

Friends of the Earth Scotland.

National Planning Framework 4 - Consultation Response

- **I have read and understood how the personal data I provide will be used.**
- **I would like my response to be published in its entirety**
- **Submitted by:** Malachy Clarke
- **E-mail:** mclarke@foe.scot
- **Response on behalf of an organisation.**
- **Name of organisation:** Friends of the Earth Scotland.
- **About us:** Friends of the Earth Scotland exists to campaign, with partners here and across the globe, for a just transition to a sustainable society. We are Scotland's leading environmental campaigning organisation. An independent Scottish charity with a network of thousands of supporters and active local groups across Scotland. We are also part of the largest grassroots environmental network in the world, uniting over 2 million supporters, 75 national member groups, and some 5,000 local activist groups – covering six continents.

The National Planning Framework 4 is going to be crucial in our fight to tackle the climate emergency and build the better world we know is possible. As the strategic spatial vision for Scotland for the next decade, NPF4 has the potential to lock-in dirty fossil fuel developments and business-as-usual or it could pave the way forward for a clean energy powered, re-localised economy, and healthy, thriving communities living in balance with nature.

The NPF will influence planning and infrastructure into the 2050s. By drafting an NPF4 that has addressing the climate and nature emergencies at its heart, we will be better equipped to meet our crucial 2030 and 2045 climate targets. The NPF4 must consider at all stages, and enshrine wherever possible, the principles of a Just Transition and reverse the significant damage done to nature and biodiversity across Scotland.

The NPF4 draft as it is currently proposed will not help us meet these aims. This draft of the NPF4 contains much language and a number of high level policies that we welcome, including encouraging climate considerations in planning, considering livability, and some movement towards a wellbeing economy. However despite this positive rhetoric there is little detail as to how these policies will be taken forward and what action the Scottish Government will take to turn these positive sentiments into a reality.

Friends of the Earth Scotland has significant concerns about the reliance in NPF4 (as in the Climate Change Plan update) on negative emissions technologies. There is a real risk that relying on these false solutions and speculative technologies will divert support, resources

and money away from proven and far more effective solutions to the climate crisis. If Scotland is to meet its climate commitments and contribute its fair share we must take urgent action today rather than waiting for these speculative solutions.

We also have significant concerns over the use of carbon offsetting discussed in this draft. Offsetting schemes have been beset with scandals, and it is incredibly difficult to prove that they even work. But by paying for projects to happen in other countries, often developing nations, offsetting schemes are often accused of neocolonialism. Allowing industrialised countries and big polluters to continue using the little remaining carbon budget available, denies developing countries the right to use this to develop and bring their populations out of poverty.

In order for the policies and priorities in the NPF4 to have any impact in reality we must ensure that Local Authorities are properly financed and resourced to hire planners with experience in biodiversity and ecological science. Evidence from RTPI shows that planning departments within local authorities have seen a 25% reduction in staff since 2009. Local Authorities are at the forefront of planning and have the best knowledge of local areas and their needs. It is imperative that local authorities have the resources to deal with environmental concerns and the climate crisis and that they are fully equipped and fully capable of addressing these concerns in planning applications and planning procedures.

This draft of the NPF4 does not go far enough to tackle the climate crisis and Friends of the Earth Scotland urge the Scottish Government to take urgent action to create a more robust NPF4 that enables radical and truly transformative changes to and through our planning system.

Q 1: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE NET ZERO PLACES WHICH WILL BE MORE RESILIENT TO THE IMPACTS OF CLIMATE CHANGE AND SUPPORT RECOVERY OF OUR NATURAL ENVIRONMENT?

The approach laid out in this draft of the NPF4 does not go nearly far enough in delivering future net zero places. There are a number of key areas where this NPF4 document falls short.

The Scottish Government has previously stated that the NPF4 would deliver a “transformation” in Scottish planning policy and deliver ‘real progress’ on meeting climate change goals. Friends of the Earth Scotland welcomed these commitments but feels that the approach laid out in this document fails to meet these goals.

The Scottish Government must act radically to reduce our material use, cut our dependence on oil and gas and improve our active travel infrastructure.

The planning system can act as a regulator of high environmental standards and work to embed circular economic principles in our everyday life.

There are only 8 years left to deliver on Scotland's 2030 climate targets and the draft NPF4 as it stands will fail to help Scotland meet these targets.

A truly sustainable Scotland must manage its global material impacts, as well as those within its borders. Scotland's infrastructure plans rely on critical materials which must be sourced from abroad.

The Scottish Government has set demanding climate and energy targets, but plans to deliver them are not transformative enough.

Much of our progress in reducing emissions has been as a result of de-industrialisation, and policies to deliver the zero-carbon economy have failed to realise the full potential of decent work in Scotland. Meanwhile, job losses as a result of low oil prices are hurting workers and communities in the North East. If the transition to a low carbon economy is left to market forces, we risk a repeat of the devastating social dislocation and high unemployment experienced as a result of de-industrialisation and coal mine closures. We must ensure that a rapid, managed transition away from oil and gas is supported by the Scottish Government and does not leave the workers and communities who will be most affected behind.

Many of the essential infrastructure changes set out in NPF4, like digital communications infrastructure, electricity grid updates and energy transition infrastructure such as wind turbines, are made using difficult to source materials, such as lithium and nickel.

There are environmental, social, scarcity and security risks associated with many of these materials which must be understood if they are to be managed effectively and sustainably. Whilst NPF4 considers the impacts of mineral extraction within Scotland, it does not consider the sustainable use of critical raw materials within infrastructure projects which come from overseas. In a global climate crisis, it is vital that the world-wide impact of Scotland's infrastructure plans and activities be considered. Scotland's demand for critical materials is set to soar as a result of the move to a net zero carbon economy.

The Scottish Government should publish a list of critical materials, the extraction, production and disposal of which must be considered by developers in the planning process for infrastructure projects. Efforts to move businesses towards more sustainable supply chain practices through the planning system should be encouraged. At a minimal, infrastructure projects should report, at the application stage:

- The expected requirement for critical materials over the lifetime of the project;
- The country of origin of all critical materials required for the project;
- The proportion of recycled content of critical materials used;
- The disposal pathways expected for all critical materials used on the project.

These should be publicly benchmarked against best-practice standards for different types of infrastructure projects.

Q 2: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES, HOMES AND NEIGHBOURHOODS WHICH WILL BE BETTER, HEALTHIER AND MORE VIBRANT PLACES TO LIVE?

Friends of the Earth Scotland certainly agrees with the aim of making our places more liveable. We welcome to focus on wellbeing and livability in the NPF4.

However, the current draft of National Planning Framework 4 invokes or introduces very few powers, measures or ideas which will accomplish this with little mention of adaptation. The Framework needs to be much more robust in preventing unsustainable developments, both commercial and residential, and boosting sustainable transport initiatives and local economies.

In creating more liveable places, specific attention, planning priority and funding must be given to areas of Scotland which are currently economically reliant on the fossil fuel industry. In these areas, carbon intensive jobs must decline as new opportunities are created and this should be reflected as a unique challenge and intention of the National Planning Framework.

In order to achieve livable places the Scottish Government must take a holistic approach that weaves livability into every aspect of government planning and moves away from GDP focused endless growth towards a circular wellbeing economy.

Q 3: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES WHICH WILL ATTRACT NEW INVESTMENT, BUILD BUSINESS CONFIDENCE, STIMULATE ENTREPRENEURSHIP AND FACILITATE FUTURE WAYS OF WORKING – IMPROVING ECONOMIC, SOCIAL AND ENVIRONMENTAL WELLBEING?

Friends of the Earth Scotland does not agree that this approach will deliver future places which will improve economic, social and environmental wellbeing. Again while we welcome the focus on improving social and environmental wellbeing alongside economic well being, the proposed implementation is severely lacking.

The content of this section lacks any substantive information demonstrating what the approach will be from the Scottish Government. It repeats intentions to “attract” or “stimulate” investment and entrepreneurship without specifying how this will be achieved.

Additionally, the ambition of this section is too narrow and unlikely to deliver social and environmental objectives discussed in sustainable and liveable places. The limited information on the ambition for “productive places” provided in this section relies upon a continuation of the same approaches taken by the Scottish Government that have largely failed in the very recent past. The Scottish Government should be explicit that in driving a just transition, they must play a more active role in shaping and directing the economy than in the past. Greater public, municipal and community ownership is key to Community Wealth Building and the wider strategic objectives of creating decent green jobs, involving and empowering communities and ultimately realising a just transition away from fossil fuels.

Q 4: DO YOU AGREE THAT THIS APPROACH WILL DELIVER OUR FUTURE PLACES WHICH WILL BE DISTINCTIVE, SAFE AND PLEASANT, EASY TO MOVE AROUND, WELCOMING, NATURE-POSITIVE AND RESOURCE EFFICIENT?

No.

Our places lose their distinctiveness when small and independent businesses are crowded out by large companies, and when residents require a car to access all their needs, communities become fractured. Without restricting out-of-town retail developments, and improving the public realm of our local high streets, our future places will not be distinctive. In practice this means robust presumptions against out-of-town developments in planning law on out-of-town developments, and making the TRO process less burdensome on local authorities.

NPF4 currently lacks any tools to prevent the closure of locally-delivered key services, as businesses such as banks and public services such as the NHS centralise and cut costs. As people need to travel further to access such services, this produces avoidable greenhouse gas emissions from transport and reduces the liveability, sustainability and distinctiveness of local areas.

To make our places more distinctive, safe, pleasant, easy to move around, welcoming, nature-positive and resource efficient, we must ensure that people can travel around our places in a safe, affordable and welcoming way. We must ensure we increase active travel support, while minimising car use and encouraging all forms of public transportation. This is why public ownership of our public transport is so vital to liveable communities; removing a transport service harms our neighbourhoods and the climate.

Q 5: DO YOU AGREE THAT THE SPATIAL STRATEGY WILL DELIVER FUTURE PLACES THAT OVERALL ARE SUSTAINABLE, LIVEABLE, PRODUCTIVE AND DISTINCTIVE?

No.

The spatial strategy will not deliver places that are sustainable, livable, productive and distinctive. The reasons already listed above also apply here. While Friends of the Earth Scotland welcomes the rhetoric around sustainability and liveability there is little clear action that will deliver these aims.

Q 6: DO YOU AGREE THAT THESE SPATIAL PRINCIPLES WILL ENABLE THE RIGHT CHOICES TO BE MADE ABOUT WHERE DEVELOPMENT SHOULD BE LOCATED?

No.

While there are some parts of the strategy we welcome there is not enough action to back up the rhetoric.

'Compact growth' is fine in principle but questions remain as to how this will be delivered. Councils should operate with a planning framework that states developments in built-up areas must have low-parking provisions. Density requirements for developments

in urban areas should be part of the planning framework, as recommended by City of Edinburgh Council in an earlier consultation.

Equally, it is not clear how 'local living' will be delivered on as a principle. NPF4 must include a strategy for ensuring services are provided close to where people live. There must be consequences for private companies which withdraw lifeline services, such as banking or transport, from communities. Car-dependent residential developments must be prohibited. Councils must be encouraged to transform parking spaces and car parks into green space and other more useful forms of public space.

The Just Transition principle is welcome and the empowerment of local people in their workplaces and communities is vital to achieving this. However, it must be stated that the Scottish Government and local authorities will support the priorities identified by local people. A Just Transition should remove inequalities and share benefits across the country as outlined in the principle, however to give confidence to those in high-carbon sectors, specific attention ought to be given to jobs which must transition and areas which are currently heavily reliant on the fossil fuel industry.

Q 9: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

Friends of the Earth Scotland is sceptical of the emphasis put on space ports. Space ports have attracted local opposition and decisions will need to take account of local concerns and the carbon balance of developments in peaty areas.

We welcome the prioritisation of peatland restoration and woodland creation and restoration which are essential in tackling the nature emergency and will also support efforts to tackle the climate emergency. However we are concerned about the focus on offsetting as part of this.

'Offsetting' is when companies or countries pay others to reduce their emissions or absorb carbon dioxide instead of cutting their own emissions, often through trading in a regional or international carbon market. The main problem with carbon markets and offsetting is that there is no evidence that they actually work. After more than a decade and a half of operation, there is no evidence that either the EU's emissions trading scheme nor the UN's carbon offsetting scheme have had any success in reducing emissions.

On the contrary, during this period global emissions have continued to rise, meanwhile regional emissions have not reduced nearly fast enough. Offsetting and trading schemes are riddled with loopholes and plagued with double counting and corruption.

Furthermore, at current emissions rates, we run out of carbon budget for 1.5oC in only a few years so the reality is there is no time left to trade or offset emissions anymore, all countries need to reduce to zero asap.

The Scottish Government has already committed to not using overseas credits to meet domestic emissions targets - an important and laudable aim. Neither should not go down the path of providing false hope and dangerous distractions by opening up large swathes of Scotland's landscape for corporations and other countries to pay to disguise their inaction on the climate crisis.

We are also sceptical of the reliance on hydrogen energy, particularly so about including any role for hydrogen made from natural gas. Hydrogen is not a proven or reliable energy carrier and we should be focusing our energy and resources on creating truly renewable green energy through Scotland's abundance of wind, solar and tidal energy opportunities.

Q 11: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

As per the comments on offsetting in answer to Q9, NPF4 must not facilitate the provision of false hope and dangerous distractions by opening up large swathes of Scotland's landscape for corporations and other countries to pay to disguise their inaction on the climate crisis.

Friends of the Earth Scotland welcomes the recognition of fuel poverty as a priority that needs to be tackled. We further welcome the identification of Oil and Gas decommissioning sites.

Calls for community ownership of renewable energy projects are welcome and should be in all regions, including in relation to offshore energy developments.

This section outlines improvements to the Highland Main Line through electrification and delivery of new stations including at Inverness Airport. Friends of the Earth Scotland strongly supports rail electrification but sees reducing air travel as a must if we are to tackle the climate crisis and so we are concerned about attempts to increase airport usage.

Q 12: DO YOU AGREE WITH THIS SUMMARY OF CHALLENGES AND OPPORTUNITIES FOR THIS ACTION AREA?

No. Not enough consideration is given to the material requirements of the energy transition, particularly the offshore renewable plans in this area. There is an opportunity to keep the high quality material from the decommissioning of oil and gas rigs in the area and use it to build the next generation of energy infrastructure. As well as keeping materials, oil and gas workers could transfer their skills to a decommissioning industry and green energy jobs.

The Government should prioritise ensuring scrap steel remains in Scotland, the strategic planning and development of an Electric Arc Furnace in the region, to reprocess the steel, and supporting the transfer of jobs to new industries. There is a recognition that the UK is falling behind Europe in the race to clean steel¹. The NPF4 must create the conditions needed in Scotland to ensure our high quality scrap steel remains in Scotland and is used to support a green energy transition.

Q 13: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

¹ https://ca1-eci.edcdn.com/reports/ECIU_stuck_starting_line.pdf?v=1621866013

Point 9 in this section seems to be hinting at the significant controversy over the Energy Transition Zone. Saint Fitticks Park is a beautiful wild park in Torry full of diverse nature. It is the only green space within walking distance for many people and has been described by locals as a “sanctuary” and by ecologists as “irreplaceable”. Despite this the ‘Energy Transition Zone’ is described as a plan to build sites for turbine manufacture and other infrastructure, in the hope that this will encourage ‘green’ companies to come to the area. The backers behind the Energy Transition Zone include Aberdeen City Council and Opportunity North East (ONE), a fossil fuel industry interest group chaired by the oil tycoon Sir Ian Wood.

This is yet another example of how the interests of the oil and gas industry and the desire to continue ‘business as usual’ is failing workers and the communities, and preventing a desperately needed transition away from fossil fuels.

Unfortunately point 9 leaves plenty room to go ahead with the ETZ. It is important to stress that local greenspace should be protected and communities empowered.

There are no specific references to the challenges faced by this region in the transition away from fossil fuels and the impact on people and their jobs and communities. It should be stated that new projects must support just transition objectives, particularly those in the energy sector.

There are also a lot of “low carbon hydrogen” features across the regions. Friends of the Earth Scotland are concerned that this may be used as a way to justify fossil fuel powered hydrogen.

Q 15: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

Point 14 - Consideration should be given to the opportunities for using abandoned coal mines in heating. This is a low carbon solution that conveniently serves lots of communities around the central belt which were built upon the mining industry in the first place. There are examples already in Gateshead, Fife and Glasgow, but with appropriate government support we could see this rolled out across numerous former mining towns and villages for heat.

Point 16 discusses Grangemouth and opportunities for hydrogen production and CCS. In the last session of the Scottish Parliament the ECCLR committee stated that the Scottish Government needed to develop a ‘Plan B’ to reach its legal obligations under the Climate Change Act that does not rely on negative emissions technologies. Friends of the Earth Scotland are highly sceptical of NETs and we call on the Scottish Government to develop such a plan and eliminate the reliance on NETs throughout the NPF4. We cannot rely on Negative Emission Technologies (NETs), many of which are unproven, expensive and inefficient to meet our climate commitments.

There is a real risk that relying on these false solutions and speculative technologies will divert support, resources and money away from proven and far more effective solutions to the climate crisis. If Scotland is to meet its climate commitments and contribute its fair share we must take urgent action today rather than waiting for these speculative solutions.

Q 17: WHAT ARE YOUR VIEWS ON THESE STRATEGIC ACTIONS FOR THIS ACTION AREA?

As per the comments on offsetting in answer to Q9, NPF4 must not facilitate the provision of false hope and dangerous distractions by opening up large swathes of Scotland's landscape for corporations and other countries to pay to disguise their inaction on the climate crisis.

Q 18: WHAT ARE YOUR OVERALL VIEWS ON THIS PROPOSED NATIONAL SPATIAL STRATEGY?

The National spatial strategy does not go far enough in addressing the climate emergency. The Scottish Government must take radical action to address the imminent climate emergency and ensure we can reach our 2030 net zero targets.

The National Spatial Strategy must embed the climate emergency in all levels of planning. We must ensure that active travel is supported through appropriate investment and infrastructure. We must ensure that circular economic principles are included at every level of planning and we actively move towards an economic model that views wellbeing and the climate emergency as its main drivers. We must ensure that our transition away from fossil fuel is rapid but managed so that the workers and communities most affected by the transition are supported and not left behind. Furthermore we must ensure that planning policy should give significant weight to local concerns and issues in planning. Part of the just transition is ensuring that local communities are fully informed, consulted and engaged on any developments that would affect them and their local communities.

The Spatial Strategy is not the transformative change to our planning system that was previously promised, if the Scottish Government wants to be seen to act seriously on climate change and planning then it must take the radical action we have outlined throughout our consultation response.

Q 21: DO YOU THINK THERE ARE OTHER DEVELOPMENTS, NOT ALREADY CONSIDERED IN SUPPORTING DOCUMENTS, THAT SHOULD BE CONSIDERED FOR NATIONAL DEVELOPMENT STATUS?

A new national development is needed in the NPF4 for managing Scotland's scrap steel in a circular, sustainable and just way in Scotland. Steel is a vital material in Scotland's future economy and a requirement of most infrastructure projects. Scotland's energy transition will require huge amounts of steel (the 25GW Scotwind project will require about 3 million tonnes of steel alone²). To ensure Scotland meets its climate and circular economy goals, this steel must be sourced from sustainable and just sources. This means Scotland should be making use of the rising supply of high quality scrap steel from oil and gas decommissioning³.

² Each megawatt of wind power requires 120-180 tonnes of steel, Arcelor Mittal (2022) <https://corporate.arcelormittal.com/media/case-studies/steel-is-the-power-behind-renewable-energy>

³ OGUK (2021) report "[Decommissioning insights 2021](#)" forecast that by 2030, 1Mt of material, the vast majority of steel, will be available from oil and gas decommissioning.

Instead of exporting this valuable material, Scotland must invest in low carbon domestic processing technologies, such as Electric Arc Furnaces (EAF).

A strategic steer from the Scottish Government is required. Firstly, a scoping study is needed to understand the best location, scale and number of steel processing facilities required. This should inform the national development on scrap steel in the NPF4. The NPF4 should also include guidelines on how an EAF (and additional integrated infrastructure such as wind turbine fabrication facilities) can conform to circular economy principles and develop as part of an integrated system to support Scotland's energy transition.

An additional national development is needed to nationally coordinate waste management infrastructure needs. Preference for replacement technologies should be based on the whole life carbon reduction potential (kgCO_{2e} saved per tonne waste processed). A nationally coordinated approach is required to ensure the overall number, scale and location of these facilities is aligned to Scotland's net zero and waste targets.

The findings of an independent review on incineration capacity are expected to be published shortly. Friends of the Earth Scotland have recommended that Scotland needs an exit strategy from incineration. The temporary notification direction, which has been used as an effective temporary moratorium on new incineration applications, should be extended to a permanent moratorium on new incineration applications effective immediately. A plan for closing existing incineration plants as quickly as possible and shifting potentially recyclable material to more sustainable processing options should also form part of the national development for waste management infrastructure.

The NPF4 highlights that Carbon Capture and Storage will be used to establish opportunities to decarbonise areas such as transport and heat. However, it is our view that CCS coupled with fossil (blue) hydrogen should not be pursued to decarbonise these areas where other more readily available, lower-carbon and proven options to cut emissions exist. The scale of CCS required to cut emissions even on a national level has yet to be demonstrated anywhere in the world. High costs mean there is a lack of clear evidence that CCS technologies will be able to reduce emissions at the scale suggested.

Instead of investing public money in speculative technologies to prop up polluting industries, there are holistic, evidenced and actionable routes to meet the 2030 target of 75% emission reductions which must be prioritised in order to cut emissions in the urgent time scale required. Ultimately, stopping emissions at source is one of the most effective ways to curb emissions.

The NPF4 should be aiming for 100% domestic generation (not just consumption as per the current target) of renewable electricity by 2030 to support the electrification of heat and transport. We also need to see an upscaling in total electricity generation as the transition away from burning fossil fuels in heat and transport will place greater reliance on electrification in these sectors.

Investment into homes that are easier to heat, built at the highest efficiency standards, such as Passivhaus, which reduce heating emissions and support the elimination of fuel poverty

should be a priority. There is also significant job creation and skills development potential in rolling out a national programme of retrofitting required to meet the 2030 target.

Q 22: DO YOU AGREE THAT ADDRESSING CLIMATE CHANGE AND NATURE RECOVERY SHOULD BE THE PRIMARY GUIDING PRINCIPLES FOR ALL OUR PLANS AND PLANNING DECISIONS?

Yes, Friends of the Earth Scotland strongly agrees that addressing the climate emergency and nature recovery should be the primary guiding principles for all plans and planning decisions. Given the drastic reductions in emissions needed in the next decade this is vital.

Q 24: DO YOU AGREE THAT THIS POLICY WILL ENSURE THE PLANNING SYSTEM TAKES ACCOUNT OF THE NEED TO ADDRESS THE CLIMATE EMERGENCY?

Policy 2 b) Friends of the Earth Scotland strongly agrees that all developments should be designed to minimise emissions over their lifecycle in line with the decarbonisation pathways set out nationally. This should include a **whole life assessment** of the material requirements of developments. Unless whole life impacts are considered, it is not possible to make decisions which minimise global environmental impact, since many materials come from outside of Scotland and are recycled or disposed of outside of Scotland too.

Policy 2 c) As per the comments on offsetting in answer to Q9, NPF4 must not facilitate the provision of false hope and dangerous distractions by opening up large swathes of Scotland's landscape for corporations and other countries to pay to disguise their inaction on the climate crisis.

Q 25: DO YOU AGREE THAT THIS POLICY WILL ENSURE THAT THE PLANNING SYSTEM TAKES ACCOUNT OF THE NEED TO ADDRESS THE NATURE CRISIS?

Friends of the Earth Scotland supports the arguments put forth by our fellow members in Scottish Environment LINK.

Q 26: DO YOU AGREE THAT THIS POLICY EFFECTIVELY ADDRESSES THE NEED FOR PLANNING TO RESPECT, PROTECT AND FULFIL HUMAN RIGHTS, SEEK TO ELIMINATE DISCRIMINATION AND PROMOTE EQUALITY?

Policy 4 a) FoES agrees strongly with the headline policy that *"Planning should respect, protect and fulfil human rights, seek to eliminate discrimination and promote equality."*, however there is insufficient detail in NPF4 to show how this will be applied in practice.

It is essential that the human rights of those extracting materials for Scottish developments and managing Scottish waste outside of Scotland, and suffering from the impacts of climate change driven by historical and current Scottish emissions should be considered in the application of this policy alongside the human rights of people living and working in Scotland.

Policy 4 b) We agree that "*Planning authorities, applicants, key agencies and communities have a responsibility to consult and engage others collaboratively, meaningfully and proportionately.*" However the policy that follows is inadequate to fulfil this ambition.

A particular obstacle to realising a truly fair and democratic planning system is the one-sided nature of the existing right of appeal. It is plainly unfair that communities and other affected parties have no right of appeal against a decision to grant planning permission, while applicants are able to appeal against a decision to refuse it. This inequality undermines trust in the planning system, reduces the influence local communities have on the future of their area, and produces weaker planning decisions. It introduces a perverse incentive into the system, placing pressure on planning authorities to err on the side of granting permission even where the evidence is weak, knowing that a decision to refuse permission can be appealed but a decision to grant it cannot. This imbalance is exacerbated by the ability of developers to make repeat applications, draining the capacity of planning authorities and wearing down any community concern or opposition.

Unbalanced planning processes encourage developers and authorities to pursue or allow inappropriate development, and contribute to the "lack of trust, respect and confidence in the system" identified by the Scottish Government-commissioned research study Barriers to community engagement in planning. A 2017 survey by the National Trust for Scotland confirms this public concern, and also finds that 90% of respondents "want local communities to have the same rights of appeal in the planning system as enjoyed by developers." In its 2012 report Right to Appeal, the Scottish Committee of the Administrative Justice and Tribunal Council highlighted the appellate deficit in planning decisions, noting that "unless there are compelling reasons to the contrary, citizens should be able to challenge administrative decisions using an appropriate and accessible set of procedures".

Friends of the Earth Scotland urges the Parliament to grant local people the right to challenge planning decisions in certain circumstances (for example where the decision runs contrary to a Local Development Plan, where there is a conflict of interest, or on applications which are accompanied by an environmental assessment). This would make planning fairer and more democratic, improve trust in the system and encourage community participation in the creation of Local Development Plans, and the credible threat of community appeals would incentivise more meaningful engagement and better decisions by planning authorities, applicants, key agencies and communities.

Q 30: DO YOU AGREE THAT THIS POLICY ENSURES THAT WE MAKE BEST USE OF EXISTING INFRASTRUCTURE AND TAKE AN INFRASTRUCTURE-FIRST APPROACH TO PLANNING?

More emphasis is needed on the reuse of existing infrastructure where possible.

The decommissioning and recycling of materials when infrastructure projects come to the end of their working lives should be considered at the planning stage. For example, the use of hard to recycle materials should be minimised.

Q 31: DO YOU AGREE THAT THIS POLICY MEETS THE AIMS OF SUPPORTING THE DELIVERY OF HIGH QUALITY, SUSTAINABLE HOMES THAT MEET THE

NEEDS OF PEOPLE THROUGHOUT THEIR LIVES?

Friends of the Earth Scotland supports the position of our fellow members in LINK who welcome the introduction to the Quality Homes policy which states the need for our housing stock to contribute less to Scotland's climate emissions and highlights the wider benefits of better energy efficiency and greener buildings. However, the draft NPF4 has not sufficiently recognised that building housing per se contributes to carbon emissions and has significant impacts on biodiversity through loss of wildlife corridors, loss of mature trees and woodland, consumption of materials, and concreting over soil, including peatland.

We would like to see Policy 9 recognise and encourage a significant contribution to housing targets to be made by existing empty homes, or buildings not currently used for residential purposes, being returned or converted to use as homes.

This approach would be far more in keeping with other policies on circular economy and 20 minute neighbourhoods, with the benefits of reducing carbon emissions through embodied energy and reducing construction waste. It will also protect other land uses such as agricultural land.

In order to achieve the wider goals of Housing to 2040 and NPF4, including community wealth building, meeting targets for diverse housing needs and meeting climate and biodiversity ambitions, planning policy needs to find the most effective means of delivering housing efficiently in terms of land use and resource use. Policy hierarchy needs to be clear about the primacy of universal policies and particularly the significant weight given to the climate emergency with respect to housing developments.

The market delivery of affordable housing is recognised as inefficient and policy should look forward to how changes in land assembly practice and more public-led planning will improve all of the NPF4 outcomes required by the 2019 planning legislation.

The statement of community benefit proposed at 9e) should be expanded to address positive and negative environmental changes that will impact the local community. It is not clear how a community will be involved in the assessment of these statements or be able to highlight any oversights. If the relevant development is then approved will the statements be used as a basis for some of the conditions of approving development and how would they be enforced?

Q 40: DO YOU AGREE THAT THIS POLICY WILL ENSURE OUR PLACES SUPPORT CONTINUED EXPANSION OF LOW CARBON AND NET-ZERO ENERGY TECHNOLOGIES AS A KEY CONTRIBUTOR TO NET-ZERO EMISSIONS BY 2045?

No. While much of this policy is welcome, in particular a), d) e) f), we are deeply concerned about the presumption in favour of proposals for negative emissions technologies.

Any fossil fuel infrastructure which includes Carbon Capture and Storage (CCS) now developed will be operational long after we should have completed our energy transition. This would lock Scotland into high carbon emissions for decades to come, compromising our ability to meet our climate targets. Instead of supporting an incredibly uncertain technology like CCS in principle, policy support and investment should be on the positive opportunities

for decarbonisation. Such as creating good new green jobs through proven and readily available technologies like renewables and decarbonisation across sectors rather than investing public money in oil and gas infrastructure which includes CCS and fossil hydrogen.

The Climate Change Plan update noted (p209) that if “new evidence indicates that NETs are not developing at an appropriate rate to meet the envelope from 2030, we will reassess the scale and role of NETs in the next Climate Change Plan, including any need to re-allocate emissions reductions across other sectors”. This is incredibly worrying and theoretically gives the Government only 5 years to recoup any emission reduction failures after spending hundreds of millions of pounds of public funds [as mapped out in NETs policies on p241] on projects that might not be able to deliver on important emission reductions towards both the 2030 and 2045 target, as well as vital jobs [highlighted as part of its Strategic Innovation Challenge Fund p241].

The European Commission now also predict a minimal to no role for CCS in the provision of hydrogen with the Tyndall Centre noting that this “reflects concerns about residual emissions from capture and fuel supply stages of the CCS hydrogen life cycle in the context of constrained carbon budgets, and that commercial applications of this technology are still forthcoming”. The report also importantly notes that whilst higher CO₂ capture rates (>95%) and application of capture throughout the fuel supply chain could address these issues that “until [these capture rates] can be demonstrated and costs are clarified it is prudent to have energy pathways without fossil fuel CCS in policy scenarios for meeting climate change goals”.

On CCS coupled with blue hydrogen the assessment is clear that this can only be a transitional strategy because the process is not zero carbon. Blue hydrogen can only be produced if CCS is up and running. A small plant could be operating in about five years if there is more funding found, but the assessment does not see large-scale CCS until the early 2030s. Even the industry bodies questioned for the assessment were evenly split on whether blue hydrogen would have a significant role or not.

It therefore makes little sense to the expense and disruption of creating a blue hydrogen and CCS system which cannot reach significant scale for more than a decade and will need to be phased out again only a decade or so after when we reach the 2045 target.

Energy from waste should not be considered a renewable form of energy. Its carbon intensity is well above the UK grid average⁴. This is true even for Combined Heat and Power plants. CCS is not suitable for incineration plants, given their small scale and dispersed locations, and this should be supported in NPF4.

We are also concerned about the scope for development of nuclear fuels in this section. Development of “low-carbon fuels” leaves room for consideration and development of nuclear fuels. Friends of the Earth Scotland is strongly opposed to nuclear fuel. Nuclear

⁴ ZWS (2021) Climate Change impacts of burning municipal waste in Scotland, Figure 1
<https://www.zerowastescotland.org.uk/sites/default/files/The%20climate%20change%20impact%20of%20burning%20municipal%20waste%20in%20Scotland%20Technical%20Report%20July%202021.pdf>

energy is an inefficient, dangerous method of producing energy and should be considered in Scottish planning.

Q 41: DO YOU AGREE THAT THIS POLICY WILL HELP OUR PLACES TO BE MORE RESOURCE EFFICIENT, AND TO BE SUPPORTED BY SERVICES AND FACILITIES THAT HELP TO ACHIEVE A CIRCULAR ECONOMY?

The infrastructure needs of a circular economy should be integrated into the broader planning framework and do not only relate to waste infrastructure. The current considerations of sustainable material practice are worryingly vague and, for the most part, confined to specially dedicated sections within NPF4. As well as assessing the material suitability of future development proposals and offering guidance at a local level, the NPF4 should detail the strategic requirements, at a national level, for sustainable material use in a circular economy to guide planners at a local and national level.

More direction on the material requirements of all National Development projects would be welcomed, particularly those which are material intensive such as construction, energy transition and manufacturing. There should be recognition that some materials which are currently hard to recycle, such as concrete and cross-laminated timber, need a clearer policy focus.

In Section a) It is unclear what defines an appropriate location for circular economy infrastructure. FoES recommends that this should include an assessment of the carbon impacts of transporting waste material and that this is compared with the current transport impacts. Plans should not be approved if overall carbon impacts increase as a result of the development. National level consideration is required to ensure local decisions create an integrated national system for managing materials and waste.

In Section b) There is no recognition that the waste hierarchy and the lowest embodied emissions choice for materials are sometimes in conflict e.g. diversion of plastic waste from landfill to incinerator increases carbon emissions. Where these conflicts exist, the lower embodied emissions options should be preferred.

In Section c) Clarity is required around this point: “support maintenance, longevity, adaptability and flexibility“. What is meant by adaptability and flexibility?

In Section e) more guidance should be given for facilities which manage waste for both recycling and recovery measures.

Section g) landfill proposals must consider not only current levels of waste generation but projected levels of waste nationally, in line with circular economy goals.

Section h) capture of gas from landfill should be mandatory, not just supported.

Section i) Development proposals of incinerators should not be supported in any circumstances due to environmental and social concerns. These include conflicts with the circular economy, climate change and major national health policies. We also note that Policy 2: Climate Emergency, Section c) for NPF4 states *“Development proposals... should not be supported unless the applicant provides evidence that this level of emissions is the minimum that can be achieved for the development to be viable and it is also demonstrated that the proposed development is in the long-term public interest.”* This principle should be

applied to incineration applications and would mean they cannot be supported as building new incinerators is in direct conflict with climate goals.

The requirements to demonstrate a functional heat network can be created and for heat and power plans are inadequate. This is demonstrated by the fact that no combined heat and power networks exist for operating incinerators, despite current requirements being almost identical to those proposed in NFP4. Stricter measures are required. This should include legal agreements with heat network partners for the development of heat networks at the time planning consent is given. Timescales and back up heating solutions should be detailed, as well as costs of heating for partners.

National consent from the Scottish Government should be required for all incineration developments to ensure an integrated national strategy for waste which does not exceed current or future demands for waste management facilities.

Carbon capture and storage should not be approved on any incineration developments or existing incineration plants due to a number of technical, economic, environmental and social concerns. These include:

- Deployment times are typically 6-10 years meaning existing incinerator plants in Scotland could be half way through their expected lifespans before a single tonne of carbon is captured from any retro-fitting project;
- CCS would create lock in to a carbon and waste intensive system which would have indirect impacts on greenhouse gas emissions;
- The societal risks of CCS are rarely disclosed or discussed with the public. Especially when moved over long distances and/or through heavily populated areas, piping CO₂ poses risks similar to those associated with fossil fuel pipelines, from land disturbance and water contamination, and accidents⁵. The IPCC recognizes that “carbon dioxide leaking from a pipeline forms a potential physiological hazard for humans and animals”.

Friends of the Earth Scotland disagrees with the statement that “Development proposals should not be supported if they would, either directly or indirectly, **limit the operation of existing or proposed waste management facilities.**” If Scotland is to transition to a circular economy within the timeframe of NPF4 then it must replace existing and proposed waste management facilities with more sustainable infrastructure. This statement is at odds with the general support for a circular economy approach to NPF4.

Q 43: DO YOU AGREE THAT THIS POLICY WILL SUPPORT THE SUSTAINABLE MANAGEMENT OF RESOURCES AND MINIMISE THE IMPACTS OF EXTRACTION OF MINERALS ON COMMUNITIES AND THE ENVIRONMENT?

⁵ Confronting the Myth of Carbon-Free Fossil Fuel, Why Carbon Capture Is Not a Climate Solution. <https://www.ciel.org/wp-content/uploads/2021/07/Confronting-the-Myth-of-Carbon-Free-Fossil-Fuels.pdf>

Policy 22 b) Friends of the Earth Scotland welcomes the inclusion of this policy restricting fossil fuel exploration, development and production, but considers this should go further and rule out such developments in all circumstances given that there is currently enough fossil fuel extraction already under development globally to cause truly catastrophic warming, and here in the UK to go far beyond our fair share of emissions.

Climate science is clear that to remain within the limits of the Paris Agreement, which commits nations to hold “the increase in the global average temperature to well below 2°C ... and to pursue efforts to limit the temperature increase to 1.5°C.” and to which the Scottish Government reaffirmed its commitment at COP26 in Glasgow, there is no atmospheric space for new fossil fuel exploration, production or development and that production must begin to decline now and continue to be phased out over the coming decade.

The United Nations Environment Programme 2021 Production Gap⁶ report shows that the world’s governments are on track to produce 110% more fossil fuels in 2030 than would be consistent with limiting warming to 1.5°C, and 45% more than would be consistent with limiting warming to 2°C. The report finds that “**global fossil fuel production must start declining immediately and steeply to be consistent with limiting long-term warming to 1.5°C.**”

The International Energy Agency (IEA) report, ‘*Net Zero by 2050: A Roadmap for the Global Energy Sector*’⁷, states that to reach global net zero by 2050 “There is **no need for investment in new fossil fuel supply**” and that beyond 2021 there should be “**no new oil and gas fields approved for development ... and no new coal mines or mine extensions are required**”⁸

According to the principle of common but differentiated responsibilities enshrined in the Paris Agreement, wealthy countries like the UK with high historic carbon emissions and low economic dependence on oil revenue should cut emissions much faster than the global average, and phase out extraction faster than the countries for which it would be much harder. The recent Phase out Pathways for Fossil Fuel Production⁹ report by the Tyndall Centre for Climate Research has calculated equitable phase out dates for oil and gas producing countries and finds that for a 67% chance of limiting warming to 1.5°C **the UK, and other rich nations, must end oil and gas production by 2031.**

It is clear that any new exploration, development and production of fossil fuels would be inconsistent with Scotland’s national greenhouse gas reduction targets and international obligations to do our fair share of emissions reductions in line with the Paris Agreement. Therefore, policy 22b must be amended to remove the clause of ‘exceptional circumstances’ and the **final NPF4 should instead state that *planning applications that seek to explore, develop and produce fossil fuels will not be supported in any circumstances.***

⁶ <https://productiongap.org/2021report/>

⁷ <https://www.iea.org/reports/net-zero-by-2050>

⁸ IEA report ‘Net Zero by 2050: A Roadmap for the Global Energy Sector’
<https://www.iea.org/reports/net-zero-by-2050>

⁹ [https://www.research.manchester.ac.uk/portal/en/publications/phaseout-pathways-for-fossil-fuel-production-within-pariscompliant-carbon-budgets\(c7235a8e-e3b1-4f44-99de-c27958c03758\).html](https://www.research.manchester.ac.uk/portal/en/publications/phaseout-pathways-for-fossil-fuel-production-within-pariscompliant-carbon-budgets(c7235a8e-e3b1-4f44-99de-c27958c03758).html)

Policy 22 c) Friends of the Earth Scotland are opposed to fracking and all forms of unconventional oil and gas production. While it is our view that the Scottish Government should legislate to ban fracking, we support the inclusion of the Scottish Government's policy against unconventional oil and gas extraction in NPF4. The wording of the current draft should be amended to reflect that such developments "will not be supported" under the NPF4, as opposed to simply stating that the Scottish Government does not support such developments.

Q 47: DO YOU AGREE THAT THIS POLICY WILL INCREASE THE DENSITY OF OUR SETTLEMENTS, RESTORE NATURE AND PROMOTE LOCAL LIVING BY LIMITING URBAN EXPANSION AND USING THE LAND AROUND OUR TOWNS AND CITIES WISELY?

Friends of the Earth Scotland supports the position of fellow Scottish Environment LINK members who support policy 29 and the clear setting out of the multiple benefits of Green Belts in the two paragraphs of preamble and in policy 29 a). We support the clear link in policy 29 a) between the use (and protection) of Green Belts and the prevention of unsustainable development with resulting benefits to the environment and quality of life.

We support the description of Green Belts in this section but given the extended list of exceptions to the presumption against development outlined on p.102 and the reference to 'not undermining the purpose of the Green Belt at that location' (policy 29c, first bullet point) we would urge that more detail is provided in order to understand how decisions to protect and make use of Green Belts will be taken in practice. In particular, in landscape terms the aim of retaining a predominantly open landscape nature in Green Belt should be promoted. All the potential exceptions in 29 b), not just the 4th bullet on recreation and sport, should be compatible with a countryside or natural setting.

Additionally, we suggest that the term 'Green Belt' is added to the glossary so that all stakeholders have a clear definition to refer to and would suggest the following: Green Belts are areas of open land around, beside or within a settlement where there is a presumption against most forms of development. The purposes of Green Belts are to protect the valued landscape settings of settlements and to prevent urban sprawl by directing development to more appropriate sites. Green Belts can also provide significant benefits for climate mitigation, nature recovery, public access and recreation, particularly given their proximity to centres of population. Green Belt boundaries are designated by Local Planning Authorities in Local Development Plans.

Q 51: DO YOU AGREE THAT THIS POLICY PROTECTS CARBON RICH SOILS AND SUPPORTS THE PRESERVATION AND RESTORATION OF PEATLANDS?

Friends of the Earth Scotland supports the views of fellow Scottish Environment LINK members that peat and carbon rich soils have a critical role to play in addressing the climate emergency and reversing biodiversity loss. We agree that local development plans should protect these valued soils.

Scotland's peatlands cover more than [25% of the land](#) and form a very rare habitat, capable of storing carbon while giving a home to many wildlife species. The UK Committee on Climate Change has been unequivocal about the [critical role of peatland restoration](#) in meeting Scotland's net zero target. They are one of our country's most important natural habitats. It is deeply disappointing that a number of exemptions have been given to the ban on commercial peat extraction. Specifically, the exemption on peat extraction that is to 'support an industry of national importance to Scotland' (p.109) is vague. We urge the Scottish Government to include more detail of how 'national importance' would be determined to avoid this acting as a future loophole to the restrictions.

However, while we welcome peatland restoration in the appropriate areas, as per the comments in answer to Q9, NPF4 must not facilitate the provision of offsetting through peatland restoration.