

Research Project:

**Analysis of responses to a consultation
on reviewing and extending permitted
development rights (PDR)**



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Executive Summary

- 1 This report presents analysis of responses to a public consultation on reviewing and extending Permitted Development Rights (PDR). The consultation sought views on a proposed work programme and associated Sustainability Appraisal (SA) report for review of PDR. The final number of submissions received was 113, including 61 responses from group respondents and 52 from individuals.

The proposed work programme

- 2 A total of 101 respondents commented on the proposed work programme. Of these, 30 expressed broad support, 44 provided comments which criticised aspects of the programme or offered further suggestions of how this could be improved (the great majority being individuals, including 16 campaign plus responses) and 27 did not express a clear view on the work programme as a whole. Most of those providing comment, including those who expressed broad support, raised issues or suggested amendments to the proposed work programme. Several common themes were evident.
- 3 Some objected to any extension of PDR, suggesting that current PDR are already extensive and that recent additions to PDR have not have a significant positive impact on pressures for local authorities. Some third sector respondents saw a need to expand the work programme to incorporate a review of the General Permitted Development (Scotland) Order as a whole, including a suggestion that the GPDO includes development types that could hinder Scotland's net-zero emissions targets and that should be subject to greater scrutiny.
- 4 Some common issues were also highlighted in relation to the detail of the proposed work programme. This included concerns regarding potential extension of PDR to designated areas and heritage locations, and suggestions for other development types which could be considered for PDR including to support delivery of more homes in Scotland. A planning authority wished to see a review of prior notification and approval procedures alongside the review of PDR.
- 5 Comments on specific development types set out in the proposed work programme were most commonly focused on Phase 1, including digital communications infrastructure, agricultural developments and micro-renewables. However, some also commented on later phases of the work programme including town centre changes of use and householder developments (Phase 3), and district heating and energy storage (Phase 4). Comments on specific development types are considered in the main body of this report.

Accuracy and scope of information

- 6 A total of 74 respondents commented on the accuracy and scope of information set out in the SA. Of these, 20 expressed broad support, 18 provided comments which criticised aspects of the accuracy and scope of information

described or offered suggestions as to how this could be improved, and 36 did not give a clear overall view. Those expressing support included a mix of planning authorities and other public bodies, planning/other professionals, private sector, third sector and individual respondents. However, most of those providing comment raised issues or concerns regarding the baselines set out in the SA. These were primarily related to specific development types, but some common themes were raised across the environmental, social and economic baselines.

- 7 Some respondents were of the view that some of the information set out in the SA is 'generic' rather than specifically related to the development types under consideration, and is based on assumption and broad assessment. These respondents wished to see more detailed information to inform the work programme, including suggestions that this should be done via the Post Adoption Statement.
- 8 Some suggested that the evidence base as set out in the SA includes out of data sources, including comments from other public bodies, private sector and third sector respondents. Some also noted that reference to legislation and wider policy objectives should be kept under review to ensure they remain current as the work programme progresses.
- 9 Several planning/other professional and third sector respondents raised concerns regarding the extent to which the SA baselines take sufficient account of potential impacts on Scotland's historic and cultural heritage. These respondents expressed a view that historic and cultural heritage is relevant across the environmental, social and economic baselines, and should be referenced by each.
- 10 Some respondents, primarily third sector organisations, referred to perceived gaps in the environmental, social and economic baselines as set out in the SA. This included: suggestions that the environmental baseline should recognise the pressure on biodiversity across Scotland and not only in designated areas; concern that some designations had been omitted from the environmental baseline; suggestions that further development of the environmental, social and economic baselines was required to support consideration of 'reasonable alternatives' to extension of PDR; and suggestions that the baselines do not include sufficient consideration of the potential impact of PDR on flood risk.
- 11 Comments on the information set out in relation to specific development types were most commonly focused on Phase 1, in particular agricultural developments and micro-renewables, although respondents also referred to later phases of the work programme. Comments on specific development types are considered in the main body of this report.

Predicted effects

- 12 A total of 81 respondents commented on the predicted effects as described in the SA. Of these, 13 expressed broad support, 44 provided comments which criticised aspects of the predicted effects (the majority being individuals, including 16 campaign plus responses), and 24 did not express a clear overall view.

- 13 Most of those providing comment raised issues or concerns, including those expressing broad support for the SA description of predicted effects. The great majority of these issues or concerns related to specific development types. However, several common themes were also evident. Some themes were similar to those raised in relation to the accuracy and scope of information set out in the SA, including what were seen as out of date sources, and effects on historic and cultural heritage.
- 14 Other issues raised by respondents included suggestions that further consideration is required for potential cumulative effects of extending PDR, including how these can be assessed. Concerns regarding cumulative effects were primarily related to landscape and biodiversity, but some also referred to potential cumulative effects in relation to flood risk.
- 15 Some respondents raised concerns regarding how predicted effects are described throughout the SA. This included suggestions that, where predicted effects are significantly negative or are uncertain, consideration should be given to whether these development types are suitable for PDR. Others suggested that greater consistency is required in the language used to ascribe value to predicted effects, and that use of 'reversible' should be better qualified. Some also had difficulty reading between the main SA report and appendices to assess the significance of predicted effects. An other public sector respondent suggested that any such inconsistencies should be addressed in the Post Adoption Statement.
- 16 Comments on the predicted effects for specific development types were most commonly focused on Phase 1, and in particular digital communications infrastructure, agricultural developments and micro-renewables. Respondents also referred to later phases such as EV charging infrastructure and active travel (Phase 2), and householder developments (Phase 3). Comments on specific development types are considered in the main body of this report.

Mitigation and monitoring

- 17 A total of 75 respondents commented on proposals for mitigation and monitoring of predicted effects. Of these, 6 expressed broad support for the proposals, 23 provided comments which criticised aspects of mitigation and monitoring, and 46 did not express a clear overall view. Those expressing support included planning/other professionals and private sector respondents. However, a substantial proportion of those providing comment raised issues or suggested amendments to proposals.
- 18 Some common themes were evident across these comments. This included some of the themes noted in relation to the evidence baseline and predicted effects such as monitoring cumulative impact, mitigating effects on cultural heritage and concerns regarding the lack of mitigation proposals to address increased flood risk.
- 19 Some respondents felt that information provided on mitigation and monitoring proposals was very limited and incomplete. It was also noted that mitigation proposals did not include detail on implementation mechanisms, which were seen as a key factor in the effectiveness of proposals. In relation to monitoring,

some suggested that, as a minimum, the SA should consider the role of existing regimes. It was suggested that mitigation mechanisms and monitoring proposals should be outlined more comprehensively in the Post Adoption Statement.

- 20 Respondents also expressed some concerns regarding what was seen as over-reliance on good practice guidance to mitigate the effects of PDR, including that good practice could have limited mitigation benefits if it cannot be implemented or enforced. Concerns were also raised regarding the potential benefits of prior notification/approval as a means of mitigating the effects of extending PDR. Some suggested that this 'intermediate' approach may cause confusion for applicants, and could undermine the benefits of extending PDR in terms of streamlining the planning process and reducing burden on planning authorities.
- 21 Comments on mitigation and monitoring proposals for specific development types were most commonly focused on Phase 1 including digital communications infrastructure, agricultural developments and micro-renewables, although reference was also made to later phases of the work programme. Comments on specific development types are considered in the main body of this report.

Other comments

- 22 A total of 58 respondents took the opportunity to provide further comment on the SA report. Most of these reiterated points discussed earlier in relation to specific development types or common themes. This included consideration of cumulative impact (particularly on flood risk), effects on cultural heritage, and environmental impact for biodiversity and flooding.
- 23 Other points raised by respondents included suggestions that, if the overall approach to extending PDR is to deliver the expected benefits, it should result in consolidated legislation and guidance. This included specific reference to the opportunity to review the current prior notification/approval scheme to streamline the process.
- 24 Some referred to general principles that should shape consideration of which development types are suitable for PDR. These included reference to the potential need to limit PDR for development types where predicted effects are expected to be significantly negative, or where effects are unclear.
- 25 Several respondents highlighted the importance of ongoing consideration of issues raised by the SA, including more detailed mitigation and monitoring proposals, as part of the proposed work programme. This included a number of respondents specifically expressing interest in ongoing engagement with the Scottish Government as part of this process.

Background

- 1.1 This report presents analysis of responses to a public consultation on reviewing and extending Permitted Development Rights (PDR).
- 1.2 PDR typically apply to minor or uncontroversial developments or changes to existing development, and remove the need to apply for planning permission. PDR are intended to reflect cases where the scale and nature of a development is noncontentious and where refusal of planning permission is highly unlikely, such that consideration of the development by the planning authority is unlikely to add value. In this way, PDR can increase efficiency across the planning system, reducing the burden on planning authorities and applicants, and allowing planning officers to focus on developments where they can add most value.
- 1.3 PDR have been a feature of the planning system in Scotland for several decades, with PDR set out in The Town and Country Planning (General Permitted Development) (Scotland) Order 1992. Legislation has been amended in recent years, but PDR remains an area of complex ‘micro level’¹ regulation. This is reflected in the report of an Independent Panel review of the planning system, Empowering Planning to Deliver Great Places², published in 2016. The Independent Panel saw significant scope to remove uncontroversial minor developments from the planning system, with potential to incentivise developments which support policy aspirations such as low carbon living and digital infrastructure. In this regard PDR could also support wider Scottish Government policy objectives to accelerate the reduction of emissions and address the global climate emergency, a key focus for Scotland’s fourth National Planning Framework (NPF4).
- 1.4 The Independent Panel report included a specific recommendation to review PDR to identify potential for significant expansion to their role in the planning system. In response, the Scottish Government asked Heads of Planning Scotland (HOPS) to consider the role and operation of PDR in the planning system, and to make specific recommendations for change. HOPS considered that legislation and regulation around PDR were ‘in need of an overhaul and rethink to reposition them in a contemporary context which also simplifies and streamlines’, and recommended that options for the simplification of PDR would benefit from further discussion and consultation to identify options for radical change to the role of PDR.

¹ Heads of Planning Scotland Permitted Development Report: <https://beta.gov.scot/publications/planning-review-extension-permitted-development-rights-report>

² Empowering Planning to Deliver Great Places: <https://beta.gov.scot/publications/empowering-planning-to-deliver-great-places>

- 1.5 The Scottish Government, taking into account findings of the Independent Panel and HOPS, developed a proposed work programme for substantial review and extension of PDR in Scotland. The work programme is based around 16 development types, identified by the Scottish Government for further consideration of extensions or changes to PDR. A Sustainability Appraisal (SA) report was developed to consider the potential environmental, social and economic impacts of changes to PDR. This also informed the work programme in terms of prioritisation of changes across specific development types. In addition to wider policy objectives to address the global climate emergency; for example in relation to micro-renewables and peat restoration, digital communications infrastructure, hill tracks and a specific focus on the potential for extension of PDR to further support the rural economy, the future of the farming sector in Scotland, and delivery of affordable homes in rural areas.
- 1.6 The work programme and associated SA report were the subject of the consultation. The consultation paper asked 5 open questions in relation to the work programme and SA report, several of which include sub-divisions relating to the environmental, social and economic aspects of the programme. One question related to the work programme and phasing as a whole, while the remaining four related to specific elements of the SA report. The consultation opened on 5 November 2019 and closed on 28 January 2020. The paper is available at: <https://www.gov.scot/publications/scottish-governments-proposed-work-programme-reviewing-extending-permitted-development-rights-pdr-scotland/>

Profile of responses

- 1.7 In total 113 responses were received, of which 61 were from groups or organisations and 52 from individual members of the public. The 52 responses from individuals included 16 'campaign plus' responses where respondents had adapted standard text on domestic cycle storage produced by Spokes (a third sector campaign group included in the 61 group respondents).
- 1.8 Where consent has been given to publish the response it may be found at <https://consult.gov.scot/local-government-and-communities/reviewing-and-extending-pdr/>
- 1.9 Respondents were asked to identify whether they were responding as an individual or on behalf of a group or organisation. Group respondents were allocated to one of four broad categories (and one of 11 sub-groups) by the analysis team. A breakdown of the number of responses received by respondent type is set out in Table 1 below, and a full list of group respondents appended to this paper.

Table 1: Respondents by type

ALL RESPONDENTS	113
Organisations:	61
Public sector	16
<i>Planning authorities</i>	11
<i>Other public bodies</i>	5
Planning and other professionals	5
1.1.1 Private sector	19
<i>Energy supply and/or distribution</i>	6
<i>Telecoms</i>	4
<i>Rural economy</i>	5
<i>Other</i>	4
Third sector	21
<i>Environment</i>	8
<i>Representative bodies/groups</i>	2
<i>Campaign groups</i>	3
<i>Other</i>	8
Individuals	52

1.10 Responses varied in their focus across the consultation. Some focused primarily, or exclusively, on specific development types including responses providing significant detail on issues around the extension of PDR for these development types. Other respondents commented across a broader range of development types, including a small number of providing detailed comments in relation to each of the 16 development types considered by the consultation paper.

1.11 The extent to which responses focused on specific development type varied by respondent type and appeared to reflect respondents' experience and expertise. For example, several respondents drew on their experience and knowledge when focusing on specific development types such as micro-renewables and digital communication infrastructure, while some public bodies providing highly detailed responses across a range of development types.

Analysis and reporting

1.12 This report presents an analysis of responses received in relation to each of the five consultation questions in turn. Respondents made submissions in a range of formats, some including material that did not directly address specific consultation questions. This content was analysed qualitatively under the most directly relevant part of the consultation.

1.13 Under each consultation question, our analysis is structured around the 16 development types and other common themes raised by respondents. There

was some commonality in themes raised across the consultation questions; we note where this is the case but have not repeated a full account of each theme across all questions.

1.14 A list of acronyms used in the report is provided at the annex.

2. The proposed work programme

- 2.1 The first consultation question sought views on the work programme set out in the consultation paper for reviewing and extending PDR. The work programme is based around 16 development types identified by the Scottish Government, split into six work phases. Prioritisation of these development types has been informed by the SA report.

Q1. Do you have any comments on the proposed Work Programme, including the proposed phasing and groupings?

- 2.2 A total of 101 respondents addressed Question 1, including 57 organisation respondents and 44 individuals. Of these 101 respondents, 30 expressed broad support for the proposed work programme, 44 provided comments which criticised aspects of the proposed work programme (the great majority of these being individuals, including 16 campaign plus responses) and 27 did not express a clear view on the work programme as a whole.
- 2.3 Most of those expressing broad support for the work programme raised some issues or suggested amendment to the programme; overall, 81 respondents (40 organisations and 41 individuals) raised issues or concerns, or suggested amendments to the work programme. Table 2 summarises these responses by respondent type.

Table 2: Respondents to Question 1 by type

	Answered Question 1	Raised issues or amendments
ALL RESPONDENTS	101	81 (80%)
Organisations	57	40 (70%)
Public sector	16	10
<i>Planning authorities</i>	<i>11</i>	<i>7</i>
<i>Other public bodies</i>	<i>5</i>	<i>3</i>
Planning and other professionals	5	4
Private sector	17	13
<i>Energy supply and/or distribution</i>	<i>6</i>	<i>4</i>
<i>Telecoms</i>	<i>4</i>	<i>2</i>
<i>Rural economy</i>	<i>4</i>	<i>4</i>
Other	3	3
Third sector	19	13
<i>Environment</i>	<i>7</i>	<i>3</i>
<i>Representative bodies/groups</i>	<i>2</i>	<i>1</i>
<i>Campaign groups</i>	<i>3</i>	<i>2</i>
<i>Other</i>	<i>7</i>	<i>7</i>
Individuals	44	41 (93%)

- 2.4 A range of respondents used Question 1 as an opportunity to express their support for the grouping and phasing of development types. This included a mix of planning authorities, planning/other professionals, private sector, third sector and individual respondents.
- 2.5 As Table 2 shows, most of those providing comment at Question 1 raised issues or suggested amendments to the proposed work programme, including from those who also expressed general support for the work programme. For most respondents, these suggestions related to specific development types and we summarise these over the following pages. However, a number of common themes were also evident across these responses.
- 2.6 Some respondents objected to any extension of PDR, including a planning authority and individual respondents. These respondents suggested that existing PDR are already extensive and that recent additions to PDR have not had a significant positive impact on pressures for local authorities. Some individuals also suggested that the work programme did not give sufficient emphasis to the rights of communities affected by development.
- 2.7 Others suggested that it was unclear how the selection of specific development types and the phasing of the work programme related to specific findings set out in the SA report. This included an other public body suggesting that prioritisation of the work programme to support the rural economy does not appear to have been subject to any assessment or consideration of alternatives.
- 2.8 Some respondents highlighted other development types which they felt should be considered for PDR. This included a private sector and a third sector respondent suggesting that the proposed work programme could give more consideration to opportunities to support policy aspirations around delivery of more homes in Scotland, and particularly delivery of affordable rural homes. This included specific suggestions for PDR to be extended to include development of housing: where a need for affordable housing can be demonstrated; to support rural economic development; community-led housing, collective self-build or mutual home ownership cooperative developments; on land identified for affordable housing through Local Place Plans; to enable succession of farm ownership; and homes on new entrant small holdings/farms. A private sector respondent also suggested a potential role for PDR for the replacement of a rural dwelling with a poor energy performance rating, with a 'nearly zero' emission dwelling.
- 2.9 A number of respondents raised concerns regarding potential extension of PDR to designated areas, wild land areas and heritage locations. It was suggested that potential benefits for climate policy and digital infrastructure, for example, do not warrant permitting development that could cause unacceptable harm to these locations. A planning authority suggested a need for a cross-cutting work stream to consider the role of designated areas in relation to PDR, including specific reference to a perceived need for clarity regarding PDR in relation to World Heritage Sites (WHS).

2.10 Some third sector respondents saw a need to expand the work programme to incorporate a review of the General Permitted Development (Scotland) Order (GPDO) as a whole. This included a suggestion that the GPDO includes development types that could hinder Scotland's net-zero emissions targets and that should be subject to greater scrutiny. A planning authority wished to see a review of prior notification and approval procedures, alongside the review of PDR.

Phase 1 development types

2.11 Support for the prioritisation of PDR for **digital communications infrastructure** included reference to the importance of digital infrastructure for wider Scottish Government policy priorities, including the rural economy. Several respondents referred to the importance of PDR in reducing the costs and time associated with the rollout of digital infrastructure to rural areas. A private sector respondent also noted the urgency associated with reform to PDR for mobile network infrastructure to support the ongoing rollout of 5G.

2.12 However, most of those referring to PDR for digital communications infrastructure raised issues or amendments for the proposed work programme and the scope of PDR. These issues and amendments are summarised below.

- Some suggested that extensive PDR are already in place for digital communications infrastructure, and have been subject to relatively recent change. This included concerns raised by several respondents that care will be required to ensure any further changes do not have a negative impact on the built or natural heritage. Others suggested that time should be allowed for evaluation of recent changes to PDR for digital communications before further changes are introduced.
- Some made specific recommendations for the infrastructure to which PDR should apply, including reference to the potential value of aligning PDR in Scotland with the ongoing review of mobile planning rules in England and Wales. It was also suggested that PDR should ensure 'critical' digital infrastructure can streamline the current two stage notification process. This included suggestions that PDR should include:
 - o All telecoms cabinets/boxes outwith conservation areas, including a suggestion that these could be classified as 'critical infrastructure'.
 - o Some higher masts (with prior approval) as part of the Shared Rural Network.
 - o Strengthening of existing masts for upgrade to 5G, without prior approval.
 - o Building and rooftop based apparatus without prior approval.
 - o Deployment of radio housing equipment outwith sites of special scientific interest, without prior approval.

- o Aligning PDR for mobile infrastructure with fixed telecoms operators.
 - o A requirement for prior approval of digital communications infrastructure in conservation or other designated areas.
 - o A requirement for prior publication of exclusion zones for 5G infrastructure (including upgrade of existing 4G infrastructure to 5G), noting that these are typically much larger than for 4G infrastructure and as such are more likely to interact with existing or potential developments.
- Some campaign groups and individuals objected to the extension of PDR for digital communications infrastructure, and specifically for 5G infrastructure. This included respondents raising concerns around the potential impact of 5G infrastructure on health and wellbeing, biodiversity and the built environment. Some suggested that appropriate research should be completed before any further change to PDR for digital infrastructure.
 - A private sector respondent objected to extension of PDR for digital communications infrastructure due to potential impacts for aviation safety.

2.13 The prioritisation of PDR for **agricultural developments** was welcomed by a number of respondents, including planning authorities. These respondents referred to the importance of the development type for Scottish Government policy objectives to support rural economies and rural repopulation, and for National Parks and other designated areas.

2.14 However, most of those referring to PDR for agricultural developments raised issues or amendments for the proposed work programme and the scope of PDR. These issues and amendments are summarised below.

- Support for extension of PDR to agricultural developments included specific suggestions for increasing the current 465m² limit on PDR to 1000m², and relaxing limits on polytunnels as temporary infrastructure.
- Some respondents also supported PDR for conversion of farm buildings to residential or commercial use, including suggestions that this should allow for replacement of agricultural buildings with housing or commercial development within the same footprint. These suggestions were linked to concerns that current proposals as set out in the SA may not go far enough for the delivery of affordable rural housing and to support rural repopulation. Respondents also referred to a need for flexibility in housing policy to allow agriculture to adapt to change in who will be farming what land under post-Brexit trade policies.
- Concerns regarding extension of PDR to agricultural developments were most commonly related to change to residential use. This included a suggestion from planning authority and planning/other professional respondents that existing controls on such changes of use are required to maintain landscape value and recreational use, to prevent inappropriate

development particularly in areas of countryside/green belt adjacent to urban areas, and suggestions that current Local Development Plan (LDP) processes are sufficient for delivery of rural housing. Some specifically objected to extension of PDR to these developments and suggested review of the current prior notification process to assist with streamlining. Others saw a need for conditions on any extension of PDR to ensure privacy, amenity space and parking, particularly in some crofting areas.

- A planning authority suggested that flood risk areas should be excluded from any extension of PDR for agricultural developments.
- A private sector respondent objected to extension of PDR for agricultural developments due to potential impacts for aviation safety.

2.15 Support for extension of PDR for **micro-renewables** was most commonly linked to the potential to streamlining micro-renewables development to support the government's targets regarding emissions reduction and addressing the climate emergency. Some also felt that extension of PDR for micro-renewables had potential to deliver significant benefits for local economies, including a suggestion that the SA under-estimates this local impact.

2.16 Some of those referring to PDR for micro-renewables raised issues or amendments for the proposed work programme and the scope of PDR. These issues and amendments are summarised below.

- Some suggested that extensive PDR are already in place for micro-renewables development, and that careful consideration would be required to ensure that any additional PDR do not have a negative impact on the built or natural environment.
- A planning/other professional respondent suggested that consideration should be given to further guidance to minimise negative impacts of micro-renewables on buildings and roofscapes.
- A private sector respondent recommended that solar development is identified as a priority sub-grouping to reflect ease of deployment and recent technological developments.
- A private sector respondent suggested that PDR for micro-renewables may not be appropriate in some rural areas.
- An individual respondent objected to the extension of PDR for biomass on the basis of potential for negative impact on air quality and use of non-renewable fuel sources.
- A private sector respondent objected to extension of PDR for micro-renewables due to potential impacts for aviation safety.

2.17 Support for the prioritisation of **peatland restoration** included respondents highlighting the importance of the development type for National Parks,

designated areas and other rural locations. Several respondents referred to the importance of the planning system facilitating peatland restoration given the potentially significant positive impacts for the local and global environment, biodiversity, and flood prevention.

2.18 Issues or amendments for the proposed work programme and the scope of PDR for peatland restoration are summarised below.

- A planning authority made specific suggestions for any change to PDR for peatland restoration in WHS to make clear how PDR relate to the 'property boundary' and any adjacent 'buffer zone' of the WHS, and considers whether extension of PDR may be suitable in some WHS.
- A planning authority suggested that habitat pond creation (Phase 4 of the proposed work programme) should be combined with peatland restoration under a wider 'wetlands' heading, reflecting the relevance of 'wetlands' to the wider policy context.
- A private sector respondent noted potential opportunities for peatland restoration provided by renewable developments.

2.19 Several respondents specifically welcomed the prioritisation of **hill tracks (private ways)** in considering the scope of PDR. This included reference to management of private ways being a particularly significant issue in National Parks and other rural local authority areas across Scotland.

2.20 However, respondents expressed a mix of views on any potential change to the scope of PDR for hill tracks. Some suggested that hill tracks are essential to the rural economy and noted that hill tracks constructed for agriculture or forestry operations often have multiple uses and deliver multiple benefits. This included a private sector respondent who did not wish to see any limitation on current PDR for hill tracks.

2.21 In contrast, a planning/other professional respondent suggested that there is significant public concern regarding the impact of hill tracks on rural landscapes, and that controls are still required to ensure the impact is minimised in sensitive areas. Issues or amendments for the proposed work programme and the scope of PDR for hill tracks are summarised below.

- In terms of potential scope for extension of PDR for hill tracks, respondents suggested this could apply to small scale developments in low lying areas that do not have the negative impacts that hill track restrictions seek to manage, and forestry tracks which are already subject to other planning and Environmental Impact Assessment regulations. It was also noted that the SA raises the potential for PDR for hill tracks relating to new ground-based masts and snow sports.
- A private sector respondent suggested that clearer guidance is required on hill track construction, including the distinction between 'maintenance' and 'alteration' of existing hill tracks.

- Some noted that the review of PDR for hill tracks is not covered by the SA and wished to see further evidence provided.

Phase 2 development types

2.22 Support for extension of PDR for **electric vehicle (EV) charging infrastructure** and **active travel** was primarily related to the potential contribution to emissions reduction, and wider climate change policy objectives.

2.23 A number of issues or amendments were raised in relation to the proposed work programme and the scope of PDR. Key points raised in relation to EV charging infrastructure are summarised below.

- A planning authority, planning/other professional and some private sector respondents suggested giving higher priority to EV charging infrastructure (and active travel) to be included in phase 1. This included a suggestion that EV charging infrastructure could be classified as 'critical infrastructure' as a means of reducing the need for planning applications. A private sector respondent also suggested that installation of small domestic EV chargers is sufficiently non-controversial as to be dealt with quickly in phase 1.
- Some private sector respondents suggested that the current prohibition on PDR in National Parks and other designated areas should be reviewed as part of the work programme, recognising the need to balance protection of these areas with the delivery of climate change policy objectives.
- A private sector respondent suggested there is a need to encourage greater use of existing EV charging infrastructure before consideration of any extension of PDR, and that the development type could be moved to phase 3.

2.24 Key points raised in relation to PDR for **active travel** are summarised below.

- A planning authority suggested giving higher priority to active travel (and EV charging infrastructure) to be included in phase 1.
- A planning/other professional suggested that careful consideration should be given to the kinds of active travel developments (and associated impact) where a planning application is still warranted.
- Some suggested that active travel should be removed from the extension of PDR.
- A number of third sector and individual respondents (including the 'campaign plus' respondents noted in section 1 of this report) suggested that the active travel development type should be expanded to include sheds and storage containers for bike storage. These respondents noted that bike storage is currently included in the 'householder developments' at phase 3, but suggested that they could make a significant contribution

to the modal shift to active travel. These respondents also wished to see extension of PDR to include installation of bike storage in the front of residential properties.

Phase 3 development types

2.25 Support for extension of PDR for **town centre changes of use** was most commonly linked to the potential contribution to wider socio-economic policy objectives, and particularly for town centre regeneration.

2.26 However, most of those referring to PDR for town centre changes of use raised issues or amendments for the proposed work programme and the scope of PDR. These are summarised below.

- A planning/other professional suggested that town centres change of use should be considered earlier in the proposed work programme, given the importance of town centres for wider socio-economic policy, and the value of aligning this work with preparation of NPF4.
- A planning/other professional suggested there will be a need for careful consideration of potential problems and unintended consequences associated with changes of use, and that this could undermine some of the key principles of Development Management. Some respondents also suggested there is potential conflict with environmental health and public health issues, and the 'agent of change' introduced by the Planning Act, if extending PDR led to a significant increase in residential buildings in town centres. This included potential threats to the arts and cultural offer of town centres.
- A planning authority noted that commentary around the work programme makes reference to 'sui generis' uses, and noted that this would represent a change to current PDR for changes of use.
- It was suggested that current LDP policy frameworks could be reviewed to remove restrictive uses.
- A private sector respondent suggested that consideration is given to extending PDR for town centre changes of use to include villages to support village regeneration and to support rural communities more widely.

2.27 Most of those referring to PDR for **householder developments** raised issues or amendments for the proposed work programme and the scope of PDR. These are summarised below.

- A planning/other professional suggested the need for PDR for householder developments to balance freedom of choice, community and neighbourly responsibility. It was noted that many householder applications are approved unconditionally where they comply with existing controls or guidance, and have often been the subject of pre-applications discussion with opportunities for comment from neighbours.

- A private sector respondent noted the potential for PDR for householder developments to enable changes required for climate change mitigation and adaptation.
- A public body and a private sector respondent suggested that the review of PDR for householder developments should be aligned with the ongoing review of Scottish Government surface water policy.
- A number of third sector and individual respondents (including the 'campaign plus' respondents noted in section 1 of this report) suggested that sheds and storage containers for bike storage should be moved from the householder developments to the active travel development type.

Phase 4 development types

2.28 Support for extension of PDR for **district heating and supporting infrastructure** was most commonly linked to supporting the role of district heating in decarbonising heat and delivering wider climate change policy objectives. This included reference to the phasing of this development type fitting with Local Heat and Energy Efficiency Strategies (LHEES).

2.29 Issues or amendments for the proposed work programme and the scope of PDR for district heating are summarised below.

- A public body respondent suggested that district heating and supporting infrastructure could be brought forward in the work programme to encourage project development.
- Several respondents referred to the importance of thermal storage for heat networks, to facilitate use of low carbon energy sources and enable heat networks to manage peak demand. This included suggestions for PDR to be extended to include thermal storage in heat networks and domestic dwellings. A public body respondent also suggested that thermal stores can have an impact on visual amenity and as such should be considered as part of infrastructure related to district heating.
- A private sector respondent suggested that the extension of PDR may not alone address the current time delays associated with planning applications for heat networks, and wished to see an accelerated planning process to address these.

2.30 Support for extension of PDR for **domestic and non-domestic energy storage** was most primarily related to the potential role of energy storage in decarbonising heat and delivering wider climate change policy objectives.

2.31 Issues or amendments for the proposed work programme and the scope of PDR for domestic and non-domestic energy storage are summarised below.

- Several private sector respondents suggested that energy storage should be considered earlier in the work programme, including reference to the

relevance of energy storage for some forms of micro-renewable energy generation (included at phase 1).

- A private sector respondent suggested that non-domestic energy storage differs substantially from domestic storage and should be considered as a distinct category.
- A private sector respondent raised concerns about potential negative impacts on cultural heritage and landscape associated with energy storage, although it was acknowledged that this must be balanced with the potential contribution to climate change objectives.
- A private sector respondent suggested a need for clarity in terminology, and specifically as to whether 'energy storage' is intended to refer to battery and/or other forms of energy storage.

2.32 Several respondents suggested that extension of PDR for **defibrillator cabinets** should be less complex than other development types, although a planning/other professional saw a need for careful consideration of prominent installations to traditional buildings in Conservation Areas. Some suggested that the development type could be considered earlier in the work programme.

Phase 5 development types

2.33 Support for extension of PDR for **habitat pond creation** included reference to potential benefits for biodiversity and wider environmental policy objectives. Issues or amendments for the proposed work programme and the scope of PDR for habitat pond creation are summarised below.

- A planning authority suggested that habitat pond creation should be merged with peatland restoration (at phase 1) under a heading of 'wetlands'. This included reference to the relevance of 'wetlands' to the wider physical and policy context. Others referred to potential for habitat pond creation to be considered earlier in the work programme, including reference to their relevance to agricultural developments (at phase 1), addressing the current confusion regarding the information and permissions required for pond creation, supporting flood prevention, and complimenting new house building and community expansion targets.
- A private sector respondent questioned the link drawn between PDR for habitat pond creation and future agricultural support programmes, and suggested that extension of PDR should be based on benefits to biodiversity (for example), rather than the support scheme under which the pond is created.
- Private sector respondents suggested a number of potential restrictions on PDR for habitat pond creation, including PDR only applying to ponds at or below ground level, and limitations on pond creation close to airfields to reduce the risk of birdstrike.

- A private sector respondent suggested that extension of PDR to pond creation has the potential to negatively impact food security and the sustainability of local farms, for example where ponds remove a large volume of farmland.
- A planning/other professional suggested that consideration should be given to the need for access to sites and removal of unwanted material.
- A private sector respondent objected to extension of PDR for habitat pond creation due to potential impacts for aviation safety.

2.34 Support for extension of PDR for **allotments and community growing schemes** included reference to the potential contribution to climate change policy, and suggestions that any negative effects would be minor, dependent on previous land use, and could be effectively mitigated.

2.35 Issues or amendments for the proposed work programme and the scope of PDR for allotments and community growing schemes are summarised below.

- A third sector respondent wished to see that PDR for allotments and community growing schemes should be considered alongside agricultural developments at phase 1. This included suggestions that many community growing schemes are agricultural in nature as they are focused on small scale food production.
- A planning/other professional suggested that consideration should be given to parking areas and controls on the number and size of outbuildings for each plot.
- A planning/other professional suggested that earlier phasing of habitat pond creation could compliment new house building and community expansion targets.

Phase 6 development types

2.36 A small number of respondents referred to extension of PDR for **snow sports**. This included suggestions that a lower priority is appropriate for this type of development, including reference to potential negative impacts on carbon emissions identified by the SA. A planning/other professional also saw a need for careful consideration of the potential need for controls in sensitive areas.

3. Accuracy and scope of information

3.1 The second consultation question sought views on the accuracy and scope of information set out in the SA report. The question was split into three parts, asking for views on the information in relation to (a) environmental baseline, (b) social baseline and (C) economic baseline. In practice, most of those providing comment at Question 2 considered the evidence base in the round. Where respondents considered specific aspects of the SA evidence this was most commonly in relation to the environmental baseline, and few respondents raised issues which were specific to the social or economic baselines.

Q2. What are your views on the accuracy and scope of the information described in the Sustainability Appraisal report as regards:

- a. environmental baseline?**
- b. social baseline?**
- c. economic baseline?**

3.2 A total of 74 respondents addressed Question 2, including 40 organisation respondents and 34 individuals. Of these 74 respondents, 20 expressed broad support for the SA baseline, 18 provided comments which criticised aspects of the accuracy and scope of information described or offered suggestions as to how this could be improved, and 36 did not give a clear overall view. Most of those expressing broad support raised some issues or concerns; overall, 59 respondents (27 organisations and 32 individuals) raised issues or concerns regarding the information described in the SA. Table 3 summarises these responses by respondent type.

Table 3: Respondents to Question 2 by type

	Answered Question 2	Raised issues or amendments
ALL RESPONDENTS	74	59 (80%)
Organisations	40	27 (68%)
Public sector	11	6
<i>Planning authorities</i>	<i>7</i>	<i>2</i>
<i>Other public bodies</i>	<i>4</i>	<i>4</i>
Planning and other professionals	4	2
Private sector	11	8
<i>Energy supply and/or distribution</i>	<i>4</i>	<i>4</i>
<i>Telecoms</i>	<i>2</i>	<i>0</i>
<i>Rural economy</i>	<i>3</i>	<i>2</i>
<i>Other</i>	<i>2</i>	<i>2</i>
Third sector	14	11
<i>Environment</i>	<i>6</i>	<i>5</i>
<i>Representative bodies/groups</i>	<i>2</i>	<i>1</i>
<i>Campaign groups</i>	<i>2</i>	<i>2</i>

<i>Other</i>	4	3
Individuals	34	32 (94%)

- 3.1 A range of respondents express their approval of the evidence base set out in the SA. This included a mix of planning authorities, other public bodies, planning/other professionals, private sector, third sector and individual respondents.
- 3.2 As Table 3 shows, most of those providing comment at Question 2 raised issues or concerns regarding the accuracy and scope of the information described in the SA. Most of the issues raised related to specific development types and we summarise these over the following pages. However, a number of common themes were also evident across these responses.
- 3.3 It should be noted that these common themes, and the great majority of points relating to specific development types, were raised in relation to the SA baseline as a whole, or were raised specifically in relation to the environmental baseline. Relatively few respondents raised issues specifically related to the social and economic baselines. The points considered below therefore relate to the environmental baseline; we highlight where points were also raised in relation to the social and/or economic baseline. Points raised exclusively in relation to the social and/or economic baselines are summarised at the end of this section of the report.

Common themes

- 3.4 Some were of the view that some of the information set out in the SA is 'generic' rather than specifically related to the development types under consideration, and based on assumption and broad assessment. These respondents wished to see more detailed information provided for consultation as the work programme progresses, including more qualitative consideration of impacts. It was suggested that the Post Adoption Statement should be the mechanism by which key SA findings and evidence are taken forward to inform the ongoing work programme.
- 3.5 A planning/other professional was unsure of how the use of three separate baselines (environmental, social and economic) will be used to judge detailed proposals, and that clarification is required regarding areas of overlap between the baselines.
- 3.6 Some respondents suggested that the evidence base as set out in the SA includes out of data sources which could provide an inaccurate baseline for assessment. This included comments from other public bodies, private sector and third sector respondents. Some also noted that reference to legislation and wider policy objectives should be kept under review to ensure they remain current. Specific data sources are considered in relation to each of the development types over the following pages.
- 3.7 Several planning/other professional and third sector respondents raised concerns regarding the extent to which information set out in the SA takes sufficient account of potential impacts on **Scotland's historic and cultural**

heritage. These respondents expressed a view that historic and cultural heritage is relevant to the environmental, social and economic baselines and should be referenced by each.

3.8 Specific suggestions are summarised below.

- Further information on cultural heritage should be included under each development type at Appendix 2 to the SA, considering possible impacts and identifying potential mitigation.
- Reference to the 2019 Historic Environment Policy for Scotland should be included under ‘Policies, Plans, Programmes and Strategies’.
- The SA should provide a clearer account of the respective roles of Historic Environment Scotland (HES) and local authorities in relation to the historic environment.
- The SA should acknowledge that non-designated heritage sites are recognised by Scottish Planning Policy as assets in their own right.

3.9 Some respondents, primarily third sector organisations, referred to **perceived gaps in the environmental, social and economic baselines** as set out in the SA. This included particular reference to biodiversity and designated areas. Specific comments are summarised below.

- Several third sector and individual respondents suggested that the environmental baseline should recognise the pressure on biodiversity across Scotland, not only in designated areas. Although it was also suggested that the SA could further emphasise the potential role of designated areas and Wild Land Areas in addressing declines in biodiversity.
- Some respondents felt that further development of the environmental, social and economic baselines was required to support consideration of ‘reasonable alternatives’ to extension of PDR. It was suggested that the Proposed Work Programme and/or Post Adoption Statement should ensure that environmental effects are taken account of future work-streams when considering alternatives.
- A third sector respondent suggested that recognition of uncertainty around the extent of PDR use at a local level raised questions regarding the ability of the SA to properly assess potential impacts associated with each development type.
- Some third sector respondents referred to specific designations as having been omitted from the environmental baseline set out in the SA. These included Special Landscape Areas, pre-1919 buildings as a national performance indicator for the historic environment, designated gardens and landscapes, designated historic battlefields, designated wild land, and green belt.

- The SA should include reference to the ‘purpose of planning’ as defined by the 2019 Planning Act, and the United Nations Sustainable Development Goals to be referenced throughout the SA.
- The SA should give more consideration to the potential adverse effects of PDR on the connectivity of habitat networks, and for example the fragmentation of green corridors and wetlands.

3.10 Several respondents suggested that the environmental, social and economic baselines do not include sufficient consideration of the potential impact of PDR on **flood risk**. This included respondents citing recent research evidence on the impact of ‘urban creep’ on flood risk, and suggestions that extending PDR for householder developments could increase the rate of urban creep. Some also suggested that the environmental baseline does not refer to the most up to date flood risk assessment for Scotland (from 2018), and as such underestimates current risk to homes and businesses.

Comments on the environmental baseline

Phase 1 development types

3.11 In relation to PDR for **digital communications infrastructure**, some individual respondents suggested that the evidence base on the potential impact of 5G development was incomplete or out of date. These respondents made reference to a small number of alternative evidence sources.

3.12 Key points raised in relation to information in the SA relating to PDR for **agricultural developments** are summarised below.

- A private sector respondent suggested that the SA did not fully explore the environmental, social and economic outcomes associated with extending PDR in agricultural development regarding brownfield sites.
- A private sector respondent wished to see more detailed evidence on extension of PDR to allow adaptation of existing agricultural buildings to create larger and more modern buildings.
- A private sector respondent would like to see more detail on the environmental, social and economic effects of extending PDR to allow change of use of agricultural development to provide residential housing.

3.13 Key points raised in relation to information in the SA relating to PDR for **micro-renewables** are summarised below.

- A private sector respondent suggested that the information provided on the predicted impact of extending PDR for solar PV is out of date, and does not take account of recent developments in solar technology. This included specific reference to the impact of installations to historic buildings and impacts on aviation and airports. It was also suggested that the social and economic baselines under-estimate the potential positive impacts of small scale solar development.

- A planning authority wished to see more detail on energy generation from micro-renewables in Scotland.
- An other public body suggested that the information set out in the SA should include consideration of broader interventions as 'reasonable alternatives' to extension of PDR, such as alternative incentives to encourage use of micro-renewables.

3.14 In relation to PDR for **peatland restoration**, a planning authority suggested that the evidence base should recognise that some peatland occurs outwith designated sites or rural areas.

3.15 In relation to PDR for **hill tracks (private ways)** some respondents wished to see further analysis of the implications of changes to PDR for hill tracks.

Phase 2 development types

3.16 Key points raised in relation to information in the SA relating to PDR for **electric vehicle charging infrastructure** are summarised below.

- A private sector respondent suggested that the baselines could do more to recognise scope for solar energy to contribute to reduction in emissions when deployed alongside EV charging infrastructure.
- A private sector respondent suggested that the SA over-states the potential negative impacts of EV charging infrastructure on cultural heritage, and does not provide sufficient justification for the proposed restriction on EV charging points within 2m of a road.

3.17 In relation to PDR for **active travel** a number of individual respondents wished to see the evidence base include reference to the position of households who need bike storage but do not have access to a rear garden.

Phase 3 development types

3.18 Key points raised in relation to information in the SA relating to PDR for **householder developments** are summarised below.

- An other public body suggested that the SA evidence base fails to acknowledge the potential for extension of PDR for householder developments to increase the rate of urban creep (increasing flood risk), and to negatively impact landscape and biodiversity through loss of householder garden space.

Phase 4 development types

3.19 In relation to PDR for **domestic and non-domestic energy storage** a private sector respondent suggested that more detail is required on who will be able to deploy battery storage under PDR, and recognition of the potential for extension of PDR to encourage more investment in battery storage schemes and lead to an increase in deployment.

Phase 5 development types

3.20 In relation to PDR for **habitat pond creation** a third sector respondent suggested that the SA should note the benefits of habitat pond creation for climate policy objectives.

3.21 Key points raised in relation to information in the SA relating to PDR for **allotments and community growing schemes** are summarised below.

- A third sector respondent highlighted several aspects of the SA baseline which were regarded as incorrect. This included suggestions that perimeter fencing does not need to be 2m high, that sheds are not permanent structures, that a site hut or communal hut is essential, that greenhouses are preferred to polytunnels, that composting toilets and car parking are not essential, and that water and drainage will always require SEPA approval.

Phase 6 development types

3.22 In relation to PDR for **snow sports** a third sector respondent suggested that the SA could include information on other forms of recreation.

Comments on the social and economic baselines

3.1 Specific points raised at Question 2 in relation to the **social baseline** are summarised below.

- Some referred to out of date evidence sources in relation to social impacts.
- It was noted that discussion of recreational and cultural provision is limited to snow sports, and that cultural provision is referenced in the 2019 Planning Act under the 'agent of change'
- It was suggested that the social baseline does not reference the impact of flooding on mental health.
- Some expressed concern that the SA does not refer to potential adverse impacts for outdoor access rights and the paths network.
- In relation to digital communications infrastructure, some individual respondents suggested that the evidence base is incomplete or out of date on the potential health impacts of 5G development.
- In relation to householder developments, a planning authority respondent wished to see the section on householder developments expanded to include information on householder micro-renewables.
- In relation to allotments and community growing schemes, it was suggested that reference to 'cluttered appearance' is a subjective judgement.

3.2 Specific points raised at Question 2 in relation to the **economic baseline** are summarised below.

- Some referred to out of date evidence sources in relation to economic impacts.
- A third sector respondent noted that the economic baseline did not make reference to quality of place, and suggested that this can be an important factor in attracting and retaining people and businesses.
- It was suggested that the economic baseline does not consider the economic impact of flooding for properties, businesses and infrastructure.
- In relation to digital communications infrastructure, some individual respondents suggested that the evidence base was incomplete or out of date on the potential financial costs associated with the health impacts of 5G development.
- In relation to agricultural development, a private sector respondents wished to see more detail on outcomes around agricultural development to facilitate agricultural adaptation and innovation. A planning authority suggested that the SA could refer to examples of farms diversifying into renewables.
- In relation to allotments and community growing schemes, a third sector respondent wished to see reference to the contribution to Scottish Government targets on health, food security and climate change.

4. Predicted effects

- 4.1 The third consultation question sought views on the predicted effects of extending PDR as set out in the SA report. The question was split into three parts, asking for views on predicted (a) environmental, (b) social and (C) economic effects.

Q3. What are your views on the predicted effects set out in the Sustainability Appraisal report as regards:

- a. environmental effects?
- b. social effects?
- c. economic effects?

- 4.2 A total of 81 respondents provided an answer at Question 3, including 45 organisation respondents and 36 individuals. Of these 81 respondents, 13 expressed broad support for the predicted effects set out in the SA, 44 provided comments which criticised aspects of the predicted effects (the majority being individuals, including 16 campaign plus responses), and 24 did not express a clear overall view.

- 4.3 Most of those expressing broad support for the predicted effects set out in the SA raised some issues or concerns; overall, 66 respondents (34 organisations and 32 individuals) raised issues or concerns regarding the predicted effects described in the SA. Table 4 summarises these responses by respondent type.

Table 4: Respondents to Question 3 by type

	Answered Question 3	Raised issues or amendments
ALL RESPONDENTS	81	66
Organisations	45	34
Public sector	12	9
<i>Planning authorities</i>	8	5
<i>Other public bodies</i>	4	4
Planning and other professionals	5	3
Private sector	12	10
<i>Energy supply and/or distribution</i>	5	3
<i>Telecoms</i>	2	2
<i>Rural economy</i>	3	3
Other	2	2
Third sector	16	12
<i>Environment</i>	6	4
<i>Representative bodies/groups</i>	2	1
<i>Campaign groups</i>	2	2
<i>Other</i>	6	5
Individuals	36	32

- 4.4 A range of respondents express their general agreement with the predicted effects described in the SA. This included planning authorities, planning/other professional and third sector respondents.
- 4.5 As Table 4 shows, most of those providing comment at Question 3 raised issues or concerns. The great majority of points raised by these respondents related to the predicted effects of specific development types, and we summarise these over the following pages. However, several common themes were also evident across these responses.
- 4.6 As was the case at Question 2, these common themes and most of the comments on specific development types were raised in relation to environmental effects. Relatively few respondents raised issues related exclusively to social or economic effects. The points considered below therefore relate to environmental effects; we highlight where points were also raised in relation to social and/or economic effects. Points raised exclusively in relation to social and/or economic effects are summarised at the end of this section of the report.

Common themes

- 4.7 These themes were similar to those raised at Question 2, and considered in the previous section of this report. For example, respondents raised concerns regarding what were seen as out of date sources, and to effects on historic and cultural heritage.
- 4.8 A number of respondents raised concerns regarding potential cumulative effects of extending PDR, and felt that further consideration of these effects, and how they can be assessed, is required. Concerns regarding cumulative effects were primarily related to landscape and biodiversity, particularly in designated areas. However, some respondents also referred to potential cumulative effects in relation to flood risk. This was a particular concern in relation to householder developments but is also noted below in relation to other specific development types.
- 4.9 In addition to these issues, some respondents raised concerns regarding how predicted effects are described throughout the SA and associated appendices. This included some suggesting that, where predicted effects are significantly negative, or are uncertain, consideration should be given to whether these development types are suitable for PDR.
- 4.10 Others suggested that greater consistency is required in the language used to ascribe value to predicted effects, and that use of 'reversible' should be better qualified. Some also had difficulty reading between the main SA report and appendices to assess the significance of predicted effects. An other public sector respondent suggested that any such inconsistencies should be addressed in the Post Adoption Statement.

Comments on environmental effects

Phase 1 development types

4.11 Key points raised in relation to PDR for **digital communications infrastructure** are summarised below.

- Some respondents suggested that the negative impacts on natural and cultural heritage could be more significant than is suggested by the SA, if PDR is extended to designated areas without limitations. This included reference to potential for significant effects on undesignated heritage assets, including those within designated areas, and a suggestion that mitigation of these effects should be explored. Reference was also made to the reliance on guidance in ensuring that PDR for digital communications infrastructure does not have significant negative impacts, and noted the need for 'buy in' from stakeholders if this to be effective.
- An other public body suggested that the SA should consider the effects of PDR on the setting of listed buildings and scheduled monuments, including archaeology within these settings.
- Some other public bodies questioned the SA description of negative effects associated with permitting new masts as 'reversible'. This included a suggestion that direct effects, such as on archaeology, are likely to be permanent.
- An other public body noted an inconsistency between Section 5.4 of the SA and Annex 2, in relation to the assessment of negative impacts for soils.
- A planning authority suggested that the SA under-estimates the negative impact of dish antenna in undesignated areas, and noted the cumulative impact of proliferation of dishes.
- A third sector respondent noted that the SA identifies potentially significant biodiversity effects associated with equipment housing cabinets, but does not discuss these effects further.
- A private sector respondent suggested that the SA should consider the wider implications of the Shared Rural Network programme, including the potential to reduce the overall number of sites (while increasing the height of masts).
- Some third sector and individual respondents suggested that the SA does not take sufficient account of environmental associated with development of 5G infrastructure. These respondents referred to environmental impact (including suggested negative impacts on biodiversity) and aesthetic impact.

- A private sector respondent raised concerns around the potential for extension of PDR for digital communications infrastructure to have a negative impact on aviation safety.

4.12 Key points raised in relation to PDR for **agricultural developments** are summarised below.

- A number of public sector and third sector respondents raised concerns regarding the potential for extension of PDR to have significant social and environmental impacts. This included specific reference to the potential impacts of conversion of buildings for residential housing. In contrast, a private sector respondent suggested that the SA had not given sufficient consideration to the potential positive economic impacts of extending PDR to include change of use to residential housing. This included reference to specific evidence on positive economic benefits associated with the home building industry in Scotland.
- Public and third sector respondents suggested that further consideration of the current 400m distance to the curtilage before any relaxation in this requirement is introduced, and raised concerns regarding the impact of polytunnels being more significant and less temporary than is suggested in the SA. This included impacts landscapes, flood risk areas, biodiversity and climate change, and historic heritage. Some planning authorities and other public bodies suggested that the SA was incorrect in describing flood risk as a 'minor negative' effect, and that extension of PDR should exclude flood risk areas. However, some private sector respondents felt that the SA may over-estimate impacts on flood risk. This included a suggestion that this assessment did not take account of mitigation from introducing additional housing stock into the housing system, and questions around whether the SA had considered the application of existing flood management techniques.
- Some third sector respondents saw a need for guidance to support planning authorities in assessing impacts on designated areas, and to ensure natural heritage is protected. These respondents considered that prior notification should be retained for agricultural developments.
- An other public body raised concerns that extending PDR for increase in size of agricultural buildings could have significant negative impacts on biodiversity and climate change, if the increase in size is to intensify livestock production.
- A private sector respondent suggested that the SA had not sufficiently explored the impact of extending PDR in agricultural development regarding brownfield sites.
- A private sector respondent raised concerns about the potential for extension of PDR for agricultural developments to have a negative impact on aviation safety.

4.13 Key points raised in relation to PDR for **micro-renewables** are summarised below.

- Some respondents expressed concerns that care will be required to ensure any further changes to existing PDR for micro-renewables do not have a negative impact on the built or natural heritage. This included suggestions that the SA does not consider potential landscape impacts of free standing domestic turbines, that potential cumulative effects (including in more densely populated areas) were not addressed sufficiently, and that the SA does not recognise potential for new tracks and non-domestic micro-renewables to raise case-specific issues due to the location and sensitivity of surrounding landscapes. Specific suggestions here included updating guidance relating to landscape impact alongside any change in PDR, and for listed buildings and designated areas to be excluded from extension of PDR.
- Some respondents suggested that the SA may over-state the potential adverse impacts of micro-renewables. This included a public sector respondent suggesting that too much emphasis was placed on visual impact, and a private sector respondent suggested that the SA fails to recognise the versatility in design of solar PV panels, and that solar deployment can be less intrusive than some other micro-renewables.
- An other public sector respondent felt that evidence was required to support the assessment of predicted effects to water, social, population and human health as 'negligible'.
- An other public body suggested that the SA should consider the effects of PDR on the setting of listed buildings and scheduled monuments. This included reference to the importance of a clear understanding of the difference between the curtilage and setting of a listed building.
- An other public body suggested that the SA narrative should mention the minor positive effect for WHS as set out in the assessment matrix.
- A private sector respondent raised concerns about the potential for extension of PDR for micro-renewables to have a negative impact on aviation safety, although a private sector respondent suggested that this was based on outdated evidence.
- Some public sector and individual respondents raised concerns regarding extension of PDR for biomass development. This included suggestions that extending PDR for agricultural biomass could have amenity issues, concerns regarding the impact of biomass flues on heritage assets, and reference to potential negative impacts on air quality.

4.14 Key points raised in relation to PDR for **peatland restoration** are summarised below.

- A planning authority noted a small risk that permitted development in the wider area around peatland could cause issues for a holistic planning approach.
- Further detail was requested on how the effects on the historic environment had been found to be minor rather than significant, with an other public body considering these effects to be uncertain.
- An other public body suggested that the peatland restoration technique 'pulling over grass' is not recognised and should be not be included in future advice regarding peatland restoration.
- A third sector respondent suggested that further consideration is required around the need for restrictions on PDR relating to archaeological features and in areas designated for nature conservation.

4.15 In relation to PDR for **hill tracks (private ways)** some third sector respondents suggested that the unpredictability of any adverse landscape and natural heritage effects associated with hill tracks raises questions for their suitability for PDR. It was suggested that, as a minimum, limits should be placed on the location and design of developments and a prior approval mechanism used to ensure some overview of developments in sensitive areas.

Phase 2 development types

4.16 Key points raised in relation to PDR for **electric vehicle charging infrastructure** are summarised below.

- A number of respondents, including planning authorities, raised concerns around the potential effects of installations close to roads and footpaths, including installations outside flatted developments.
- A private sector respondent suggested that the SA overstates the negative environmental effects of EV charging points for non-listed buildings designated areas. It was also suggested that positive environmental impacts associated with EV charging infrastructure is not adequately captured by the SA.
- Clarification was requested on whether effects on undesignated or unknown archaeology had been considered.

4.17 Key points raised in relation to PDR for **active travel** are summarised below.

- Some third sector respondents raised concerns regarding negative environmental and social impacts of extending PDR for active travel. It was suggested that additional local guidance or conditions on PDR would

be required to minimise negative impacts, which would undermine any simplification of the current system associated with PDR.

- An other public body suggested that the detailed SA for active travel (at Appendix 6) is contradictory in places, is inconsistent with the main SA text, and includes impacts which are not substantiated with evidence.
- Further detail was requested on how the effects on the historic environment had been found to be minor rather than significant, particularly in relation to creation of new routes.
- A number of individual respondents suggested that the SA has not fully considered the predicted effects of small cycle sheds and containers, including climate, transport or public health effects.

Phase 3 development types

4.18 Key points raised in relation to PDR for **town centre changes of use** are summarised below.

- Some planning authorities suggested that extending PDR for town centres may have negative impacts on residential amenity associated with noise, air quality, etc. It was also suggested that the SA should consider potential effects on human health as a result of changing vulnerability to flooding associated with change of use.

4.19 Key points raised in relation to PDR for **householder developments** are summarised below.

- Some planning authorities and private sector respondents raised concerns around potential for significant negative impacts on cultural heritage and visual amenity if PDR is extended to Conservation Areas or listed buildings.
- A number of respondents suggested that the SA should consider potential cumulative environmental effects in more detail. This included reference to impacts on drainage and water run-off, flood risk, soils and biodiversity.
- Respondents also raised a range of other concerns regarding the potential impacts of extending PDR, including PDR for small scale porches being misused as a means of building extensions, allowing works higher than the existing roof having significant impacts on visual amenity, that any increase in the area of curtilage buildings permitted should take account of flood risks, and that any removal of the requirement to use porous materials will increase surface water run-off.
- Further detail was requested on how the effects on undesignated buildings were found to be minor rather than significant, with an other public body considering these effects to be uncertain. Clarification was also requested on whether effects on undesignated or unknown

archaeology, and on designated historic assets (and their settings) had been considered.

- An other public body suggested that the SA should consider the effects of PDR on the setting of listed buildings and scheduled monuments. This included reference to the importance of a clear understanding of the difference between the curtilage and setting of a listed building.
- A third sector respondent called for further research with communities on potential impacts before any change to PDR for householder developments.

Phase 4 development types

4.20 Key points raised in relation to PDR for **district heating and supporting infrastructure** are summarised below.

- An other public sector respondent suggested that, as PDR apply only to pipework (and not energy generation or storage centres), effects on air quality are likely to be limited.
- An other public body questioned the SA description of negative effects associated with extending PDR as 'reversible'. This included a suggestion that direct effects, such as on archaeology, are likely to be permanent.

4.21 Key points raised in relation to PDR for **domestic and non-domestic energy storage** are summarised below.

- Some private sector respondents identified additional effects associated with extending PDR for non-domestic storage. These included improving flexibility of the grid (and thus increasing opportunities for carbon reduction).
- A private sector respondent suggested that extension of PDR for domestic storage will encourage more customers to participate in domestic flexibility, and thus contribute to grid decarbonisation.

Phase 5 development types

4.22 Key points raised in relation to PDR for **habitat pond creation** are summarised below.

- A third sector respondent suggested that design guidance would be required to ensure habitat ponds deliver the anticipated positive effects, in particular minimising environmental impacts while maximising biodiversity. The potential positive impacts of habitat ponds were contrasted with agricultural ponds, and respondents suggested that PDR for habitat ponds should not be more restrictive than for agricultural.
- An other public sector respondent suggested that the SA should consider effects on soil as a material asset.

- Further detail was requested on how the effects on the historic environment had been found to be minor rather than significant, with an other public body considering these effects to be uncertain.
- It was suggested that PDR for habitat ponds could have negative effects in relation to flood risk (in addition to the positive effects identified by the SA), for example by embankments or location of ponds in a flood plain increasing flood risks elsewhere.

4.23 Key points raised in relation to PDR for **allotments and community growing schemes** are summarised below.

- An other public sector respondent wished to see consideration of potential effects on human health in relation to flooding, including in relation to secondary, cumulative and synergistic effects.
- A planning authority suggested that development of allotments and community growing spaces can have negative impacts on existing pathways and land used for recreation.
- An other public body requested clarification on whether effects on undesignated or unknown archaeology had been considered.

Phase 6 development types

4.24 Key points raised in relation to PDR for **snow sports** are summarised below.

- A planning authority suggested that extending PDR for snow sports could lead to significant environmental impacts in relation to biodiversity, landscape, pollution and water quality. It was suggested that these should be considered as part of a formal planning application.
- An other public body noted that the SA reference to PDR for access tracks that do not exceed 50m in length is not outlined in Planning Circular 2/2015.

Comments on social and economic effects

4.1 Specific points raised at Question 3 in relation to **social effects** are summarised below.

- Respondents questioned on the extent to which the SA had considered mental health impacts associated with increased flooding risk.
- Some third sector and individual respondents raised concerns regarding the potential for PDR to undermine local community and authority influence on planning. This included reference to PDR contradicting the principle of a 'plan-led' approach to development, to removing the ability of local communities to influence decisions affecting their local area, and reducing planning authority income.

- In relation to digital communications infrastructure, a private sector respondent suggested that the SA understates potential social benefits. This included reference to connectivity with emergency and rescue services, social inclusion, supporting delivery of public services, and the sustainability of rural communities. Some third sector and individual respondents suggested that the SA does not take sufficient account of health concerns associated with development of 5G infrastructure.
- in relation to agricultural developments, a third sector respondent suggested that extending PDR for change of use of agricultural buildings to residential housing is not consistent with a plan-led approach to delivery of new housing, and could place greater pressure on rural services and infrastructure. A public sector respondent suggested that conversion to housing should be excluded from PDR, raising concerns around standards of accommodation and impact on privacy and amenity. In contrast, some private sector respondents suggested that the SA did not give sufficient consideration to the positive social effects of extending PDR for agricultural developments in terms of improving existing housing for farming families and local communities and supporting farm succession.
- In relation to active travel, some were concerned that extending PDR could lead to delivery of lower quality active travel developments that may not work for all users, and will not deliver increased use of active travel. A planning authority suggested that any extension of PDR for active travel should ensure development is inclusive of all potential users, regardless of access to other transport modes.
- In relation to town centre changes of use, a planning authority expressed concern that unregulated conversion to residential use could lead to substandard accommodation.
- In relation to householder developments, a private sector respondent raised concerns that extending PDR for householder development could reduce opportunities for local planning authorities to require heat decarbonisation and energy efficiency upgrades.
- In relation to allotments and community growing schemes, It was suggested that controls may be required to ensure PDR does not lead to proliferation of buildings on allotments, negatively impacting on amenity.

4.2 Specific points raised at Question 3 in relation to **economic effects** are summarised below.

- Respondents questioned on the extent to which the SA had considered potential financial and mental health impacts of increased flooding risk.
- In relation to agricultural developments, some private sector respondents suggested that the SA did not give sufficient consideration to positive economic effects in terms of delivery of housing and supporting farm succession
- In relation to town centre changes of use, several respondents raised concerns that extending PDR for town centres may undermine plan-led approaches to town centre regeneration, suggesting that a coordinated and collaborative approach has been shown to be more effective in improving the economic and social viability of town centres.
- In relation to domestic and non-domestic energy storage, some private sector respondents referred to positive economic effects in terms of encouraging investment in battery storage.

5. Mitigation and monitoring

- 5.1 The fourth consultation question sought views on the proposals for mitigating and monitoring the predicted effects of extending PDR, as set out in the SA report. The question was split into three parts, asking for views on mitigation and monitoring with regard to (a) environmental matters, (b) social matters and (C) economic matters.

Q4. What are your views on the findings and the proposals for mitigation and monitoring of effects set out in the Sustainability Appraisal report with regard to:

- environmental matters?
- social matters?
- economic matters?

- 5.2 A total of 75 respondents provided an answer at Question 4, including 40 organisation respondents and 35 individuals. Of these 75 respondents, 6 expressed broad support for mitigation and monitoring proposals, 23 provided comments which criticised aspects of mitigation and monitoring, and 46 did not express a clear overall view.
- 5.3 Most of those expressing broad support for the proposals raised some issues or concerns; overall, 32 respondents (25 organisations and 7 individuals) raised issues or concerns regarding the predicted effects described in the SA. Table 5 summarises these responses by respondent type.

Table 5: Respondents to Question 4 by type

	Answered Question 4	Raised issues or amendments
ALL RESPONDENTS	75	32 (43%)
Organisations	40	25 (63%)
Public sector	12	11
<i>Planning authorities</i>	8	7
<i>Other public bodies</i>	4	4
Planning and other professionals	4	1
Private sector	11	6
<i>Energy supply and/or distribution</i>	4	3
<i>Telecoms</i>	2	2
<i>Rural economy</i>	3	0
Other	2	1
Third sector	13	7
<i>Environment</i>	7	3
<i>Representative bodies/groups</i>	2	1
<i>Campaign groups</i>	1	1
<i>Other</i>	3	2
Individuals	35	7 (20%)

- 5.1 Some respondents, including planning/other professionals and private sector respondents, expressed their general agreement with proposals for mitigation and monitoring. However, as Table 4 shows, a substantial proportion of those providing comment at Question 4 raised issues or suggested amendments to proposals. These issues were typically related to mitigation and monitoring for specific development types, and we summarise these over the following pages.
- 5.2 As is noted in relation to Questions 2 and 3, comments on specific development types and other common issues were raised primarily in relation to mitigation of environmental effects. The points considered below therefore relate to mitigation of environmental effects; we highlight where points were also raised in relation to social and/or economic effects. Points raised exclusively in relation to mitigation of social and/or economic effects are summarised at the end of this section of the report.

Common themes

- 5.3 Some common themes were evident. This included a number of the themes discussed earlier at Questions 2 and 3 such as monitoring cumulative impact, mitigating effects on cultural heritage and mitigation proposals for environmental impact. This included concerns regarding the lack of mitigation proposals to address increased flood risk. However, respondents also raised general issues and concerns regarding proposals for mitigation and monitoring which did not relate to specific development types.
- 5.4 Some respondents, including other public bodies, felt that information provided on mitigation proposals was very limited and incomplete. Some also noted that proposals did not include detail on implementation mechanisms, which were seen as a key factor in the effectiveness of proposals. It was suggested that mitigation mechanisms should be outlined more comprehensively in the Post Adoption Statement, and should remain a key aspect of discussions for individual work streams.
- 5.5 Similar concerns were raised in relation to proposals for monitoring, which were also described as limited and incomplete. This included comments from planning authorities, other public bodies and third sector respondents. It was suggested that the SA as a minimum should indicate how existing monitoring regimes could contribute to monitoring the effects of PDR. Some respondents again suggested that further detail should be included in the Post Adoption Statement.
- 5.6 Respondents also expressed some concerns regarding what was seen as over-reliance on good practice guidance to mitigate the effects of PDR. Some planning authorities suggested that good practice could have limited mitigation benefits if it cannot be implemented or enforced, although other respondents suggested specific aspects of good practice guidance as having a potential role in the approach to mitigation.

- 5.7 Concerns were also raised regarding the potential benefits of prior notification/approval as a means of mitigating the effects of extending PDR. This included suggestions that this ‘intermediate’ approach may cause confusion for applicants, and can undermine the benefits of extending PDR in relation to streamlining the planning process and reducing burden on planning authorities. Some third sector respondents referred evidence from monitoring use of the new prior notification process as having highlighted issues with this approach.

Comments on mitigation of environmental effects

Phase 1 development types

- 5.8 Key points raised in relation to PDR for **digital communications infrastructure** are summarised below.

- Some planning authorities raised concerns regarding extending prior notification/approval schemes, and suggested that these would not streamline the process nor reduce the time spent on applications.
- A planning authority expressed concern that good practice guidance is not sufficient to mitigate negative effects.
- An other public sector respondent suggested that a requirement for assessment of visual impacts, as a condition of prior notification/approval, would be of limited use as direct physical impacts are unlikely to be captured.
- A third sector respondent suggested that consultation with operators is required to assess whether higher masts outside designated areas would lead to fewer masts in designated areas, and to develop guidance on potential reductions.
- An individual respondent raised concerns that mitigation proposals give the telecommunication industry too much scope regarding antenna height.
- Some third sector and individual respondents suggested that concerns regarding 5G digital communications infrastructure cannot be mitigated, and that alternative wired and fibre optic technology should be preferred.

- 5.9 Key points raised in relation to PDR for **agricultural developments** are summarised below.

- A number of planning authorities raised concerns in relation to proposals for mitigation of effects associated with extension of PDR to allow conversion of agricultural buildings for residential use. This included suggestions that planning authorities often add considerable value to these planning applications, and concerns that design guidance is unlikely to be sufficient to mitigate adverse impacts due to inappropriate development. Some stated their objection to extension of PDR for this type of development.

- An other public sector respondent recommended that mitigation measures are identified to address potential effects on the historic environment.
- A third sector respondent expressed concern that no mitigation is proposed for uncontrolled development, which was described as having potential to have significant impacts on valued landscape areas.
- A planning/other professional suggested that assessment for bats should be required for conversion of steadings to mitigate environmental effects.

5.10 Key points raised in relation to PDR for **micro-renewables** are summarised below.

- Concerns raised by respondents included a perceived need for guidance regarding orientation of buildings and impact on roofscape, a potential need for PDR to be more limited in some rural areas to avoid negative environmental impact, and concerns regarding potential for increased deployment of micro-renewables to have a cumulative impact (e.g. on residential amenity or biodiversity). An other public sector respondent noted that mitigation measures have not been identified for negative effects on cultural heritage. It was also suggested that the SA could include a greater focus on potential mitigation of cumulative impact beyond 'heritage' sites, for example through requirement for a specific assessment to support a prior notification submission.
- Some raised concerns regarding proposals for a prior notification/approval scheme to mitigate the effects of PDR for designated areas, and suggested that this approach could limit the benefits of extending PDR in terms of streamlining the planning process. A planning authority suggested there should be scope for limited relaxation of planning controls within designated areas without the need for a prior notification/approval scheme.
- A public body respondent suggested that 'reasonable alternatives' presented should include other incentives to increase deployment of micro-renewables that do not involve extension of PDR.
- A public body objected to extending PDR for biomass due to impacts on amenity.
- A third sector respondent saw a need for greater clarity on size limits for PDR for non-domestic solar, and that there is no relaxation of controls in designated areas and wild land areas.

5.11 Key points raised in relation to PDR for **peatland restoration** are summarised below.

- A planning authority suggested that a precautionary principle should still be applied, and some control retained via a requirement for assessment of impact for the wider ecosystem. It was also suggested that restrictions

should apply to all developments (including those outwith designated areas) with a potential negative impact on important habitat or species.

- An other public sector respondent noted that proposals for mitigation are focused on designated historic environment assets, and wished to see proposals extended to address effects on undesignated or unknown assets, including archaeology.

5.12 In relation to PDR for **hill tracks (private ways)**, improvements to the current prior notification and approval system for hill tracks were suggested. This included clearer guidance on the distinction between 'maintenance' and 'alteration' to hill tracks, the potential value of local or national guidance on construction of hill tracks, and changes to ensure the 28-day target for handling applications is met. Some third sector respondents suggested that the approach to PDR for hill tracks, and associated mitigation, should use learning from monitoring of current PDR for hill tracks.

Phase 2 development types

5.13 Key points raised in relation to PDR for **electric vehicle charging infrastructure** are summarised below.

- A private sector respondent suggested that additional strain on the grid associated with extending PDR for EV charging points could be mitigated through co-location of solar PV energy generation, and use of energy storage.
- A planning authority and a private sector respondent suggested that PDR for EV charging infrastructure should be extended to unlisted buildings in heritage, cultural and landscape designations. This included a suggestion for mitigation by a prior approval scheme.
- An other public sector respondent suggested that mitigation proposals would not address effects on the setting of listed buildings.

5.14 In relation to PDR for **active travel** an other public sector respondent noted that mitigation measures were not proposed to address negative effects the historic environment.

Phase 3 development types

5.15 Key points raised in relation to PDR for **town centre changes of use** are summarised below.

- A planning authority questioned extending PDR to include general industrial and storage and distribution use classes for town centres, and suggested that PDR should be extended to enable change from Class 1 or 2 to other appropriate classes.

- An other public sector respondent noted that mitigation measures have not been identified in relation to effects as a result of town centres change of use.

5.16 Key points raised in relation to PDR for **householder developments** are summarised below.

- Some planning authorities suggested that prior notification and neighbour consultation is unlikely to streamline current processes, and may not necessarily ensure a good standard of development. It was also suggested that a prior notification scheme for fences over 2m may encourage development of a kind that is rarely acceptable.
- A private sector respondent raised concerns that the SA does not include mitigation proposals to address potential increase in flood risk, and wished to see robust conditions and adequate monitoring and enforcement powers as part of the PDR review. This included reference to conditions to take into account the cumulative and synergistic effect of extending PDR.
- An other public sector respondent felt that it was unclear how mitigation proposals would address effects on the setting of designated heritage assets.

Phase 4 development types

5.17 In relation to PDR for **district heating and supporting infrastructure** an other public sector respondent noted that proposals for mitigation are focused on designated historic environment assets, and wished to see proposals extended to address effects on undesignated or unknown assets, including archaeology.

5.18 In relation to PDR for **domestic and non-domestic energy storage** an other public sector respondent wished to see proposals extended to address effects on undesignated or unknown assets, including archaeology.

5.19 In relation to PDR for **defibrillator cabinets** a planning authority suggested that in the great majority of cases, installation of defibrillator cabinets is 'de minimis', and did not support a prior notification process for this development type.

Phase 5 development types

5.20 Key points raised in relation to PDR for **habitat pond creation** are summarised below.

- An other public sector respondent noted that proposals for mitigation are focused on designated historic environment assets, and wished to see proposals extended to address effects on undesignated or unknown assets, including archaeology.

- A third sector respondent suggested that guidance on size and design of habitat ponds could also include sensitivity to characteristics of setting.

5.21 In relation to PDR for **allotments and community growing schemes** a planning authority disagreed with the suggestion in the SA that existing PDR for portable buildings could apply to allotments, and argued that development on allotments is more comparable with domestic garden sheds, greenhouses, etc.

Phase 6 development types

5.22 In relation to PDR for **snow sports** a planning authority expressed concern that reliance on good practice guidance would be insufficient to prevent inappropriate development in sensitive areas.

Comments on the social and economic effects

5.23 Specific points raised at Question 4 in relation to **mitigation of social effects** are summarised below.

- In relation to agricultural developments, it was noted that the SA includes little reference to mitigation of impact on a plan-led system and provision of public services.
- In relation to micro-renewables, it was suggested that prior notification submissions may need to include a supporting assessment of impacts on the host community.

5.24 Specific points raised at Question 4 in relation to **mitigation of economic effects** are summarised below.

- Some respondents noted that they did not anticipate significant negative economic impacts that would require mitigation.

6. Other comments

6.1 The final consultation question invited respondents to provide any other comments on the SA report.

Q5. Do you have any other comments on the Sustainability Appraisal report?

6.2 A total of 58 respondents addressed Question 5. Table 6 summarises these responses by respondent type.

Table 6: Respondents to Question 5 by type

	Answered Question 5
ALL RESPONDENTS	58
Organisations	31
Public sector	7
<i>Planning authorities</i>	4
<i>Other public bodies</i>	3
Planning and other professionals	2
Private sector	9
<i>Energy supply and/or distribution</i>	3
<i>Telecoms</i>	0
<i>Rural economy</i>	3
Other	3
Third sector	13
<i>Environment</i>	6
<i>Representative bodies/groups</i>	2
<i>Campaign groups</i>	2
<i>Other</i>	3
Individuals	27

6.3 Most of these respondents used Question 5 as an opportunity to reiterate points discussed earlier in relation to specific development types, or common themes. This included specific reference to consideration of cumulative impact (particularly on flood risk), effects on cultural heritage, and environmental impact for biodiversity and flooding.

6.4 Some of those providing comment at Question 5 raised other issues which had not been fully considered in relation to Questions 1 to 4. These are summarised below.

- Some suggested that if the overall approach to extending PDR is to deliver the expected benefits, it should result in consolidated legislation and guidance. This included specific reference to the opportunity to review

the current prior notification/approval scheme to streamline the process, with a planning authority recommending a simplified one-stage prior approval procedure.

- Some referred to general principles that should shape consideration of which development types are suitable for PDR. This included reference to the potential need to limit PDR for development types where predicted effects are expected to be significantly negative, or where effects are unclear. This reflected wider comments regarding the degree of uncertainty in the SA evidence base, and concern that this should not be interpreted as there being no significant effects.
- Several respondents highlighted the importance of ongoing consideration of issues raised by the SA, including more detailed mitigation and monitoring proposals, as part of the proposed work programme. This included a number of respondents specifically expressing interest in ongoing engagement with the Scottish Government as part of this process.
- Reference was made to specific policy priorities or objectives which respondents felt should be acknowledged by the SA. This included sustainable development, the purpose of planning as set out in the 2019 Planning Act, and the National Performance Framework.
- A third sector respondent also suggested that a principle of net biodiversity gain may be appropriate as a condition for developments benefiting from PDR.
- Some respondents questioned the use of a SA as opposed to a standalone Strategic Environmental Assessment (SEA). This included suggestions that integration of SEA findings into the SA report narrative made it difficult for readers to track the full range of complex environmental considerations through the SA.

Annex A Organisations responding to the consultation

Planning authority

Aberdeen City Council
Aberdeenshire Council
Comhairle nan Eilean Siar
East Renfrewshire Council
Glasgow City Council
Loch Lomond and The Trossachs National Park
Moray Council
North Lanarkshire Council
Perth & Kinross Council
The City of Edinburgh Council
The Highland Council

Other public bodies

Energy Saving Trust
Historic Environment Scotland
Scottish Environment Protection Agency
Scottish Natural Heritage
The Metropolitan Glasgow Strategic Drainage Partnership

Planning and other professionals

ALGAO Scotland (Association of Local Government Archaeological Officers)
Chartered Institute for Archaeologists
Heads of Planning Scotland
Law Society Of Scotland
RTPI Scotland

Private sector - energy

Association for Decentralised Energy
European Marine Energy Centre
Renewable energy solutions (RES)
ScottishPower Renewables
Solar Trade Association
Vattenfall

Private sector - telecoms

Arqiva Ltd
BT Group
Hutchison 3G Ltd
Mobile UK

Private sector - rural economy

Central Association of Agricultural Valuers, Scottish Agricultural Arbiters and Valuers Association

Confor

NFU Scotland

Scottish Land and Estates

Wemyss & March Estate

Private sector - other

AGS Airports

Highlands and Islands Airports Limited (HIAL)

Homes for Scotland

Scottish Water

Third sector - environment

Mountaineering Scotland

North East Mountain Trust

RSPB Scotland

Scottish Allotments and Gardens Society (SAGS)

Scottish Environment Link

Scottish Environment LINK Hill tracks sub group

SOAN (Scottish Outdoor Access Network)

The John Muir Trust

Third sector - representative bodies/groups

Meldrum, Bourite and Daviot Community Council

Scone and District Community Council

Third sector - campaign groups

Moray Campaign against 5G

Paths for All

Spokes, the Lothian Cycle Campaign

Third sector - other

BEFS (Built Environment Forum Scotland)

Cycling Scotland

Planning Democracy

Rural Housing Scotland

Social Farms and Gardens

Sustrans Scotland

The National Trust for Scotland

Theatres Trust

Annex B Acronyms used

EIR	Environmental Impact Ratings
EPC	Energy Performance Certificate
EV	Electric vehicle
GPDO	General Permitted Development (Scotland) Order
HOPS	Heads of Planning Scotland
LDP	Local Development Plan
LHEES	Local Heat and Energy Efficiency Strategy
NPF	National Planning Framework
PAS	Post Adoption Statement
PDR	Permitted Development Rights
PV	Photovoltaic
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
WHS	World Heritage Sites



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