

Planning for the climate crisis

Legal and policy background

Scotland



The legislative context

In Scotland, there is a national target to reach net zero carbon emissions by 2045, five years earlier than in England. To achieve this, planning must play a vital role.



Climate Change (Scotland) Act 2009

The Climate Change (Scotland) Act 2009¹ sets a target date for net-zero emissions of all greenhouse gases by 2045 and created a framework for climate change adaptation. This was amended through the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019,² which establishes annual emissions targets and five-year carbon budgets.

Why is this relevant?

The Act requires local authorities to report on their progress in reaching the national emissions target and requires local planning authorities to include policies in their local development plans aimed at avoiding increased greenhouse gas emissions through improved design and supporting the development of low- and zero-carbon energy in all new developments.

The adaptation framework created by the Climate Change Act 2009 can also be used in identifying priorities for action and appropriate adaptation measures.

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Scotland) Act 1997³ makes up the main body of planning legislation for Scotland, setting out the roles of local planning authorities with regard to development.

Why is this relevant?

The Act requires the Scottish National Planning Framework (NPF) to set an objective that local development plans should contribute to sustainable development. The Act, as amended, also requires local planning authorities to include policies in local development plans to reduce carbon emissions to meet the targets laid out in the Climate Change (Scotland) Act 2009 and places a legal duty on plan-making to help mitigate and adapt to climate change.

Planning (Scotland) Act 2019

The Planning (Scotland) Act 2019⁴ provides (amongst other matters) the framework for development planning in Scotland. It gave enhanced status to the NPF as part of the development plan.

Why is this relevant?

The Planning (Scotland) Act places a duty on plan makers to help mitigate and adapt to climate change, with specific reference, under the purpose of planning, to ‘anything which contributes to sustainable development’ as being in the public interest. It requires local development frameworks to adhere to the Climate Change (Scotland) Act 2009 and work towards the emissions reduction targets set out in the Act and its 2019 amendments. The Act also amended the Town and Country Planning (Scotland) Act 1997 to give regard to a development’s effects on biodiversity.

Flood Risk Management (Scotland) Act 2009

The Flood Risk Management (Scotland) Act 2009⁵ outlines the roles and responsibilities of public bodies in addressing the risk of flooding.

Why is this relevant?

Under the regulations in the Flood Risk Management (Scotland) Act, the Scottish Environment Protection Agency (SEPA), Scottish Water and local authorities are all tasked with managing flood risk from rivers, the sea, and sewage systems. SEPA is responsible for co-ordinating flood protection strategies alongside local authorities, to ensure local accountability and the delivery of flood protection schemes.

The Local Heat & Energy Efficiency Strategies (Scotland) Order 2022

Scotland also introduced an order in 2022 that requires local authorities to produce Local Heat and Energy Efficiency Strategies (LHEES).

Why is this relevant?

The order establishes an ‘area-based approach to heat and energy efficiency planning and delivery,’⁶ it should support local planning to deliver decarbonisation for homes and buildings.



The Policy Context

National planning policy for Scotland contains important hooks to ensure that addressing climate mitigation and adaptation are addressed through local planning. Planners should be particularly aware of the following and ensure that local development plans and decisions support and align with the following plans.



National Planning Framework 4

The National Planning Framework 4 (NPF4)⁷ is the long-term spatial strategy for Scotland, outlining the national planning priorities for the Scottish Government. National Planning Framework (NPF4) was adopted by the Scottish government early in 2023. This replaced the previous NPF3 and Scottish Planning Policy, meaning that thematic and spatial planning policies for Scotland are now combined in one framework.⁸

Why is this relevant?

Statutory development plans must have regard to the NPF, and NPF4 makes explicit reference to a low-carbon future for Scotland, setting out a vision of ‘high quality, vibrant and sustainable places’ in which ‘our built environment is more energy efficient’.

NPF4 gives clear policy priority to addressing climate change, with emphasis on low-carbon development and sustainability. It includes an overarching policy principle that planning decisions will give considerable weight to the climate and nature emergencies and establishes a clear link between climate legislation and planning.

The spatial strategy is centred on consideration of the nature and climate emergencies and the need for a ‘just transition.’ The strategy’s approach is formed around compact urban growth, local living, sustainable transport and national developments that include renewable energy, active travel network and nature-based flood management.

The first two National Planning Policies in NPF4 are ‘Tackling the climate and nature crisis’ and ‘Climate mitigation and adaptation.’ These policies are high level and direct local development plans to reduce, minimise and avoid greenhouse gas emissions and support adaptation to current and future climate change risk.

The NPF is supported by planning guidance. Guidance to support the application of policy 2 on climate mitigation and adaptation was published in June 2025.⁹

Climate Change Plan

The 2018-2032 Climate Change Plan¹⁰ lays out the Scottish Government’s pathway to deliver the targets set by the Climate Change Act 2019, and how it will support a green recovery.

Why is this relevant?

The plan includes a road map for a co-ordinated, cross-cutting and systems-based approach to reducing greenhouse gas emissions, with themed sections on a whole-system energy approach, land use and nature-based solutions, the circular economy, transport demand, the planning system and NPF4, and wellbeing and national outcomes. It also includes policies and proposals for specific sectors, including electricity, buildings, transport, industry, waste and the circular economy, land use change and forestry, agriculture, and negative emissions technologies.

References

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- ⁶ *Local heat and energy efficiency strategies and delivery plans: guidance*. Energy and Climate Change Directorate, October 2022. <https://www.gov.scot/publications/local-heat-energy-efficiency-strategies-delivery-plans-guidance/>
- ⁷ *National Planning Framework 4*. Scottish Government, 2023. <https://www.gov.scot/publications/national-planning-framework-4/>
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- ⁹ *NPF4 planning guidance: policy 2 – climate mitigation and adaptation*. Scottish Government, 2025. <https://www.gov.scot/publications/npf4-planning-guidance-policy-2-climate-mitigation-adaptation/>
- ¹⁰ *Update to the Climate Change Plan 2018-2032: Securing a Green Recovery on a Path to Net Zero*. Scottish Government, Dec. 2020. <http://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/>

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