

Scottish Government's Fourth National Planning Framework

6 March 2025

Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organisations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Planning Group.

Response

Two years after NPF4's adoption, it is our experience that while its policies and approach are having some tangible positive effects, and have the potential to have significant positive impacts, its success is limited by inconsistent application across Scotland, lack of clear national guidance and inadequate resourcing of planning authorities to enable them to deliver the NPF4 outcomes expected.

Resourcing

Research and previous evidence to the committee shows that Scotland's planning authorities and key agencies, including NatureScot, are under-resourced, which is holding them back from implementing NPF4 outcomes for the environment. We welcome the Scottish Government's consultation on resourcing the planning system and the recognition of the need to adequately fund and upskill those working in the planning system and to encourage more people into the planning profession. However, this must be backed up by action - funding, workforce planning, and building skills and capacity in planning departments. We strongly support a positive rhetoric around the planning profession and the valuable role such roles can play in helping to tackle a number of challenges, including the nature and climate crisis, housing and health.

Planners themselves need access to ecological expertise within their planning authority and enough knowledge to recognise when support is needed. It is not reasonable to expect planning professionals to make judgements outside their area of expertise and competence, just as we would expect that expert advice is needed in relation to roads, education capacity and environmental health issues. Training for elected members is also crucial, including in biodiversity and climate issues, to ensure decisions take proper account of NPF4 and we would welcome further information on how this is progressing. We hope that the Scottish Parliament and Government will accept the need for significant investment in order to ensure the best successes of NPF4 to date can be



replicated across the country, delivering for nature, climate and people. We would ask that the Committee seeks further information from the Scottish Government on the implementation of proposals after the consultations on resourcing the planning system and the timeframe for these. Each Local Authority should have, as a bare minimum, ecologists and environmental planners who are adequately resourced and trained. The expertise and expectations of planning and ecological staff needs to be clear so that individuals are not having to make professional judgements outside their area of expertise and competence.

Planning Hub

The National Planning Improvement Hub is aimed primarily at planning authorities and therefore Link members have limited experience to allow comment on this aspect. However, the principle of sharing expertise and knowledge, especially on new types of development and particular technical matters, is something that is welcomed. We agree that the fact that there is not a charge for planning authorities to access this is good and likely to encourage widespread use. The focus on how successful this has been should not just be a reduction in the time taken to determine applications but also the quality of outcomes and decisions. The hub should not be a substitute for area-specific, in-house expertise and resourcing, but could make a valuable contribution to the planning authorities.

Implementation of Policy 3 and Biodiversity Enhancement

Our view is that very little progress has been made in this area since the last review. Your first annual review heard that: ‘the new climate and biodiversity requirements in NPF4 were having little real impact on individual planning decisions.’ Although some positive decisions have been made with regard to Policy 3, there are numerous examples of decisions being made which make no mention of it or seem to give it little weight. Guidance from Scottish Government is very high level and doesn’t provide enough clarity or certainty on the type and scale of enhancement required to meet the NPF4 policy tests. In addition, development of a Scottish metric has slowed considerably, and although we appreciate that this needs to be done thoroughly it is not clear that this work is being properly resourced. Recent Scottish Government guidance on standard conditions omits a standard condition on Biodiversity Enhancement. This has led to a general sense that the inclusion of Biodiversity Enhancement is optional, creating a worrying imbalance between action for nature and for the climate crises set out in Policy 1 of NPF4.

As previously stated, monitoring the way in which NPF4 policy is feeding through to decision making is key. We are not aware of any active monitoring of decisions carried out by Scottish Government, which is very concerning.

[Research carried out in England](#) which investigated the implementation of ecological enhancements and mitigations within new build housing estates, found that only half of the ecological enhancements (53%) that had been promised were there on the ground. (Please also see evidence from Dr Kiera Chapman and Malcolm Tait). It is recognised that this research was carried out in England, under a different planning regime and mechanism for seeking to deliver biodiversity enhancement. However, the findings appear consistent with work carried out by NatureScot, which also considered the implementation of environmental measures on housing estates. Although



NatureScot have shared the findings, we are not aware that a report has been published and would encourage the Committee to ask them to share the report.

Although further research in Scotland is needed looking at decisions made after the adoption of NPF4, the available evidence and widespread experience of those with knowledge of the planning system, clearly indicates that there is a significant issue of conditions not being complied with and measures not being implemented.

There is a real concern that applications are being granted without sufficient information to give reasonable confidence that mitigation and enhancement measures can and will be delivered. For instance, specific areas of land may not be secured to deliver the enhancement measures and proposals may not have been agreed with landowners. Vague statements are often made with detailed plans required by conditions. Although the finalising of habitat management plans and enhancement plans may well be most appropriately done after consent, there needs to be enough information to ensure that an appropriate level of enhancement is possible and deliverable.

In relation to Policy 3, and particularly Policy 3b there is a lack of guidance in the absence of a metric/ interim period before one is released. We now have a situation where LPAs have produced their own guidance recommending use of the metric or toolkit, and a 10% gain (e.g. Highland Council), and other LPAs not making set requirements, but directing to the Developing with Nature Guidance for both EIA/large scale infrastructure projects, which is not the intended use for this guidance. This is creating a level of ambiguity for developers and an uncertainty on what will be deemed sufficient to ensure “significant” enhancements are provided. As an interim measure before release of a metric, it would be beneficial to provide guidance on what constitutes significant if metrics/ toolkits are used, and if taking a qualitative approach, it would be useful to provide examples of how this may be evidenced, ideally with showcase examples.

Post-consent monitoring is essential to ensure measures promised by applicants, which were taken into consideration in decisions to grant permission, are in fact implemented. This includes measures which have been identified as needed to mitigate and compensate for impacts on nature, as well as measures to enhance biodiversity. If mitigation for the harm caused by a development is not delivered, then no meaningful enhancement can be achieved.

There is some evidence, however, that Policy 3 is leading to positive outcomes for nature. For instance, as one examples, following its rejection of the so-called [“Flamingoland”](#) proposed development at Loch Lomond on 16 September 2024, the Loch Lomond & Trossachs National Park Authority said, “The Board found that the proposal also failed to satisfy the NPF4 requirement to deliver significant biodiversity enhancement”, demonstrating that NPF4 is having a demonstrable impact on decision-making as intended. Non-compliance with policy 3 was subsequently one of the reasons for refusal.

In addition, the current draft planning guidance for biodiversity does not provide guidance on how irreplaceable habitats and designated sites should be considered in the context of Policy 3b. As it is accepted that the English metric or toolkits can be used, it would be beneficial to include details on how irreplaceable habitats (particularly blanket bog and ancient woodland) and designated sites



should be considered, noting in England these are not included within the metric 10% gain calculations. NatureScot guidance details that compensation for priority peatland should be provided on a 1:10 ratio, with a further 10% provided to meet with the requirements of NPF4. This may lead to some confusion, on what this 10% should be based – 10% area or 10% biodiversity units. Links should be made between the draft planning guidance and NatureScot guidance on peatlands, to remove ambiguity.

Work is ongoing on the development of a Scottish Biodiversity metric. However, this in no way prevents the effective implementation of biodiversity enhancement in the meantime. This can be done well and timeously without a metric.

Securing Biodiversity Enhancement for Energy Consents

Applications for energy consent under section 36 of the 1989 Electricity Act are developments which are required to deliver biodiversity enhancement and for which NPF4 is a significant material consideration. As NPF4 considers them 'national development' part b) of Policy 3 is particularly relevant. NPF4 gives strong policy support to renewable energy generation, but this is not at all costs and NPF4 must be considered in the round.

There seems to be some confusion over the use of conditions to secure biodiversity enhancement proposals, which have been put through the application process. The Scottish Government recently published [standard conditions](#), which we understand have been formulated after discussions with the renewables sector and statutory consultees. Other stakeholder involvement was not carried out, despite requests for engagement on the issue.

The standard conditions do not include any specifically relating to biodiversity enhancement, although it is appreciated that additional conditions can be added to any consent and this could be covered under drafted conditions such as the one for Habitat Management Plans. However, the information on the Scottish Government website states that conditions '*cannot be used to secure benefits such as community benefit or enhancements which are not related to the impact of the development.*' While it is agreed that community benefit payments sit outside the planning decision making process, the requirement for biodiversity enhancement does not. It is extremely worrying that this still appears to be viewed by some as a 'nice to have' rather than a policy requirement. Conditions do need to meet the six texts set out in Circular 4/1998:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

This requirement is reiterated in the Scottish Government's Draft Planning Guidance on Biodiversity. It is not understood why a standard condition requiring proposed enhancement should not be secured by a condition. Conditions have been attached to both energy consents and planning permissions in relation to biodiversity enhancement, although there can be confusion over the



differences between mitigation, compensation and enhancement. We strongly encourage the Committee to seek clarification from the Scottish Government on how it anticipates biodiversity enhancement promised by energy consents developments to be secured.

Nature Networks

NPF4 requires local authorities to facilitate, support and strengthen nature networks and they are a key way of ensuring the best places for nature are bigger, better and more joined up. ScotLink has long advocated for a national ecological network. Since the last LGHP review, the [Framework for Nature Networks in Scotland](#) has been published, alongside the Scottish Biodiversity Strategy, Delivery Plan and 30x30 Framework. This was in draft at the time of the last review, although the extent to which comments made on the draft document Nature Networks Framework have been taken into account and altered the document is not clear.

Despite the length of the document, there remains a lack of clarity about the purpose and role of nature networks in practice. While nature networks are frequently mentioned, there remains a lack of clear guidance on their development and implementation. Planning Authorities need detailed guidance to ensure effective delivery of the policy's objectives.

As discussed above, the Scottish Government should also ensure that there is sufficient ecological expertise within planning authorities to deliver its objectives, including the facilitation of nature networks and the creation and protection of green-blue infrastructure.

There are a number of themes in the Nature Networks Framework, some of which recognise the issues raised, but actual action is needed. Meanwhile, a number of local authorities are seeking to progress with nature networks as best they can, but this is leading to a varied and patchy approach which risks wasting resources. Nature Networks need to be live and evolving mapped, ecological networks that help guide investment in nature, including biodiversity enhancement delivery. They could help applicants and decision makers identify the best places and types of intervention, such as habitat creation or management. They offer great potential to support nature recovery and create better places for people but more needs to be done to support this and avoid wasting time and resources.

Policy 5: Soils

Policy 5 Soils of NPF4 gives a strong presumption against development proposals on peatland, carbon rich soils and priority peatland habitat. Exceptions to this include essential infrastructure where there is a specific locational need and no other suitable site and the generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets.

LINK is supportive of the move to renewable energy and away from fossil fuels which is needed to tackle the twin climate and nature crises. However, there are a number of wind farm applications which are in areas of peatland. The impacts of renewable energy development and associated infrastructure on this finite resource needs to be carefully considered and balanced against the benefits. John Muir Trust provided evidence on this issue to the committee last year.



In November 2023, before the last LGHP review, NatureScot published guidance on [‘Advising on Peatland, carbon rich soils and priority peatland habitat in Development Management’](#). This guidance remains in place but is under review with strong pressure from some developers to reduce the compensation requirements. There is concern from Scotlink that there is a lack of public consultation in this matter. If new guidance is produced, it is critical that it is open to consultation, and supports the wider national aims to restore peatland.

There continues to be significant pressures on peatlands. For example, the application for Balliemanoach Pumped Storage Hydro in Argyll and Bute proposes the extraction of a huge amount of blanket bog habitat, a priority peatland habitat. If consented, the proposed scheme would result in the loss of around 164 hectares of habitats. NatureScot have objected to this proposal, as have RSPB Scotland, due to impacts on peatland.

Since the last review, a [July 2024 Report](#) found that the ‘carbon calculator’, a tool used to assess the carbon impact of wind farm developments, needs to be updated. A replacement has not yet been developed. Impacts on peat are about loss of habitat as well as carbon impacts, however, this is an extremely important element to allow decision makers to assess whether applications comply with the requirements of Policies 2 and 11. We suggest the Committee asks Scottish Government for a timescale for the development of a new ‘carbon calculator’ and the risks of decisions being made in the absence of such a tool.

Policy 6 Woodland and Trees

NPF4 has had mixed results when it comes to the protection of Scotland’s woods and trees.

The stated intent of Policy 6 was “to protect and expand forests, woodland and trees”. NPF4 requires planning authorities to “identify and set out proposals for forestry, woodlands and trees in the area, including their development, protection and enhancement, resilience to climate change, and the expansion of a range of types to provide multiple benefits” and to underpin this work with “an up to date Forestry and Woodland Strategy”.

The most important starting point for anyone interested in protecting and expanding Scotland’s native woodlands is knowing where they are, and what condition they are in, in one consistent, clear, authoritative source. The source should be the National Register of Ancient Woodland, which the Scottish Government is committed to delivering, but which we understand is still in a very early stage of development. We would encourage the committee to pursue the progress of this with the Government.

It is important to note that the planning system is only one small part of creating, expanding and connecting woodlands. The primary driver of expansion of woodland and commercial forestry is funding (for example, the Forestry Grant Scheme, the Nature Restoration Fund, and significant private/charitable investment). [As we have highlighted before](#), “switching on and off the tap” of woodland grant funding does not help us meet our woodland creation targets, which exist to get Scotland to net zero and to our 2045 biodiversity vision.



With funding under such pressure, the protection of what we already have is even more important. In terms of protection of woodlands, the primary drivers of loss of native woodlands and trees are high deer numbers and their impacts, overgrazing by sheep in some parts of Scotland, invasive non-native species such as *rhododendron ponticum*, and inappropriate development which “chips away” at trees and woodlands. The biggest driver of loss - excess grazing from deer - is not addressed by the planning system, but by a mixture of policy, incentives and collaboration, such as the transformative and very welcome Common Ground Forum. This is an important contextualisation of the role of NPF4 in protecting Scotland’s woodlands - NPF4 has an important role to play, but it is no magic bullet for stopping the loss of native woodland.

NPF4 can be shown to work in favour of protecting woodland. To give one example - upon rejection of the Flamingoland proposals on 16 September 2024, Loch Lomond & Trossachs National Park Authority stated: *“The development would have resulted in larger areas of woodland loss than set out by the applicant, including some areas of ancient woodland, and the proposed compensation falls significantly short of national policy requirements. This would not contribute positively to creating nature rich places or restoring local nature networks.”* This demonstrates the application of Policy 6 as we believe it was intended.

However, there is ample evidence that native woods and trees are still being lost to development, right across Scotland, in ways which are contrary to Policy 6 of NPF4. In a country with so little native woodland to begin with, these are losses we can ill afford. Woodland Trust Scotland’s “Woods Under Threat” team record and often object to planning proposals that threaten native and Ancient Woodland and trees. It appears these cases are due to under-resourcing of planning departments, who in some cases lack the capacity and training needed to deliver the authority’s obligations in a manner consistent with NPF4. There is a mixed picture across planning authorities in terms of the availability and capacity of specialists like tree-, landscape-, and biodiversity officers. Furthermore, the limited capacity of planning enforcement officers has a compounding effect – even when the conditions of a planning consent are right, it is of limited value if it cannot be effectively enforced. This is critically important. According to [CIEEM’s survey](#), two thirds of respondents rated lack of enforcement staff to ensure compliance as a high or very high risk to their LPA’s ability to implement the forthcoming NPF4 and Positive Effects for Biodiversity. They need more resources for Planning Enforcement Officers to ensure tree protection and biodiversity enhancement measures are realised.

We believe that the Scottish Government must support planning authorities better to deliver on their obligations under NPF4 to protect and expand Scotland’s woodlands, which provide countless benefits to people and communities as well as for nature, climate adaptation and climate mitigation. This will require funding commitments, workforce planning, skills- and capacity- building, which must be delivered urgently if we expect to see the planning system do more.

The commitment to Protect 30 Percent of Land and Sea by 2030 (30x30)

Since last year’s review, The Scottish Biodiversity Strategy, delivery plan and 30x30 Framework have been published (November 2024). The planning system needs to protect the best places for nature



and support the Scottish Government's commitment to protecting 30% of land and seas by 2030. Although the policies in NPF4 do provide for this, positive effects for biodiversity cannot be realised unless the mitigation hierarchy is followed, as set out in policy and guidance.

Policy 4: Natural Places

Policy 4 Natural Places, seeks to protect, restore and enhance locally, regionally, nationally and internationally important natural assets. There are a number of applications for planning permission and energy consent in the system that have the potential to have significant adverse impacts on nature, including designated sites. It is crucial that decision makers continue to consider the importance of these issues. NatureScot needs to be properly resourced to advise on applications and develop guidance to provide clarity for everyone and therefore avoid unnecessary delays and use of resources. As discussed above, without the proper monitoring and enforcement of conditions which are attached to permissions and consents to ensure that mitigation and compensation is delivered as promised, then we cannot be sure that development is not having an overall adverse impact on nature.

A considerable amount of data and information is collected by applicants, for instance, in preparing Environmental Impact Assessments and in post-construction monitoring. Much of this data is not widely available to planning authorities, NatureScot and other applicants who are seeking to assess impacts from their proposal along with others. This information could also be useful in gathering evidence for Local Development Plans. The Onshore Wind Sector Deal included a commitment by the Sector and Government that they will establish a mechanism by which onshore wind developers can submit information produced as part of the consenting process (such as the site location, dimensions and habitat management plans) to a central data repository. This is to include a mechanism for submitting the data gathered in response to planning conditions such as annual bird monitoring, habitat management and peatland management. This data will be used to create a central geospatial database that will be regularly maintained and updated, and which can be accessed for various analytical and monitoring purposes. (page 11 of the OWSD). Although only applying to onshore wind, this would be extremely useful in assessing impacts and monitoring outcomes and we strongly encourage the Committee to follow up this overdue action with Government and the Sector.

Summary

LINK are of the opinion that although there is evidence that NPF4 is resulting in greater awareness of biodiversity issues in planning and some decisions which clearly reflect its aims, much work is still to ensure the planning system contributes to tackling the nature and climate crisis. These changes can be made, but need sufficient resources, clear guidance and strong leadership.

LINK would welcome the opportunity to take part in evidence sessions for this review.

This response was compiled on behalf of LINK Planning Group and is supported by:

Badenoch & Strathspey Conservation Group
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