by 2045, five years ahead of the rest of the UK.

The reason Scotland has been set a more ambitious target than the rest of the UK is because of land; the decisions that are made over the next few years about how Scotland's land is used will underpin and determine the effectiveness of Scotland's response to climate change. By establishing an overarching spatial strategy for Scotland, the new NPF will play a critical role in guiding land-use planning decisions and is therefore uniquely placed to enable Scotland to play a leading role in international efforts to tackle climate change.

Land-use decision making has been an important theme of work for the Land Commission over the past three years. Two areas of the Land Commission's work are particularly relevant to this question:

- transforming Scotland's approach to tackling vacant and derelict land; and
- developing a new approach to regional land-use partnerships.

Ideas emerging from this work that could help to inform NPF4 are discussed below.

### **2.1 A Stronger Commitment to Land Reuse**

Scotland has almost 11,000 hectares of vacant and derelict urban land and a significant proportion of this has been in this condition for many years. This legacy of land dereliction is neither inevitable nor irreversible. It emerged because for too long there has been an implicit assumption within public policy that if a site is too difficult or too challenging then it is acceptable to simply walk away.

This approach has resulted in a situation where almost a third of the Scottish population now lives within 500 meters of a derelict site. These sites blight communities, harm wellbeing and limit opportunities but they have huge potential to help to tackle climate change, reduce inequality, improve health and well being and deliver inclusive growth. Despite this potential, Scotland currently has no specific national priority or programme of major scale to tackle this issue. NPF4 provides an opportunity to change this.

The contribution that a strong national focus on reusing derelict land could make to addressing climate change are multiple and mutually reinforcing. Traditional arguments tend to focus around the benefits of increased urban densification and the role this could play in reducing transport emissions but the benefits go far beyond this.

Repurposing vacant spaces for community growing could help to significantly reduce food miles while reusing sites to generate renewable energy could help achieve a

significant reduction in emissions from domestic energy demand. Work undertaken for the Task Force also indicates that many of Scotland's most persistent derelict sites could, with relatively modest effort, be fully naturalised. This create the exciting possibility of transforming some of Scotland's most blighted sites into urban green spaces that could not only act as carbon sinks that would help to mitigate the heat island effect in urban areas but could also provide valuable oasis for biodiversity.

However, the benefits of reusing derelict land go far beyond the environmental. A national repurposing of Scotland's abandoned spaces could help to stimulate large-scale community renewal in some of Scotland's most deprived neighbourhoods, providing a catalyst for addressing long-standing health inequalities and a stimulus for inclusive growth.

These benefits are not independent of or separate from the environmental benefits described above, they are mutually reinforcing.

It is widely recognised that climate action needs to be a collective endeavour but not everyone in Scotland yet sees it as a priority. According to the Scottish Household survey 75% of those living in Scotland's most affluent neighbourhoods see climate change as an urgent problem but this falls to barely half of those living in the most deprived communities. Looking at the distribution of vacant and derelict land the pattern is reversed: 11% of people in Scotland's least deprived communities live within 500 meters of a derelict site compared to 55%<sup>1</sup> in the most deprived neighbourhoods.

By adopting a clear national focus on the repurposing of derelict spaces NPF4 could help to make climate action a truly collective national priority. The following section presents some initial ideas that could help to achieve this.

### **2.1.1 *Designate Stuck Sites as a National Development Priority***

The Land Commission's work to date has established a robust approach to identifying persistently problematic sites and has used this approach to identify a list of Scotland's most persistent stuck sites<sup>2</sup>. These sites are heavily concentrated in Scotland's most deprived communities and could provide a tangible focus for efforts to support place-based transformation that would help to address climate change and promote economic resilience. It is proposed that these most persistently problematic sites should be considered as national development priorities in statutory development plans.

The nature of derelict land means that the solutions to each site will be context specific but the challenging nature of the sites means that a plan-led, coordinated approach across agencies and organisations will be required to address them. To deliver this it is

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<sup>1</sup> Scottish Government (April 2019), Scottish Vacant and Derelict Land Survey 2019.

<sup>2</sup> Ryden (September 2019), Understanding Scotland's Long-term Derelict Land (unpublished).

proposed that a national Land Reuse Initiative should be established to drive forward delivery. This initiative should be given a clear remit to develop a range of commercial and soft end uses across different scales. Importantly the new initiative should be encouraged to build on the considerable experience of some local authorities in tackling vacancy and dereliction and to share learning about effective approaches.

It is suggested that this initiative should be akin to and contribute to objectives of the well-established Central Scotland Green Network and the Metropolitan Glasgow Strategic Drainage Partnership. There is scope to link this to a national delivery vehicle focusing on land assembly and regeneration with a wider remit in planning and coordinating long-term strategic land supply.

Work undertaken by the Land Commission on land value capture and public interest led development (see section 3.1) is particularly relevant to this discussion and could help to inform the design of a new delivery vehicle.

### ***2.1.2 Establish Clear National Targets for the Reuse of Derelict Land***

Scotland already has an ambitious national target to recycle 70% of waste but there are no similar targets for the reuse of land and in 2019 just 1.5% of the land on the national vacant register was brought back into use. NPF4 provides an opportunity to extend Scotland's otherwise ambitious approach to establishing a circular economy to land use.

Of course, targets alone will not address Scotland's legacy of land dereliction but they could help to provide a clear focus for action and a means of assessing progress.

### ***2.1.3 Strengthen Scottish Planning Policy to Prioritise Stuck Sites***

Planning authorities play an important role in promoting the reuse of vacant and derelict land but face an unenviable challenge of balancing policies to promote the reuse of land with policies designed to attract investment. Authorities that adopt an ambitious approach to prioritising brownfield development risk losing much needed investment to neighbouring authorities with a more flexible approach.

NPF4 could help to mitigate the adverse effects of unintended competition between local authorities by requiring the prioritisation of brownfield development at a national level. Careful thought would be required to design policy in a way that supports rather than deters investment but overseas experience suggests this is an achievable aspiration.

### ***2.1.1 Require All New Development to Enhance Biodiversity***

Many of Scotland's stuck sites have complex remediation needs. This can seriously compromise commercial viability which can deter traditional developers. Embedding a more circular approach to land reuse will require new mechanisms to help level the playing field between different types of site. One approach that merits consideration would be to require all new development to make a positive contribution to biodiversity.

## 2.2 A New Approach to Regional Land Use Planning

The Scottish Government has committed to establishing regional land use partnerships to ensure all of Scotland's land contributes to climate action. The Scottish Land Commission has been asked to advise government on how to establish the partnerships.

The central challenge is to establish partnerships that will drive land use decisions at the scale and pace needed to meet climate targets in a fair way that spreads benefits widely.

The new partnerships will seek to bring a level of planning, co-ordination and accountability to land use decisions that currently lie outside the development planning system, for example woodland creation, peatland restoration, natural capital approaches and land management. However, to do this in isolation from wider regional planning processes would be counter-productive. Developing an effective approach for embedding the land use planning that will emerge from the new partnerships into existing regional spatial and economic planning processes is therefore vital.

### **2.2.1 *Require Regional Spatial Strategies to Take Account of Regional Land Use Plans***

NPF4 could help to connect regional land use planning into existing regional spatial planning by requiring new regional spatial strategies to take account of the land-use plans that will be produced by the new Regional Land Use Partnerships.

At present there is no fixed model for the partnerships, but the Land Use Strategy and the Land Rights and Responsibilities Statement provide a framework for considering how they should operate. Early engagement with stakeholders has identified some clear principles for how the partnerships will need to operate to be effective, including:

- a governance structure that enables delivery of national targets combined with devolved local decision making and accountability;
- the ability to drive decisions and have impact on the ground, therefore connecting into key delivery levers including funding, policy and regulation;
- the ability to integrate land use decisions across sectors; and
- being accountable, improving community engagement in land use decisions, and widening the benefits of land use change.

The intention is that each partnership will prepare a regional land use plan by 2023, which will set out how land use in that part of Scotland can best contribute to national climate targets, integrated with other policy priorities. The Land Commission is currently developing an approach for establishing the partnerships and this will be available within the timescale for completing NPF4.

### **3 How Can Planning Best Support Our Quality of Life, Health and Wellbeing in the Future?**

Planning can support quality of life, health and wellbeing in Scotland by helping to ensure that everyone in Scotland is surrounded by a high quality physical environment and has the opportunity to influence what this environment looks like. This will require two things; an approach to development that prioritises public interest and the delivery of social value and planning processes that empower people to contribute to decision making.

Unfortunately in Scotland today decisions about what is built, where and when are often be motivated by short-term commercial rather than public interests and efforts to engage communities in decision making are all too often regarded as tick-box exercises. The NPF4 provides an opportunity to address this and to lay the foundations for a more plan led approach to development in which community wellbeing takes centre stage.

Improving the operation of the market for land for housing and development and supporting more effective community engagement in land-use decision making have been important themes of work for the Land Commission over the past three years. Three areas of the Land Commission’s work are particularly relevant to this question:

- work to promote a more proactive approach to public interest led development;
- work to investigate the effects of land value and availability on rural housing; and
- work to understand and assess the consequences of land vacancy and dereliction.

Ideas emerging from each of these areas of work could help to inform NPF4 and are discussed below.

#### **3.1 Embedding a Public Interest Led Approach to Development**

For the past four decades housing delivery in Scotland has been dominated by commercial interests with decisions about what to build, where and when largely driven by market forces. Although this approach has been successful in delivering a significant volume of new housing, many would argue that it has been much less successful in delivering the high quality places that are so fundamental to human wellbeing.

In May 2019 the Land Commission provided advice<sup>3</sup> to the Scottish Government that proposed an alternative “public interest led” approach, which could help to address this. Delivering this approach would entail a much more proactive approach to planning than has been typical in Scotland for many years and implies a much more significant role for the state. NPF4 could provide a catalyst for this change and some ideas for how this could be achieved are summarised below.

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<sup>3</sup> Scottish Land Commission (May 2019), Options for Land Value Uplift Capture: [Advice from the SLC to the Scottish Government](#)

### **3.1.1 Adopt the Principle of Land Value Sharing**

The principles of public interest led development are very different to Scotland's current approach, which tends to see large-scale development as a zero-sum game in which the public interest can be achieved only at the expense of commercial interests. This is well illustrated by the current language around "land value capture", which tends to cast the state in an extractive rather than enabling role in the development system.

In contrast public interest led development is based on the principle that a more proactive involvement by the public sector should enable *additional value to be created through the development process that would not otherwise exist*. By creating a framework that would enable landowners and developers to *share* this additional value it should be possible to harness their rational self-interest in pursuit of the common good.

The Land Commission has long argued that there is no single legislative or policy mechanism that will achieve this. Instead what is required is a fundamental shift in culture in which relationships between landowners, developers and public planners are based on mutual trust and respect and conducted in the spirit of collaboration and shared purpose. NPF4 could help to achieve this by adopting the principles and language of land value sharing and encouraging local authorities to embed this in practice.

### **3.1.2 Embed a More Proactive Approach to Land Allocation**

The way land currently comes forward for development reflects Scotland's current model of speculative development in which decisions about what land comes forward for development are largely driven by commercial interests. Work by the Land Commission suggests that in order to support a more plan-led approach that delivers on the public interest and creates resilient, thriving and sustainable places, there is a need for the public sector to take much more of a lead in designating land for development<sup>4</sup>.

The call for sites often does not provide enough information to determine site viability, creating uncertainty about when development takes place and when (and if) sites allocated in the Local Development Plan will come forward. This lack of certainty has been raised as an issue by a range of stakeholders in the Commission's work to date.

It is therefore recommended that NPF4 and Scottish Planning Policy should strongly empower planning authorities to take a more proactive, plan-led approach to allocating sites for development. To achieve this, the Land Commission's early findings suggest that allocation of land for development should be evidence-led by early engagement with Key Agencies, infrastructure providers and communities in advance to the proposed gate-check stage.

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<sup>4</sup> See for example this Land Lines discussion paper by Steven Tolson and Archie Rintoul [on the delivery of public interest led development in Scotland](#)

The Land Commission is looking at housing and development land allocation models good practice within Scotland and across Europe and will be making recommendations in the autumn. Early findings from this work could be made available if required to help to inform the development of Scottish Planning Policy and any associated guidance.

### **3.1.1 Reform the Vacant and Derelict Land Register**

The Vacant and Derelict Land Register is a valuable resource and Scotland is fortunate to benefit from this information source; however the Register is not currently as useful as it could be as a planning tool. Repositioning the Vacant and Derelict Land Register to inform the planning process would therefore be welcome.

Research undertaken by the Land Commission<sup>5</sup> shows that the Register currently includes large numbers of sites that do not conform to a common sense view of vacant and derelict. For example the register includes many recently vacant sites that do not have any particular constraints on development and are likely to be brought forward for the development by the market within a reasonable time-frame. It also includes many sites that are slowly naturalising and are not causing active harm to surrounding communities. Alongside this is a hardcore of deeply challenged sites, some of which have been in their present condition for decades, which do cause real harm.

By failing to differentiate between these sites the Register not only makes it difficult to identify regeneration priorities, but also to assess long-term land supply. A reformed register and updated guidance for the Scottish VDL Survey could help improve the quantity and quality of information and transform the register from what is currently a statistical exercise into a meaningful and a useful planning tool.

### **3.1.2 Improve Guidance on Developer Contributions**

The Land Commission's [advice to Ministers on land value uplift capture](#) emphasises the important role that planning policy, particularly on developer contributions, can play in shaping land values. However engagement with planning audiences suggests that this role is not well understood and feedback from the development industry suggests that there are significant variations in how contributions are assessed across the country.

This creates uncertainty about the level of contributions that might be expected and when they might be incurred. This uncertainty creates an incentive for developers to pay more for land in the hope that it may subsequently be possible to negotiate a reduced level of contributions with the planning authority.

Providing greater clarity and certainty on the level and timing of developer contributions would result in land changing hands for lower prices and leave more surplus available

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<sup>5</sup> Ryden (June 2019), [Phase One Report for Vacant and Derelict Land Task Force](#), Scottish Land Commission

to help pay for infrastructure. Improving guidance on developer contributions to improve clarity and consistency of application across the country could help to address this.

### **3.2 A More Targeted Approach to Rural Planning**

The wellbeing of people in rural Scotland is critically dependant on the ability of small communities to adapt, grow and take advantage of new economic opportunities. Evidence for this can be found in research undertaken by the Land Commission in 2019 in which local economic development was identified as the single most important issue for people living in some of Scotland’s most fragile rural communities<sup>6</sup>.

The research also underlined the vital role that housing plays in maintaining sustainable communities and identified concern that the cost and availability of land in parts of rural Scotland act as constraints on housing supply and hamper local economic development. Subsequent research commissioned to investigate these concerns<sup>7</sup> suggests that a contributory factor to this could be the “urban mindset” of Scotland’s planning profession.

Importantly, the report sets out the danger that in seeking to address climate change planning authorities come to a view that urban development is good and that rural development should be resisted. The research presented a critique of planning policy, with planning’s historic role having been to prevent development in the countryside while current policy often has too much of an urban focus. This presents a challenge in delivering the housing and development needed in rural areas.

To address these issues the research proposes a number of recommendations. Those with relevance to NPF4 and Scottish Planning Policy are summarised below.

#### **3.2.1 Provide Rural Focussed Development & Planning Policies**

To help overcome the perceived urban bias of current planning policy it is proposed that planning authorities with rural areas should be required to develop specific rural development and rural planning policies that take account of the needs and nature of rural areas. The research highlights examples of good practice (e.g. in Argyll and Bute) that could be drawn on to inform new guidance.

It is also proposed that additional training on rural planning and development could be provided for officers and officials.

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<sup>6</sup> Scottish Land Commission (March 2019), [Investigation into the Issues Associated with Large Scale and Concentrated Landownership](#), Scottish Land Commission.

<sup>7</sup> Savills (April 2020), *The Role of Land in Enabling New Housing Supply in Rural Scotland*, Scottish Land Commission (unpublished).

### **3.2.2 Local Approaches to Assessing Need and Demand**

The research also found that conventional Housing Need and Demand Assessments do not provide the granular detail required for smaller communities. To address this it is proposed that local surveys such as those conducted by Highland Small Communities Housing Trust and Rural Housing Scotland should be used more widely. These plans could then be used to inform the development of Local Development Plans, using a Local Place Plan type of approach to ensure that planned development meets a community's need while also building support for development and placemaking.

### **3.3 A Clearer Focus on the Harm Caused by Abandoned Places**

Research<sup>8</sup> for the Scottish Land Commission has shown that vacant and derelict land can harm a community's health, environment, economy and social cohesion depending on the scale, former use and local context of the site. For example, poor mental health and anti-social behaviour have been reported in areas where VDL has been a stressor.

The research showed that many of the most harmful sites are stuck, with ownership sometimes unknown, costs of redeveloping can be too high for investors and it is often unclear who is responsible for driving the redevelopment. Added to this, Scotland's most harmful sites are typically concentrated in areas of multiple deprivation so there is a strong imperative for place-based regeneration that is community-led.

More affluent communities may have greater resilience to the impacts of dereliction and be better placed to draw on the skills of local working or retired professionals to set up organisational structures and secure funding. While this may accelerate reuse, the converse is also true and communities lacking such resources may see slower, more incremental change, which can exasperate inequalities and undermine resilience.

#### **3.3.1 Require Local Authorities to Prioritise the Reuse of Land Based on the Harm Caused to Communities**

It is proposed that a requirement should be introduced for local authorities to maintain a prioritised list of derelict sites and work with communities to develop place-based plans to bring them back into use. It is further proposed that prioritisation should be strongly influenced by the harm such sites cause to communities. To support this the Land Commission has produced a [framework](#) to help local authorities engage with communities and assess the harm caused by neglected land and buildings. The framework has been designed to help gauge and measure how sites impact community wellbeing, health and their local area.

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<sup>8</sup> Santec, Kevin Murray Associates and Glasgow Caledonian University (September 2019), [Vacant and Derelict Land in Scotland: Assessing the Impact of Vacant and Derelict Land on Communities](#), Scottish Land Commission

## 4 What Does Planning Need to Do to Enable Development and Investment In Our Economy to Benefit Everyone?

According to research published by the OECD<sup>9</sup> the UK (along with other advanced industrialised economies) has reached a “tipping point” at which inequality is not only compromising well being but is also adversely affecting the economy. With rising inequality across the OECD estimated to have resulted in a cumulative loss of around 8.5% of GDP<sup>10</sup> over a 25 year period the OECD is clear that inequality can no longer be treated as an after thought and must become a central objective of public policy.

With more than 50% of the UKs net wealth currently locked up in land<sup>11</sup> part of the solution to this must lie in a more equitable distribution of the benefits from land. One of the reasons why the distribution of benefits from land has become so unequal in recent years is Scotland’s market driven approach to development.

While “the market” is often thought of as an independent entity directed by immutable rules like a force of nature this is not the case. It is a human system governed by rules created by people and because they are created by people, these rules *can* be changed. As the main public policy lever for guiding land-use decisions planning is an important part of this system and NPF4 provides an opportunity to start rewriting the rule book.

A good place to start would be by using planning policy and practice to direct the market toward parts of the country that would benefit from development but that are unlikely to be attractive to profit driven firms (particularly deprived urban communities with heavy concentrations of vacant and derelict land and small, remote rural communities). Some suggestions for achieving this were discussed in sections 2.1 and 3.2 respectively.

Ultimately however, stronger planning policy won’t be enough. Simply trying to force the market to prioritise brownfield sites or deliver more housing in rural areas is unlikely to succeed and could result in less development. To be successful, it is important that these policy aspirations are supported by a cultural shift toward a more collaborative approach to risk sharing and that public funding is aligned to support delivery.

NPF4 could help with this by designating Scotland’s long-term stuck sites as a national development priority (see section 2.1), adopting the principles of public interest led delivery (section 3.1) and recognising the remediation of derelict land as an infrastructure investment priority (section 6.1.1).

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<sup>9</sup> OECD (May 2015), In it Together: Why Less Inequality Benefits All, summary here: <http://www.oecd.org/social/inequality.htm>

<sup>10</sup> See OECD briefing: <https://www.oecd.org/els/soc/Focus-Inequality-and-Growth-2014.pdf>

<sup>11</sup> See UK national balance sheet: <https://www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/bulletins/nationalbalancesheet/2019>

## **5 How Can Planning Improve, Protect and Strengthen the Special Character of Our Places?**

Planning plays an important role in protecting and strengthening the special character of places and it is important that this role is maintained. However, it is also important that the pursuit of this objective is balanced against the need to support inclusive growth, particularly within Scotland's more fragile and disadvantaged communities.

While inclusive growth and environmental sustainability are often presented as conflicting objectives this is a false dichotomy. The economic wellbeing of many communities in Scotland, particularly in remote rural areas, is linked directly to the quality of the natural environment. It is in the interests of such communities to ensure that the pursuit of growth does not compromise the quality of the underlying natural capital upon which their future economic prosperity depends.

NPF4 can help to balance society's need to protect the natural and built environment with the need to support inclusive growth. There are two important ways it can do this: by adopting societal wellbeing as the primary outcome to which all planning outputs will be expected to contribute and by embedding effective early community engagement as a cornerstone of the planning process.

Over the past year the Land Commission has undertaken work that could help to realise both of these aspirations. Two particularly relevant areas of work are explored below:

- work to enhance the role of community engagement in the planning process; and
- work to develop a new well-being approach to assessing the benefits of public investment in vacant and derelict land.

Some ideas emerging from these areas of work that are particularly relevant to NPF4 and Scottish Planning Policy are presented below.

### **5.1 An Enhanced Role for Community Engagement**

Research<sup>12</sup> for the Land Commission found evidence that developers, landowners and their agents all recognise the benefits that early engagement can deliver for any scale of application, location, developer or type of development. Planning reform is an opportunity to encourage and incentivise good engagement so that good early engagement becomes the norm and Scotland can reap the benefits. NPF4 could create a collaborative framework for early engagement, involving developers and landowners working together with planning authorities and communities based on the following elements:

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<sup>12</sup> Nick Wright and Steven Tolson (March 2020), The Value of Early Engagement in Planning: Evidence of the Benefits of Early Engagement in the Development Process, Scottish Land Commission (unpublished).

### **5.1.1 *Enable Pre-Application Consultation to Happen Earlier***

Pre-application consultation currently occurs too late and should be brought forward to the planning policy stage. It is therefore proposed that once the principle of development has been established in the Local Development Plan (and in future Local Place Plans) it should not be revisited through community engagement at the planning application (or current Pre-Application Consultation) stage. Instead engagement should start at the planning policy stage - before site acquisition. This would allow engagement to become a regular occurrence throughout each stage of the process, from site selection to master planning, consenting, construction and community-building.

### **5.1.2 *Develop New National Standards for Community Engagement***

It is further proposed that new guidance should be developed for all developments, to encourage early engagement and give a clear framework for the development industry, local authorities and communities to collaborate and engage well. New guidance should be based on a clear set of principles, such as those set out in the Land Rights and Responsibilities Statement (LRRS), to help move away from the tick-box mentality that too often characterises current community engagement.

The Land Commission is responsible for promoting the LRRS and has published a protocol and guidance on community engagement, which provides parameters for what normal practice in community engagement should look like. The Commission would welcome the opportunity to contribute to the development of any new national standards to help ensure consistency with the principles set out in the LRRS.

### **5.1.3 *Support Increased Use of Training***

The Land Commission's work on the value of early engagement in the planning system demonstrates how important it is for local authorities, developers and communities to work together to deliver the Local Development Plan and in pursuit of important national public policy objectives. To support this there is a clear need for robust training and standards to enable different players to deliver their roles effectively. To this end it is recommended that the process of developing NPF4 and Scottish Planning Policy is used as an opportunity to support the development of new training resources.

## **5.2 An Overarching Focus on Wellbeing**

The emphasis placed on improving and strengthening the special character of Scotland's places within this call for ideas is particularly welcome and suggests clear recognition of the important contribution that planning can make to well being. However, to fulfil this role it is imperative that enhancing wellbeing is fully embraced as the primary objective of the planning system and, crucially, that this commitment is reflected in how planning outcomes are measured and assessed.

In many ways the Scottish Government is at the forefront of a growing international movement to place well being at the centre of policy making. However, it is not always clear how this commitment feeds through to decisions about land use. The NPF4, Scottish Planning Policy and associated guidance provide an opportunity to change this.

### ***5.2.1 Require and Local Development Plans and National Developments to Demonstrate Contribution to Well Being***

To ensure that well being is a central outcome of the planning system it is proposed that NPF4 should stipulate that all Local Development Plans and National Developments must demonstrate the contribution they will make to enhancing well being with reference to the indicators set out in Scotland's National Performance Framework. An expectation should be established that plans and developments should seek to contribute to a range of different indicators covering social, economic and environmental aspects of well being and in so doing help to promote a genuinely sustainable approach to development.

### ***5.2.2 Improve Guidance on Assessing Net-Economic Benefits***

To achieve this there will be a requirement to provide guidance on how well being should be assessed. This could be achieved by revising existing guidance on the assessment of net-economic benefits to focus explicitly on well being and enhancing its status.

Work undertaken by the Land Commission<sup>13</sup> to develop a new approach to assessing the full economic benefits of the reuse of vacant and derelict land could help to inform this process. This approach provides a method of assessing the wider benefits that bringing land back into productive use can generate, is firmly rooted in the National Performance Framework and could be applied to wider land use decision making.

### ***5.2.3 Include an Outcome Measuring the Impact of Land Reuse in the New Planning Performance Framework***

Work undertaken by the Land Commission has demonstrated that the reuse of vacant and derelict land can generate huge benefits for communities but these benefits are often overlooked by traditional approaches to impact assessment. This means that decisions on how to focus public investment can be skewed in favour of development where expected benefits can be more readily quantified and monetised.

To help address this it is proposed that the new Planning Performance Framework should include an outcome to improve the impact of land reuse. The Land Commission's recent work (referred to in the previous paragraph) on assessing the benefits of land reuse could help to inform the development and measurement of this outcome.

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<sup>13</sup> BiGGAR Economics (March 2020), The Case for Change: A New Approach for Assessing the Benefits of the Productive Reuse of Land, Scottish Land Commission (unpublished),

## **6 What Infrastructure Do We Need to Plan and Build to Realise Our Long Term Aspirations?**

Having the right infrastructure, in the right place at the right time is essential for almost any kind of development but delivering infrastructure, particularly major assets like schools, hospitals or rail links takes time so decisions taken now will have a long-term impact on Scotland's pattern of urban development. It is therefore very important that NPF4 provides a clear long-term vision to guide decisions about future infrastructure investment. The Scottish Government's focus on promoting sustainable and inclusive growth as a means of improving well being provides a helpful frame for shaping this vision but will not be sufficient. Public funding must also be aligned to support delivery.

### **6.1 Delivering Sustainable and Inclusive Growth**

Elsewhere in this document a strong case has been made for adopting a clear focus on the reuse of vacant and derelict land as an effective way of delivering against both the sustainable and inclusive growth agendas but stronger planning policy will not be enough to deliver these aspirations. Scotland's stuck sites are complex, challenging and often located in areas of weak market demand so encouraging market interest in such sites will require significant public investment.

#### ***6.1.1 Acknowledge Land Remediation as an Infrastructure Priority***

While NPF4 will not play a direct role in allocating funding, it will influence spending priorities and could make an important contribution to this by clearly acknowledging the remediation of stuck sites as a national infrastructure priority.

#### ***6.1.2 Develop Guidance on the Use of Alternative Models of Delivery***

The Land Commission's work on public interest led development suggests that the willingness of public authorities to accept some of the upfront risks associated with major development, particularly in relation to infrastructure provision, is key to the delivery of public interest outcomes. However, engagement with planning authorities across Scotland suggests that there is considerable variation in the risk appetite in different parts of the country.

Decisions on how to approach individual projects are of course a matter for the planning authority concerned but Scottish Planning Policy could encourage a less risk adverse approach by providing guidance and good practice advice on the use of prudential borrowing, joint venture arrangements and other collaborative models of delivery.