

EIR – 202300260400 – Documents

This file contains documents relating to EIR 202300260400. Where redactions have been made the exception used has been made clear. Where no exception clause is given this is under regulation 11 and is personal information that has been redacted.

The following documents are enclosed:

Document 1 – E-mail chain ending 28 July 2021 with attachment

Document 2 – Letter to Emma Harper MSP dated 19 August 2021

Document 3 – E-mail chain ending 28 February 2022

Document 4 – E-mail dated 11 April 2022 with attachments

Document 5 – Submission to Minister dated 16 December 2022 and 19 December 2022 response

Document 6 – E-mail dated 19 December 2022

Document 7 – E-mail dated 20 December 2022 with attachment

Document 8 – E-mail dated 16 January 2023

Document 9 – Email dated 6 April 2023

Document 10 – Submission to Minister dated 18 April 2023 and 19 April 2023 response

Document 11 – Email chain ending 24 April 2023 and calendar invite to meeting on 25 April 2023

Document 12 – E-mail chain ending 27 April 2023 (Drafting – Policy)

Document 13 – E-mail chain ending 27 April 2023 (BRIA, EQIA etc Drafting)

Document 14 – Email chain ending 2 May 2023 (Drafting - BRIA)

Document 15 – E-mail chain ending 4 May 2023

Document 16 – E-mail chain ending 4 May 2023

Document 17 – E-mail chain ending 4 May 2023 (Drafting - legal)

Document 18 – Email chain ending 5 May 2023 (Drafting – legal)

Document 19 – Email chain ending 5 May 2023 (Drafting – legal)

Document 20 – Email chain ending 9 May 2023 (Drafting – legal)

Document 21 – E-mail dated 9 May 2023

Document 22 – Submission to Minister dated 10 May 2023 and 12 May 2023 response

Document 23 – E-mail chain ending 11 May 2023

Document 24 – Email dated 16 May 2023

Document 25 – E-mails dated 25 May 2023

Document 26 – Email dated 31 May 2023 – HOPS

Document 27 – Email dated 31 May 2023 – Stakeholders

Document 28 – Letter to Emma Harper and Associated Emails

DOCUMENT 1 - E-MAIL CHAIN ENDING 28 JULY 2021 WITH ATTACHMENT

From: REDACTED **On Behalf Of** MinisterforPublicFinance,Planning&CommunityWealth
Sent: Wednesday, July 28, 2021 12:22 PM
To: Public Engagement Unit <CorrespondenceUnit@gov.scot>
Cc: MinisterforPublicFinance,Planning&CommunityWealth <MinisterPFPCW@gov.scot>
Subject: FW: Shooting Ranges Operating With 28 day planning permission

Hi all,
MR,
Thanks
REDACTED

REDACTED – Assistant Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur
Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Email:
MinisterPFPCW@gov.scot

From: Harper E (Emma), MSP <Emma.Harper.msp@parliament.scot>
Sent: 27 July 2021 17:44
To: Arthur T (Tom), MSP <Tom.Arthur.msp@parliament.scot>
Subject: Shooting Ranges Operating With 28 day planning permission

Hi Tom,
I have a tricky case in Dumfries and Galloway about two shooting ranges that are currently operating in Eskdalemuir near the religious Samye Ling temple. I sent you this letter on June 30th and want to just raise with you that I am waiting on a response. I know its recess and folk are off and that's perfectly OK. My correspondence is attached. I met my contact REDACTED from Eskdalemuir today. REDACTED is representing many neighbours who are negatively affected by the shooting ranges and their lack of engagement with the local people.

Both are operating under a 28 day license until proper planning permission is made. But there has not been any submission to the local authority for planning permission.

One of the ranges wants to shoot 50 calibre bullets. 2 miles!

And there is a real safety concern as one of the ranges is near southern upland way and the other has a well known walking path through the site.

Local people are not told when the shooting "competitions" are due to take place.

28 day planning is a rule normally applied to caravan sites or agriculture temporary infrastructure.

REDACTED

Are you able to provide a wee update as to when I can expect a response from Gov... That would help me take this forward.

There is rumour of use of machine guns and automatic handguns also. This is not a traditional fixed target shooting range. It's a weekend soldier – where folk run and shoot at targets – set up. This is also not very safe! Hope you can help.

Thnx
Emma

Emma Harper MSP, South Scotland Region, Office, Dumfries: Unit 7, High Street, Loreburne Shopping Centre, DG1 2BD Telephone: 01387 255 334 Email: emma.harper.msp@parliament.scot

Attachment to Document 1

Tom Arthur MSP
Minister; Public Finance, Planning, Community Wealth The
Scottish Government
By Email Only

29/06/21

Eskdalemuir Community Concerns over Shooting Ranges

Dear Tom,

I hope that you are well and taking care. Firstly, I want to congratulate you on your appointment as Minister for Public Finance, Planning and Community Wealth. This is a big portfolio and I wish you every success.

I'm writing to you, following meeting with representatives from the Eskdalemuir community in Dumfries and Galloway, who have very legitimate concerns regarding activity from 2 shooting ranges which are located in the community and which surround the Kagyu Samye Ling Monastery. These ranges are called Clerkhill Range and Over Cassock Range.

To provide some background, both Clerkhill and Over Cassock have been shooting ranges for 20 years, but have recently expanded for wild-fowl shooting, long distance target shooting and dynamic shooting (the practice of moving around and shooting from different locations in a vehicle or by foot to replicate military training).

In 2020, retrospective planning applications were submitted by both ranges to Dumfries and Galloway Council under local development legislation. The request was for a change of use from agricultural land to create a target shooting range, training centre and car park. The fact that Dumfries and Galloway Council conceded that these applications were to be dealt with retrospectively and under local development regulations, as opposed to major development, deprived members of the community the right to full consultation. Indeed, this decision was successfully legally challenged by Kagyu Samye Ling and D&G Council conceded to this.

However, both Clerkhill and Over Cassock ranges have since been allowed to operate, with the local authority's permission, for 28 days per year using the provisions set out in the Town and Country Planning (General Permitted

Development) (Scotland) Order 1992 (GPDO). This Order allows the use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site, on not more than 28 days in total in any calendar year, and the erection or placing of movable structures on land for the purposes of that use, to go ahead.

This means that both ranges are operating, for 28 days per year using long distance target shooting, dynamic shooting and military type training, and they are doing so with the permission of the local authority which both the community and I find inappropriate.

The Scottish Government website, under planning, states that the GPDO should only be used in relation to non-controversial developments.

I would argue that both shooting ranges undertaking the activities that they engage in are controversial.

This is aside from both ranges being in close location to the Samye Ling Buddhist monastery which was established in Eskdalemuir in 1967.

In addition, the community have brought to my attention that a number of factors contained within the GPDO are not being followed at the site.

There are many concerns from the community which I have detailed below:

1. A number of permanent targets have been erected which cannot be easily moved and are not temporary. Also, members of the community have not been consulted as to which days the shooting operations are going ahead, and both ranges use the 28 days throughout the year and not consecutively.
2. Local residents find it extremely difficult to communicate with the managers of both ranges and this has presented a number of challenges. I have been informed that the managers do not communicate with residents as to when shooting operations are ongoing – meaning those with livestock and pets are unable to relocate them or move their pets inside prevent distress. This lack of communication has also meant that residents are often burdened with noise from high (50) calibre weapons at various times throughout the days without notice.
3. Local residents are disappointed in Dumfries and Galloway Councils' handling of this situation and feel that the authority is more in favour of allowing the shooting range developments to proceed than they are of representing the views of the established local persons in the community. Indeed, members of the community have told me that the council have acted inappropriately in dealing with their complaints. For example, when council officers went to
4. carry out a sound assessment of the ranges, they attended on a day when there was no competitive shooting taking place therefore there was no ability to accurately measure decibels emitted from the shooting. I find it concerning that the local authority had to be legally challenged before acting to address local residents' concerns.
4. The residents are also concerned that such a development is allowed to take place so close to Kagyu Samye Ling, a site of international religious significance.
5. Residents are concerned that the responsibility for dealing with applications for shooting range developments are matters devolved to local authorities in Scotland, who often have no expertise in military grade firearms, weapons and high calibre ballistics. I have lodged a Written Question to the Scottish Government on this matter to ask if the Government, given the issues in Eskdalemuir, have any plans to manage this aspect of planning legislation.
6. Part of the Clerkhill shooting range is a water supply which is supplying surrounding houses. My understanding is that lead bullets are shot and discarded into the water, which over time may impact water sampling and the environment.
7. The users and owners of the shooting ranges continually make derogatory comments regarding those who use Kagyu Samye Ling. Many of these comments are deeply offensive and may be considered as hate speech. I have added some examples as an attachment to this email.

8. There have been two separate occasions in which Police Scotland have been involved to stop activities on the ranges. One incident in June 2020 involved the Police stopping the US Military from carrying out activities with semi-automatic weapons as part of a ballistic training exercise.
9. Finally, I have concerns regarding the safety of people who may find themselves walking in an area designated within the literal 'firing line'. Over Cassock is in close proximity to the Southern Upland Way which has been recently written about in a 2021 walking guidebook.

As you can see, there are a significant number of concerns relating to different issues surround these shooting ranges from the planning process, legislation surrounding shooting ranges and the inappropriate use of legislation, to a lack of engagement and communication from the range owners and abusive behaviour by those using the ranges.

Given this, I request that the Scottish Government review all points raised in this correspondence and the local authority planning process, to determine whether;

1. The sites are operating legally, using the GPDO
2. The local authority have acted legally in allowing current activity to go ahead and
3. Whether the shooting activity taking place meet the legal sound and environmental regulations.

Please don't hesitate to contact me should you require any further information or clarity over the points raised be required. I look forward to hearing back from you soon.
Yours sincerely,

**EMMA HARPER MSP
REPRESENTING SOUTH SCOTLAND**

DOCUMENT 2 - LETTER TO EMMA HARPER MSP DATED 19 AUGUST 2021

Minister for Public Finance, Planning & Community Wealth
Ministear airson Ionmhas Poblach, Dealbhachadh agus Beartas Còimhearsnachd
Tom Arthur BPA/MSP

T : 0300 244 4000
E : scottish.ministers@gov.scot

Emma Harper MSP
Emma.Harper.msp@parliament.scot

Our Reference: 202100226630

Your Reference: Shooting Ranges Operating With 28 day planning permission
19 August 2021

Dear Emma,

Thank you for your email of 27 July 2021 regarding two shooting ranges that are currently operating in Eskdalemuir, Dumfries and Galloway. Firstly I would like to apologise that you have not received a reply before now, your earlier letter sent in June has unfortunately not been located. I note your concerns and your queries regarding whether the rifle ranges are operating legally and within sound and environmental regulations.

I understand that the previous planning applications for this particular site were withdrawn so they could be resubmitted again as major applications. I note that Proposal of Application Notices (PANs) were submitted in April and May this year to start that process. The PAN seeks to establish from the Council the agreed level of 'pre-application consultation' with the community for a major development prior to the submission of a planning application. As you're aware, the purpose of pre-application consultation (PAC), for proposals for major development, is to add value at the start of the development management process, and allow prospective applicants the opportunity to amend their emerging proposals in light of community opinion, as well as any views from statutory consultees and the planning authority. Of course, PAC does not replace the requirement for public consultation on the application once submitted. Where communities or others wish to make representations on any application, whether local or major, these need to be submitted to the planning authority once the application is live.

In response to your specific queries, the Scottish Government cannot provide legal advice however I hope the following will be of use. Planning applications are determined in accordance with the development plan for the area, unless material considerations indicate otherwise, and the process includes provisions for communities to contribute views about proposals which may affect them.

Planning applications should provide sufficient information to enable a full assessment to be made of the likely effects of a development. This includes the characteristics of the various environmental effects likely to arise and the mitigation that can be provided. In reaching a decision the planning authority is expected to have regard to all material factors, including views from consultees and any representations from members of the public submitted to them.

Under planning legislation, permitted development rights allow for a temporary use of land for a use different to its lawful use for up to 28 days in a calendar year (other than as a caravan site). The permitted development rights apply to use of land and not to the erection of structures, although the temporary erection of a target which could be put up and taken

down as required would generally not require planning permission. The 28 days includes any time for preparing the land and also includes time spent clearing the land after the use

It would be for Dumfries and Galloway as planning authority to consider whether or not the change of use for the shooting ranges is permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1997. As this is a decision of the planning authority neither the Scottish Government nor the Scottish Ministers can intervene in, or comment on, individual cases.

You also refer to a license and to safety concerns. Both these matters would be for the police to consider as the licensing, registration and safe operation of gun clubs is a function of Police Scotland.

While there are no current plans to consider this specific permitted development right at the present time, you may wish to note that the Scottish Government is currently reviewing permitted development rights (PDR) for certain development types as part of our programme of planning reform. Phase 2 is focused on PDR for electric vehicle charging infrastructure and changes of use in town centres is currently underway and members of the public will have opportunity to comment on proposals through public consultation in due course.

I hope this information is helpful.

Yours sincerely,

TOM ARTHUR

DOCUMENT 3 – E-MAIL CHAIN ENDING 28 FEBRUARY 2022

From: REDACTED@gov.scot> **On Behalf Of** Minister for Public Finance, Planning & Community Wealth
Sent: Monday, February 28, 2022 4:48 PM
To: REDACTED@gov.scot>; Minister for Public Finance, Planning & Community Wealth
<MinisterPFPCW@gov.scot>
Cc: REDACTED (multiple)
Subject: RE: Diary case - Emma Harper - 28 day rule / shooting ranges

Hi REDACTED

Yeah it looks likely. I've reached out to Ms Harper's office for the correspondence.

I doubt I will be able to fit a meeting in before recess, so can hold back but will let you know when the meeting is agreed.

Thanks,

REDACTED | Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur
Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Email: MinisterPFPCW@gov.scot

From: REDACTED@gov.scot
Sent: 25 February 2022 12:09
To: Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Diary case - Emma Harper - 28 day rule / shooting ranges

REDACTED

Thanks for confirming.

Micase notwithstanding, I am assuming that a meeting will take place between the Minister and Emma Harper in the near future – it certainly sounded as though Mr Arthur was anticipating one.

On that basis, would you like us to prepare some briefing on 28 day rule/shooting ranges?

Cheers

REDACTED

From: REDACTED@gov.scot **On Behalf Of** Minister for Public Finance, Planning & Community Wealth
Sent: 24 February 2022 14:05
To: REDACTED Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Diary case - Emma Harper - 28 day rule / shooting ranges

Hi REDACTED

There is nothing sitting with his constituency office either.

REDACTED | Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur
Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Mob: Email: MinisterPFPCW@gov.scot

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filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

From: REDACTED@gov.scot
Sent: 23 February 2022 17:47
To: Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Diary case - Emma Harper - 28 day rule / shooting ranges

Thanks REDACTED. Just copying in REDACTED for awareness.
Cheers
REDACTED

From: REDACTED@gov.scot **On Behalf Of** Minister for Public Finance, Planning & Community Wealth
Sent: 23 February 2022 15:08
To: REDACTED@gov.scot; Minister for Public Finance, Planning & Community Wealth
<MinisterPFPCW@gov.scot>
Subject: RE: Diary case - Emma Harper - 28 day rule / shooting ranges

Hi REDACTED

Yeah I've had a look through MiCase and the mailbox and can't find what he's referring to. It may be with his constituency office, but I'll double check.

Thanks,

REDACTED | Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur
Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Mob: |
Email: MinisterPFPCW@gov.scot

From: REDACTED@gov.scot
Sent: 23 February 2022 08:25
To: Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>
Subject: Diary case - Emma Harper - 28 day rule / shooting ranges

Hi REDACTED

Thanks again for setting up yesterday's PDR meeting with Mr Arthur, which was really helpful and gives us a very clear steer to draft the consultation document.

At the start of the meeting he mentioned a Micase in which Emma Harper MSP had requested a meeting, connected to use of land for a firing range under the PDR which allows temporary changes of use of land ('28 day rule'). It sounded as though Mr Arthur was minded to accept the meeting request and may require some briefing.

We've had a look on the system and can't see this specific case (although there has been a lot of previous correspondence connected to these firing ranges...). I was just wondering – is this a brand new Micase which has yet to be added to the system?

Thanks
REDACTED

DOCUMENT 4 – E-MAIL DATED 11 APRIL 2022 WITH ATTACHMENTS

From: REDACTED@gov.scot **On Behalf Of** MinisterforPublicFinance,Planning&CommunityWealth
Sent: Monday, April 11, 2022 11:10 AM
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: FW: Correspondence from Emma Harper MSP

Morning REDACTED

Please see the attached correspondence from Ms Harper on the 28-day rule shooting range issue. In the letter it states a date has been agreed for the 18 April to meet – I wasn't aware of this but Mr Arthur seems to be, has anything come through you that has suggested a date? If not I'll go back to Ms Harper's office for time etc.

Thanks,

REDACTED | Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur
Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Email: MinisterPFPCW@gov.scot

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Attachment to document 4 – covering email and letter

From: REDACTED@parliament.scot>

Sent: 11 April 2022 10:02

To: Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>

Subject: Correspondence from Emma Harper MSP

Good morning,

Please find attached correspondence from Emma Harper MSP. Please let me know if you have any questions or require any further information.

Ms Harper looks forward to hearing back from you soon.

Kind regards,
REDACTED

REDACTED (He/Him/His) | Head of Office to Emma Harper MSP

Email: REDACTED@parliament.scot

Office: M4.06, The Scottish Parliament, Edinburgh, EH99 1SP

GDPR

The new Data Protection Act 2018 is in effect and sets clear guidelines about how we use and store your personal data. For further information please visit the link below or contact us at any time:

<http://www.itspubliknowledge.info/home/ScottishInformationCommissioner.aspx>

Emma Harper MSP sends out occasional email updates. Please let us know if you would not like to receive them.

All lobbying must be registered. Please visit the following link for further information.

Lobbying Register Clàr-coiteachaidh www.lobbying.scot



Attachment to document 4 - letter from Emma Harper MSP dated 8 April 2022

Tom Arthur MSP
Minister; Public Finance, Planning, Community Wealth The
Scottish Government
By Email Only

08/04/22

**Scottish Government Reference: 202100226630 Shooting Ranges
Operating Using 28-day planning permission**

Dear Tom,

I hope you are well and taking care.

I'm writing, in response to your reply to the above case reference number regarding the issue of shooting ranges across Eskdalemuir, Dumfries and Galloway, operating under Permitted Development Rights, as allowed under the planning Scotland Act. I am aware that we are meeting on the 28th of April, but I thought it would be helpful to set out my asks, in writing, ahead of the meeting.

In my letter to you, I set out the concerns of members of the community in Eskdalemuir, and of the Kagyu Samye Ling Buddhist Monastery, regarding the current operations of the Over Cassock and Clerkhill rifle ranges. As indicated in my letter, both ranges are currently operating under permitted development rights, as set out in the Planning Scotland Act. The operations of both ranges include, but are not limited to, dynamic and target shooting with weapons, including high velocity weapons of up to 50 calibre.

While I appreciate that you indicated that you cannot comment on the safety of these operations as this is a matter for the Police, the community are extremely anxious about the safety of the shooting activity, particularly as Over Cassock is located extremely close to the Southern Upland Way and the Roman road and Reivers Pathway. I have contacted Police Scotland regarding these concerns, but they have stated that the ranges are "operating within the law" and that there is no action which will be taken.

As indicated in your letter, both ranges originally had planning applications submitted for full use as rifle ranges. These applications had to be withdrawn as Dumfries and Galloway Council treated them as local developments, and not as major planning applications. They have since been resubmitted and there is a Proposal of Application Notice (PAN) which is currently being consulted on –although concerns have been raised over this consultation process as it has largely been online. However, many residents across Eskdalemuir do not have fast or reliable internet access. I have raised these concerns with the planning consultants and with D&G Council.

What would help to improve this situation, and indeed help to address the concerns of the community, is if the Scottish Government would consider laying a Ministerial Direction before the Scottish Parliament to amend the exclusion criteria for permitted development rights, so that it includes rifle shooting activity. Indeed, as you will be aware, there exists substantial case law for this change to be made.

Under the Planning Scotland Act, permitted development rights allow for a temporary use of land for a use different to its lawful use for up to 28 days in a

calendar year, other than as a caravan site or open-air market. My ask is that this exclusion criteria include rifle shooting, so that any rifle range must go through a major planning application. This would close a loophole which is being exploited by gun club Operators.

As an example of how this could work, class 15 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, specifically allows for the "use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site or an open-air market, on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purposes of that use".

This could be amended to state: *"use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site, an open-air market or land for the purposes of rifle shooting activity, on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purposes of that use".*

Should this change occur, it would ensure that those legitimately wishing to open gun clubs and rifle ranges are subject to the robust planning process and it would ensure that the voices of communities are heard and that communities can have their say as part of a proper consultation. It would also close a current loophole in the law which essentially allows for unrestricted shooting activity. Indeed, with reference to Eskdalemuir, this change would also stop the current shooting activity which is still able to take place due to this loophole, even though there is a planning application submitted.

This change would be beneficial to the community of Eskdalemuir, and to the Samye Ling Monastery, as planning would be subjected to robust scrutiny.

I look forward to discussing these asks with you in more detail. However, please don't hesitate to contact me at any time, should you require any further information.

Kind regards,

**EMMA HARPER MSP
REPRESENTING SOUTH SCOTLAND**

DOCUMENT 5 – SUBMISSION TO MINISTER 16 DECEMBER 2022 AND 19 DECEMBER 2022 RESPONSE

From: REDACTED@gov.scot

Sent: 16 December 2022 08:56

To: Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>

Cc: Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights <MinisterZCBATTR@gov.scot>; Minister for Community Safety <MinisterforCS@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Cabinet Secretary for Finance and Economy <CabSecFE@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Neill S (Sean) <Sean.Neill@gov.scot>; Chief Planner <Chief.Planner@gov.scot>;

REDACTED@gov.scot (multiple)

Subject: Submission to Tom Arthur MSP, Minister for Public Finance, Planning and Community Wealth. Permitted development rights review - phase 3 - scope of consultation

Please find attached a submission of Mr Arthur. The submission sets out our proposals for consideration of permitted development rights (PDR) in phase 3 of the ongoing review of PDR, and seeks Mr Arthur's approval to proceed in drafting a consultation document on the proposed PDR for issue in early 2023.

As per the stakeholder update issued by the Chief Planner in October, the intention is that phase 3 should focus on renewable energy. **REDACTED Regulation 10(4)(e) – internal communications**

REDACTED

Planning, Architecture and Regeneration Division

Attachment to Document 5 - Submission

From: REDACTED
Planning, Architecture & Regeneration Division
16 December 2022

Minister for Public Finance, Planning and Community Wealth

PERMITTED DEVELOPMENT RIGHTS REVIEW – PHASE 3 – SCOPE OF CONSULTATION

Priority and Purpose

Routine

Recommendation

That you agree the recommended scope of the phase 3 PDR review consultation set out at paragraph 8.

Context and Issues

Permitted development rights (PDR) refer to types of development which are granted planning permission through national legislation: specifically, the Town and Country (General Permitted Development) (Scotland) Order 1992 (GPDO). PDR enable development to be carried out without having to seek permission from the relevant authority. In doing so, they can help provide certainty for developers and save the time and expense associated with preparing a planning application. They can also reduce administrative burdens on planning authorities. A review of PDR is being undertaken as part of the wider planning reform programme. The review is being taken forward in phases, each of which is focussing on particular development types. Through Phase 2 we are introducing new and extended PDR for EV charging equipment, town centres changes of use and operational port development. **REDACTED Regulation 10(4)(e) – internal communications**

To enable us to move forward swiftly with the development and publication of consultation proposals in the New Year, this submission seeks your agreement to the overall scope of Phase 3.

Options Considered and Advice

REDACTED Regulation 10(4)(e) – internal communications. we propose to use Phase 3 to consult on the following:

Issue/Topic	Summary of potential proposal and key issues to note
Domestic renewables & energy efficiency	<u>REDACTED Regulation 10(4)(e) – internal communications</u>
Non domestic solar panels	
Other non-domestic renewables equipment	
Solar canopies in car parks	

Substations	
Flues for domestic boilers	
Shooting ranges	You gave a verbal commitment to Emma Harper MSP to consider this change in response to concerns about shooting activity at Eskdalemuir.

Bute House Agreement Implications

The PDR review programme is not covered by the Bute House Agreement. If taken forward, the Phase 3 proposals would nevertheless help to support wider commitments, most notably in respect of promoting renewable energy and tackling climate change.

Financial and Legal Considerations

These will be considered as consultation proposals are worked up. PDR are a well-established means of providing planning freedoms and flexibilities; no significant legal issues are anticipated. Financial implications will be considered through the Business and Regulatory Impact Assessment (BRIA) process.

REDACTED Regulation 10(4)(e) – internal communications

Quality Assurance

This submission has been approved by Fiona Simpson (Chief Planner).

Conclusions and Next Steps

REDACTED Regulation 10(4)(e) – internal communications

REDACTED

Planning, Architecture and Regeneration Division

Cabinet Secretaries and Ministers Copy List	For Action	For Information Portfolio interest	For Information Constituency interest	For Information General awareness
Deputy First Minister / Cabinet Secretary for Finance and Economy		X		X
Cabinet Secretary for Net Zero, Energy and Transport		X		X
Cabinet Secretary for Social Justice, Housing and Local Government		X		X

Cabinet Secretaries and Ministers Copy List	For Action	For Information Portfolio interest	For Information Constituency interest	For Information General awareness
Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights		X		X
Minister for Community Safety				X

Officials Copy List
DG Communities DG Economy DG Net Zero Sean Neill, Director: LG and Communities Fiona Simpson, Chief Planner Redacted (Multiple)

Response to Submission (Document 5)

From: REDACTED@gov.scot **On Behalf Of** Minister for Public Finance, Planning & Community Wealth

Sent: 19 December 2022 10:26

To: REDACTED; Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>

Cc: Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights <MinisterZCBATTR@gov.scot>;

Minister for Community Safety <MinisterforCS@gov.scot>; Deputy First Minister and Cabinet Secretary for

Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport

<CabSecNetZET@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>;

Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Cabinet

Secretary for Finance and Economy <CabSecFE@gov.scot>; DG Communities <DGCommunities@gov.scot>;

DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Neill S (Sean)

<Sean.Neill@gov.scot>; Chief Planner <Chief.Planner@gov.scot>;

REDACTED@gov.scot (multiple)

Subject: RE: Submission to Tom Arthur MSP, Minister for Public Finance, Planning and Community Wealth. Permitted development rights review - phase 3 - scope of consultation

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team [in line with SG records management policy.](#)

Morning REDACTED

Mr Arthur is content with the recommendation.

Thanks,

REDACTED | Private Secretary to Minister for Public Finance, Planning and Community Wealth – Tom Arthur

Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG | Email:

MinisterPFPCW@gov.scot

Please check our [Ministerial Preferences](#)

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DOCUMENT 6 – EMAIL DATED 19 DECEMBER 2022

From: REDACTED@gov.scot
Sent: 19 December 2022 14:19
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot
Subject: PDR Phase 3 - who does what
When: 09 January 2023 15:00-15:45 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.
Where: Microsoft Teams Meeting

Hi all

The Minister has approved the scope of the Phase 3 consultation, which is to include the topics/development types in the table below.

I thought it'd be worth a chat early in January to discuss dividing up the topics amongst the team. This should hopefully allow us to pull together the consultation more swiftly than if it was all on one person to take forward. **REDACTED Regulation 10(4)(e) – internal communications**

Thanks
REDACTED

Topic/issue	Relevant GPDO class(es)
Domestic renewables & energy efficiency	Various, incl. 1D, 2B, 3B, 4A, 6D, 6E, 6G, 6H
Non domestic solar panels	6J
Other non-domestic renewables equipment	6I, 6K, 6L, 6M
Solar canopies in car parks	N/A (although new class 9M)
Substations	40
Flues for domestic boilers	6C, 6F
Temporary shooting ranges	15

DOCUMENT 7 – EMAIL OF 20 DECEMBER 2022 WITH ATTACHMENT

From: REDACTED@gov.scot
Sent: 20 December 2022 08:10
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: FW: Briefing for possible meeting Tom Arthur and Emma Harper MSP - rifle ranges

REDACTED

Regarding the phase 3 consultation, the attached briefing may be a good starting point for the rifle ranges PDR
REDACTED

Attachment to document 7 (covering email and attachment)

From: REDACTED@gov.scot
Sent: 22 April 2022 08:35
To: Chief Planner <Chief.Planner@gov.scot>; REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: Briefing for possible meeting Tom Arthur and Emma Harper MSP - rifle ranges

Fiona, others

Attached a draft briefing for a possible meeting between the Minister and Emma Harper MSP regarding rifle ranges.

REDACTED Regulation 10(4)(e) – internal communications

The driver behind the matter is that there has been some operation of rifle ranges near the samye ling monastery Ms Harper's constituency, ostensibly using the 28 day rule to operate without planning permission. Ms Harper and a large number of residents are concerned about the operation of the ranges and Ms Harper is seeking an amendment to the 28 day rule to exclude rifle ranges.

REDACTED Regulation 10(4)(e) – internal communications

Happy to discuss
REDACTED

Briefing for Tom Arthur MSP, Minister for Public Finance, Planning and Community Wealth

Meeting with Emma Harper MSP regarding applications for the operation of shooting ranges at Eskdalemuir.

Background

Ms Harper has raised concerns on behalf of constituents regarding the operation of several rifle ranges near the Samye Ling Monastery in Eskdalemuir, Dumfries and Galloway.

Of particular concern is the fact that, under current planning legislation, the rifle ranges can operate for up to 28 days in any calendar year without planning permission being required for any change of use. Ms Harper considers that this allows significant disruption and safety concerns for her constituents and is seeking an amendment to the '28 day rule' to exclude use of land for a shooting range.

Separately, there has been some controversy about the handling of both the initial decision that the 28 day rule applied and subsequent planning applications by Dumfries and Galloway Planning Authority. These issues are covered below.

The '28 day rule' in planning

The term '28 day rule' is an informal reference to class 15 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

- **Class 15.** The use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site or an open air market, on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purposes of that use.

Essentially, the effect of class 15 is to allow a temporary activity, or different use, to take place on land for up to 28 days without the need to apply for planning permission for that use. Should the use exceed 28 days, planning permission may be required. As always it would be for the relevant planning authority to consider whether the change of use was material and therefore required consent. Moveable structures associated with the temporary use can be placed on the land during the 28 day period but must be removed from the land at other times.

The 28 days is a cumulative total measured over the calendar year and can be split between multiple periods of 1 or more days. It should be noted, however, that the 28 day total includes any time setting up or dismantling any structures associated with the change of use. **REDACTED Regulation 10(4)(e) – internal communications**

Class 15 and planning permission for rifle ranges in the Eskdalemuir area

We are aware that there are several rifle ranges which have been, or are, in operation in Eskdalemuir ostensibly under the 28 day rule. We also understand that Dumfries and Galloway planning authority have accepted that at least some of the ranges do not meet the requirements of the 28 day rule in relation to the fact that 'earthworks, embankments, buildings, fencing, roads and car parks do not comprise moveable structures'. The planning authority are now considering enforcement action.

A planning application was lodged for one of the ranges, however the planning authority refused to determine it due to a dispute over the area of land identified in the application. The applicant maintained the application should be considered as a local application, while the planning authority maintained that it should be treated as a major application. As a result, the applicant appealed on the grounds of non-determination. The reporter considering the appeal upheld the planning authority view that the application was indeed a major application and that as such, the requirements for pre-application notification had not been met. The appeal was dismissed.

It has also been stated in correspondence from various parties on this matter that there has been a judicial review into the authorities handling of the matter. However it is unclear whether any such review has in fact taken place, or indeed what was the subject of the judicial review. The Scottish Government cannot comment on such matters.

Major applications and the requirement for pre-application notification.

As noted above, the planning authority, and the Scottish Government, are of the view that the rifle ranges constitute major developments, due to the area of land covered. We understand that the planning process for a major application for one of the ranges has begun and that other applications may follow.

In her letter, Ms Harper raises concerns around the pre- application notification (PAN) process in relation to the proposed planning application. The pre-application process is an opportunity for the community to comment on the proposed development but it is conducted by the applicant – we cannot comment on that matter either.

DOCUMENT 8 - E-MAIL DATED 16 JANUARY 2023

From: REDACTED@gov.scot
Sent: 16 January 2023 14:27
Subject: RE: PDR Phase 3 - who does what

Hi all

Ahead of this afternoon's chat, just a reminder – here's skeleton Ph 3 consultation: [PDR Review - Phase 3 - Consultation Document details - Objective ECM \(scotland.gov.uk\)](#) and a summary of the topics.

Cheers

REDACTED

Non-Domestic Renewables
Solar panels on non-domestic buildings
Solar canopies
Other non-domestic renewables (might want to cover off biomass etc given flues)
Domestic Renewables and Efficiency Improvements
Domestic solar energy equipment
Other domestic renewables
Energy efficiency improvements (principally replacement windows...)
Flues for certain domestic heating systems
Other Phase 3 Proposals
Electricity substations
Temporary use of land: shooting ranges

DOCUMENT 9 – E-MAIL DATED 6 APRIL 2023

From: REDACTED@gov.scot
Sent: 06 April 2023 15:48
To: REDACTED@gov.scot (multiple)
Subject: PDR Review: Draft Phase 3 Consultation Document

Hi all

I've spoken to most of you in recent weeks about the forthcoming consultation on the third phase of [our permitted development rights \(PDR\) review](#).

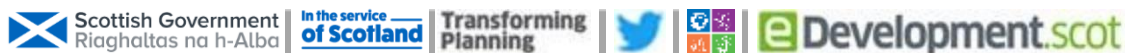
Phase 3 is focussed primarily on new and extended PDR for domestic and non-domestic renewable energy equipment (solar panels, heat pumps, turbines) but also includes proposals on replacement windows, domestic flues, reverse vending machines, development undertaken by electricity undertakers and temporary rifle ranges. So it covers quite a bit of ground. I have sent to you for awareness/comment because I anticipate you'll have a policy interest in one or more elements, but please do forward on if you think there are others who should have sight before it's finalised. The first substantive draft (minus the electricity undertakers chapter which is being progressed separately) can be viewed here: [PDR Review - Phase 3 - Consultation Document details - Objective ECM \(scotland.gov.uk\)](#).

If you have any comments or questions on the draft, please could you provide them by close **Friday 21 April**. From there we will be going to Ministerial clearance with a view to publication in mid/late May.

Please give me a shout if you'd find it helpful to discuss in person or on teams.

Thanks
REDACTED

Planning, Architecture & Regeneration
Scottish Government



DOCUMENT 10 – SUBMISSION TO MINISTER DATED 18 APRIL 2023 AND 19 APRIL 2023 RESPONSE

From: REDACTED@gov.scot

Sent: 18 April 2023 09:30

To: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Energy 2023 <MinisterEnergy@gov.scot>; Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights <MinisterZCBATTR@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernmentandHousing@gov.scot>; Chief Planner <Chief.Planner@gov.scot>; Fiona Simpson <Fiona.Simpson@gov.scot>; Jeanette Campbell <Jeanette.Campbell@gov.scot>; REDACTED@gov.scot (multiple)

Subject: Submission: Permitted Development Rights Review - Phase 3 - Background

Hi REDACTED

Please find attached submission providing Mr FitzPatrick with background on our review of permitted development rights (PDR).

We have committed to consult on Phase 3 of the review in the Spring, and are aiming to publish the consultation document towards the end of May.

Clearance for the draft consultation document will be sought in the first couple of weeks of May. As noted at paragraph 13 of the submission, we would be happy to provide additional briefing in the meantime if the Minister would find that helpful.

Best wishes

REDACTED

Planning, Architecture & Regeneration
Scottish Government

Attachment to Document 10 - submission dated 18 April 2023

From: REDACTED
Planning, Architecture and Regeneration Division
18 April 2023

Minister for Local Government Empowerment and Planning

PERMITTED DEVELOPMENT RIGHTS REVIEW – PHASE 3 – BACKGROUND

Priority and Purpose

Routine. The purpose of this submission is to provide background information on the Scottish Government's phased review of permitted development rights (PDR) in advance of clearance being sought for the Phase 3 consultation document, which we have committed to publish in Spring 2023.

Recommendation

That you note the next steps and timing.

Context and Issues

PDR refer to types of development which are granted planning permission through national legislation, meaning they can be carried out without a planning application. Specifically, PDR are contained within the Town and Country (General Permitted Development) (Scotland) Order 1992 ("GPDO"). PDR can help provide certainty for developers and save the time and expense associated with preparing a planning application. They can also reduce administrative burdens on planning authorities, allowing them to focus resources on more complex and/or strategic cases.

Most PDR are subject to conditions and limitations. These may, for example, specify the maximum size or scale of what is permitted, restrict or dis-apply rights in certain locations (e.g. conservation areas) or provide that the PDR only apply to certain developers (e.g. local authorities). Proposed developments that do not fall within the scope of PDR must be the subject of a planning application.

The Scottish Government is undertaking a review of PDR in Scotland as part of the wider planning reform programme. The review is being taken forward in phases, with each phase focussing on particular development types. Phase 2 concluded at the end of March, with the [coming into force of new PDR related to electric vehicle \(EV\) charging equipment, ports and town centre changes of use](#).

The scope and phasing of the review is kept under review to ensure that it reflects wider Scottish Government priorities. In October 2022, the then Minister for Public Finance, Planning and Community Wealth and the Chief Planner [wrote to stakeholders](#) to confirm that, in light of the cost and climate crises, Phase 3 of the review will focus on PDR for domestic and non-domestic renewable energy equipment.

REDACTED Regulation 10(4)(e) – internal communications

Bute House Agreement Implications

The PDR review programme is not covered by the Bute House Agreement. However, the Phase 3 proposals would clearly support wider commitments to promote renewable energy

and tackle climate change.

Financial and Legal Considerations

PDR are an established legal mechanism for providing planning freedoms and flexibilities - no significant legal issues are anticipated. If taken forward following the consultation, the measures would be implemented through a statutory instrument (negative procedure). The financial impacts of the proposals are being considered through a Business and Regulatory Impact Assessment (BRIA) which will accompany the Phase 3 consultation.

REDACTED Regulation 10(4)(e) – internal communications

Quality Assurance

This submission has been approved by Fiona Simpson, Chief Planner.

Conclusions and next steps

We will send a further submission at the start of May seeking your clearance to publish the Phase 3 consultation paper (and associated BRIA). Subject to this, our intention is to launch the consultation on **25 May**. In the meantime, we would be happy to provide a more detailed briefing on PDR and the Phase 3 proposals if you would find that beneficial.

REDACTED

Planning, Architecture and Regeneration Division (PARD)

Annexes

Annex A: Summary of Draft Phase 3 Proposals

Cabinet Secretaries and Ministers Copy List	For Action	For Information Portfolio interest	For Information Constituency interest	For Information General awareness
Deputy First Minister		X		X
Cabinet Secretary for Net Zero and Just Transition		X		X
Minister for Energy		X		X
Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights		X		X
Minister for Green Skills, Circular Economy and Biodiversity		X		X

Officials Copy List
DG Communities DG Economy DG Net Zero

Officials Copy List
Sean Neill, Director: LG and Communities Fiona Simpson, Chief Planner Jeanette Campbell, Special Adviser REDACTED (multiple)

Annex A: Summary of Draft Phase 3 Proposals

Theme	Summary of Proposals
Domestic renewables	<u>REDACTED Regulation 10(4)(e) – internal communications</u>
Non-domestic renewables	
Energy efficiency	
Electricity networks	
Other proposals	<u>REDACTED Regulation 10(4)(e) – internal communications</u> <u>Temporary shooting ranges</u> <ul style="list-style-type: none"> Exclude firing ranges from scope of existing PDR for temporary uses of land (NB: verbal commitment to explore this given to Emma Harper MSP by previous Minister).

From: REDACTED@gov.scot **On Behalf Of** Minister for Local Government Empowerment & Planning

Sent: 19 April 2023 10:21

To: REDACTED@gov.scot; Minister for Local Government Empowerment & Planning

<MinisterLGEP@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Energy 2023 <MinisterEnergy@gov.scot>; Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights <MinisterZCBATTR@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernmentandHousing@gov.scot>; Chief Planner <Chief.Planner@gov.scot>; Fiona Simpson <Fiona.Simpson@gov.scot>; Jeanette Campbell <Jeanette.Campbell@gov.scot>; REDACTED@gov.scot (multiple)

Subject: RE: Submission: Permitted Development Rights Review - Phase 3 - Background

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team [in line with SG records management policy.](#)

Hi REDACTED

Mr FitzPatrick has commented that timing seems fine but added it would be good to chat through the proposals, particularly regarding installation of RVMs on the road/pavement and the free-standing turbines.

Thanks,

REDACTED

REDACTED (she/her)

Private Secretary to the Minister for Local Government Empowerment and Planning – Joe FitzPatrick MSP

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

E: MinisterLGEP@gov.scot



Scottish Government
Riaghaltas na h-Alba
gov.scot

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Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

DOCUMENT 11 – E-MAIL CHAIN ENDING 24 APRIL 2023 AND CALENDAR INVITE TO MEETING ON 25 APRIL 2023

From: REDACTED@gov.scot
Sent: Monday, April 24, 2023 2:58 PM
To: REDACTED@gov.scot
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Thanks REDACTED

REDACTED Regulation 10(4)(e) – internal communications

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 24 April 2023 12:37
To: REDACTED@gov.scot
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Thanks REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Thanks,

REDACTED
Firearms Policy Support Officer
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 24 April 2023 12:00
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED (multiple)

Thanks for your emails last week and passing on these draft consultation docs. I've just accepted the catch up tomorrow, however I'm afraid that due to other urgent priorities I won't have time to look at the drafts at all in advance of the meeting. I'm happy to log on for an initial discussion – but, depending on the timescales you're working to it might be worth postponing the call until next week so I'm able to properly consider the draft & context? Completely your call.

Kind regards

REDACTED
Firearms Policy

MEETING REQUEST ON CALENDAR FOR TUESDAY 25 April 2023

From REDACTED@gov.scot
Sent: Wed 19/04/2023 09:27
To: REDACTED@gov.scot (multiple)
Subject: Permitted Development Rights - Review

Hi all

I am sending this invite for a chat for a short discussion to assist PARD in refining their draft Phase 3 Permitted Development Rights (PDR) consultation which, amongst other things, includes firing ranges.

Previously REDACTED and I have had a very brief chat - simply a heads up that a consultation was forthcoming and, as a result of a commitment given by our former Minister to Emma Harper MSP, that we would consider reviewing the temporary use of land, to exclude such activities, as part of the wider review programme. The PDR currently allows the use of such activities to take place on a temporary basis for no more than 28 days in total in a calendar year. Emma Harper's interest stems from the shooting activity that had been taking place at Eskdalemuir and had been quite controversial in terms of potential noise and safety issues. Ms Harper has lobbied Ministers for an amendment to the planning regs. There has also been a lot of opposition to the shooting activities being in close vicinity to the Samye Ling Tibetan Buddhist Monastery .

I appreciate from chatting to REDACTED that it may also be beneficial for the chat to be widened to Police contacts who have the expertise on the operational side. We are intending running the consultation for 12 weeks from end of May to mid August, so there will be opportunities within that timescale for such engagement as required.

I will send a separate e-mail including our draft consultation and an extract from the related sustainability appraisal for REDACTED and REDACTED' s benefit.

I am due to be on leave next Tuesday – so I have extended the invite to REDACTED in my absence.

Many thanks

REDACTED

DOCUMENT 12 – E-MAIL CHAIN ENDING 27 APRIL 2023 (DRAFTING – POLICY)

From: REDACTED@gov.scot
Sent: Thursday, April 27, 2023 4:17 PM
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

These tweaks look extremely helpful – thank you. I'll incorporate into the draft master version of the consultation document.

REDACTED Regulation 10(4)(e) – internal communications

Thanks again – really appreciate you looking at this at short notice.

Cheers
REDACTED

From: REDACTED@gov.scot
Sent: 27 April 2023 16:03
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED & co

Thanks again for the discussion on Tuesday – as promised REDACTED & I have considered the section you'd highlighted below and suggested some edits in the attachment.

REDACTED Regulation 10(4)(e) – internal communications

If the proposals are to go for SGLD consideration then our legal contact is REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Kind regards

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: Thursday, April 27, 2023 3:51 PM
To: REDACTED@gov.scot
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Thanks

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 27 April 2023 15:37
To: REDACTED@gov.scot
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Please let me know if it would be helpful like to discuss, although, given the deadline, you'll likely want to send our comments to planning at this stage.

Thanks,

REDACTED
Firearms Policy Support Officer
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 27 April 2023 14:47
To: REDACTED@gov.scot
Subject: FW: Permitted Development Rights on excluding certain shooting activities
Importance: High

Hi REDACTED

I've taken a look at planning's draft consultation paper and tracked in some suggestions, attached. **REDACTED Regulation 10(4)(e) – internal communications**

Appreciate there's not much time but could you take a look this afternoon and let me know if you spot any glaring errors, or have any further concerns? I'd like to get this back to REDACTED before I finish up today.

Much appreciated,

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 24 April 2023 15:42
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Thanks REDACTED

For purposes of tomorrow's chat, the latest version of the consultation can be viewed here: [PDR Review - Phase 3 - Consultation Document details - Objective ECM \(scotland.gov.uk\)](#). The section on temporary rifle/firearm ranges is on **page 46** (it's a shade over one side of A4).

Cheers

REDACTED

From: REDACTED@gov.scot

Sent: 24 April 2023 14:29

To: REDACTED@gov.scot (multiple)

Cc: REDACTED@gov.scot (multiple)

Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

No problem, happy to catch up tomorrow.

Cheers

REDACTED

Firearms Policy

Safer Communities Division

Scottish Government

From: REDACTED@gov.scot

Sent: 24 April 2023 14:16

To: REDACTED@gov.scot (multiple)

Cc: REDACTED@gov.scot (multiple)

Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Thanks for your email.

We're working to pretty tight timescales to get the document finalised, so it would be good to have the conversation tomorrow even if you haven't had chance to review the draft consultation extract before then. I think it'd be helpful to have a brief chat over the context/proposal and test our thinking on a couple of points. We probably only need 30 mins rather than a full hour.

Thanks

REDACTED

From: REDACTED@gov.scot

Sent: 24 April 2023 12:00

To: REDACTED@gov.scot (multiple)

Cc: REDACTED@gov.scot (multiple)

Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Thanks for your emails last week and passing on these draft consultation docs. I've just accepted the catch up tomorrow, however I'm afraid that due to other urgent priorities I won't have time to look at the drafts at all in advance of the meeting. I'm happy to log on for an initial discussion – but, depending on the timescales you're working to it might be worth postponing the call until next week so I'm able to properly consider the draft & context? Completely your call.

Kind regards

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 20 April 2023 17:09
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: Permitted Development Rights on excluding certain shooting activities

Hi folks

Further to my exchanges and meeting request sent earlier this week, I now attach the latest draft of the Phase 3 consultation (section 6.3) together with an extract from the related draft sustainability appraisal. This gives further background info prior to the meeting that I have set up for next Tuesday. **PLEASE NOTE THAT THOSE ARE WORKING DOCUMENTS AND ARE FOR YOUR OWN INFO ONLY IN ORDER TO UNDERSTAND THE CONTEXT.**

I am sure the discussion will be useful in sharing an understanding on this issue and will certainly benefit PARD in refining the consultation doc by using the correct terminology.

Many thanks indeed and I can pick up with colleagues next Wednesday on my return.

REDACTED



REDACTED Development Delivery | Planning, Architecture and Regeneration Division | Scottish Government

DOCUMENT 13 – E-MAIL CHAIN ENDING 27 APRIL 2023 (BRIA, EQIA ETC DRAFTING)

From: REDACTED@gov.scot
Sent: Thursday, April 27, 2023 4:28 PM
To: REDACTED@gov.scot (multiple)
Subject: RE: Phase 3 PDR - couple of points

REDACTED Regulation 10(4)(e) – internal communications

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government |



From: REDACTED@gov.scot
Sent: 27 April 2023 16:05
To: REDACTED@gov.scot (multiple)
Subject: RE: Phase 3 PDR - couple of points

Hi REDACTED

Just to supplement what REDACTED said, the attached came in from REDACTED just this minute.

Not reviewed yet.

Thanks

REDACTED

From: REDACTED@gov.scot
Sent: 27 April 2023 15:52
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot
Subject: RE: Phase 3 PDR - couple of points

Hi REDACTED

Thanks for your e-mail on those points.

I will update all the docs to ensure all reads well by stating 'replacement of windows to improve energy efficiency'.

On the other issue re rifle range/firing range being used interchangeably in current draft. REDACTED and REDACTED met with Firearms policy leads earlier this week and we hope to have confirmation from the leads as to the accurate terminology we can use in the consultation. **REDACTED Regulation 10(4)(e) – internal communications**

Have a good long weekend.

REDACTED

From: REDACTED
Sent: 27 April 2023 13:51

To: REDACTED (multiple)

Subject: Phase 3 PDR - couple of points

Hi

A couple of things:

REDACTED – **REDACTED Regulation 10(4)(e) – internal communications**

REDACTED – **REDACTED Regulation 10(4)(e) – internal communications**

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government |

DOCUMENT 14 – E-MAIL CHAIN ENDING 2 MAY 2023 (DRAFTING – BRIA)

From: REDACTED@gov.scot

Sent: Tuesday, May 2, 2023 3:50 PM

To: REDACTED@gov.scot (multiple)

Subject: RE: Phase 3 PDR Consultation - Draft BRIA for comment - grateful for responses by Friday 5 May please.

Hi All

(Thanks REDACTED)

- 1) I have looked at the fee examples and performance categories again. Attached includes a table with my selections. I am not intending to specifically allocate a fee or performance category to specific development types in the bRIA itself – so not attempt at detailed interpretation of the fees regs or stats instructions. My only concern is any erroneous inclusions or omissions as regard fee categories or performance categories might understate or overstate savings or costs.

REDACTED Regulation 10(4)(e) – internal communications

- 2) REDACTED – on rifle ranges/ target shooting ranges – these could involve temp use of land and temp moveable structures on the land. That suggests fees for change of use and other ops. I wasn't clear from circular or regs how that was to be calculated.

REDACTED Regulation 10(4)(e) – internal communications

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government



From: REDACTED@gov.scot

Sent: 02 May 2023 08:43

To: REDACTED@gov.scot (multiple)

Subject: RE: Phase 3 PDR Consultation - Draft BRIA for comment - grateful for responses by Friday 5 May please.

Hi REDACTED

I have had a look and responded to your comments and attach the guidance for the stats which gives a brief explanation of the categories.

Happy to discuss.

REDACTED | Planning Improvement | Planning, Architecture & Regeneration | Scottish Government

From: REDACTED@gov.scot
Sent: 28 April 2023 15:33
To: REDACTED@gov.scot (multiple)
Subject: RE: Phase 3 PDR Consultation - Draft BRIA for comment - grateful for responses by Friday 5 May please.

Thanks REDACTED
I think it's looking ship shape; just a couple of minor suggestions from me.
Cheers
REDACTED

From: REDACTED@gov.scot
Sent: 27 April 2023 13:12
To: REDACTED@gov.scot (multiple)
Subject: Phase 3 PDR Consultation - Draft BRIA for comment - grateful for responses by Friday 5 May please.

Hi All

Grateful for comments/ amendments as regards your interests, or more generally, on this draft BRIA. Replies by or before Friday 5 May appreciated.

I have based it on the latest draft of the consultation paper – not sure how much that is still evolving.

REDACTED – a PDR blast from the past! I have indicated a couple of places where I am referring to the fees for applications for developments involved and performance stats, and have a couple of queries. Grateful if one of you could have a look and comment/ amend as appropriate.

'PDR Review - Phase 3 - Assessments - BRIA' -
<https://erdm.scotland.gov.uk/documents/A43068733/details>

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government



Attachment to Document 14

FEES AND STATS CATEGORIES FOR PHASE 3 PDR PROPOSALS

Fee			Stats category	
Domestic			Domestic	
Solar	Householder	REDACTED Regulation 10(4)(e) – internal communications	Solar	Householder
ASHP	Householder		ASHP	Householder
Wind Turbine (dwelling)	Householder		Wind Turbine (dwelling)	Householder

Wind Turbine (Stand Alone)	Householder		Wind Turbine (Stand Alone)	Householder
Gound/ Water pumps	Householder		Ground/ Water pumps	Householder
Flues	Householder		Flues	Householder
Window Replacement	Householder		Window Replacement	Householder
Non-Domestic			Non-Domestic	
Solar	Solar Generation?		Solar	Electricity generation
Solar Canopies	Solar Generation ?		Solar Canopies	Electricity generation
ASHP	Plant and machinery		ASHP	B& I/ Other
Ground/ Water Pumps	Plant and machinery		Ground/ Water Pumps	B& I/ Other
Window Replacement	Oher Ops		Window Replacement	B& I/ Other
RVM	Non-residential building works		RVM	B& I/ Other
Target Shooting Ranges	Change of Use of Land/ Other Ops?		Target Shooting Ranges	B& I/ Other
Electricity Undertakings			Electricity Undertakings	
Bigger substations/ chambers	Non-residential building works		Bigger substations/ chambers	B& I/ Other
Site Investigation works	Other Ops		Site Investigation works	B& I/ Other
Communications lines	Plant and machinery		Communications lines	B& I/ Other
Gates Walls and Fences	Non-residential building works		Gates Walls and Fences	B& I/ Other
Remove prior approval for new buildings on operational land	Prior Approval Fee		Remove prior approval for new buildings on operational land	Prior notification/ Prior approval

Fees REDACTED Regulation 10(4)(e) – internal communications

Stats REDACTED Regulation 10(4)(e) – internal communications

DOCUMENT 15 – EMAIL CHAIN ENDING 4 MAY 2023

From: REDACTED@sacs.org.uk
Sent: Thursday, May 4, 2023 4:57 PM
To: REDACTED@gov.scot
Subject: RE: DRAFT consultation paper re planning permission exemption for shooting ranges

Good afternoon REDACTED

Re the attached and below, can I offer the following.

REDACTED Regulation 10(5)(f) – third party interests

Best regards.

REDACTED

From: REDACTED@gov.scot
Sent: Wednesday, May 3, 2023 10:04 AM
To: REDACTED@sacs.org.uk
Subject: Re: DRAFT consultation paper re planning permission exemption for shooting ranges

REDACTED Regulation 10(5)(f) – third party interests

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@sacs.org.uk
Sent: 03 May 2023 09:57
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot
Subject: Re: DRAFT consultation paper re planning permission exemption for shooting ranges

REDACTED Regulation 10(5)(f) – third party interests

Best regards.

REDACTED

From: REDACTED@gov.scot
Sent: Wednesday, May 3, 2023 9:46:08 AM
To: REDACTED@sacs.org.uk
Cc: REDACTED@gov.scot
Subject: DRAFT consultation paper re planning permission exemption for shooting ranges

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Much appreciated

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

DOCUMENT 16 – E-MAIL CHAIN ENDING 4 MAY 2023

From: REDACTED@gov.scot>
Sent: Thursday, May 4, 2023 4:32 PM
To: REDACTED@scotland.police.uk> REDACTED@scotland.police.uk>
Cc: REDACTED@gov.scot>; REDACTED@scotland.police.uk>
Subject: RE: DRAFT consultation paper re planning permission exemption for shooting ranges [OFFICIAL]

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Thanks,

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: Thursday, May 4, 2023 9:20 AM
To: REDACTED@gov.scot
Subject: RE: DRAFT consultation paper re planning permission exemption for shooting ranges [OFFICIAL]

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Thanks,

REDACTED
Firearms Policy Support Officer
Safer Communities Division
Scottish Government

From: REDACTED@scotland.police.uk>
Sent: Thursday, May 4, 2023 8:40 AM
To: REDACTED@gov.scot>; REDACTED@scotland.police.uk>
Cc: REDACTED@gov.scot>; REDACTED@scotland.police.uk>
Subject: RE: DRAFT consultation paper re planning permission exemption for shooting ranges [OFFICIAL]

OFFICIAL

REDACTED

REDACTED Regulation 10(5)(f) – third party interests

Kind regards

REDACTED

From: REDACTED@gov.scot

Sent: 03 May 2023 09:40

To: REDACTED@scotland.police.uk> REDACTED@scotland.police.uk>

Cc: REDACTED@gov.scot

Subject: DRAFT consultation paper re planning permission exemption for shooting ranges

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Much appreciated

REDACTED

Firearms Policy

Safer Communities Division

Scottish Government

REDACTED Regulation 10(4)(e) – internal communications

DOCUMENT 17 – EMAIL CHAIN ENDING 4 MAY 2023 (DRAFTING – LEGAL)

From: REDACTED@gov.scot
Sent: Thursday, May 4, 2023 4:27 PM
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 04 May 2023 15:35
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

REDACTED Regulation 10(4)(e) – internal communications – legal advice

Thanks
REDACTED

REDACTED | Scottish Government Legal Directorate | Equalities and Criminal Justice Division | SPS, Parole, Licensing and Victims and Witnesses Branch | Currently working from home most days |

From: REDACTED@gov.scot
Sent: 04 May 2023 14:43
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Hope that helps in the meantime, and happy to hop on Teams this afternoon if that helps (I'm free from 15.30 onwards).

Thanks

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 04 May 2023 13:49
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications – legal advice

Thanks
REDACTED

REDACTED | Scottish Government Legal Directorate | Equalities and Criminal Justice Division | SPS, Parole, Licensing and Victims and Witnesses Branch | Currently working from home most days |

From: REDACTED@gov.scot
Sent: 04 May 2023 08:52
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Hope you're well.

I work in the planning policy team and am currently preparing a consultation due to be published later this month on "permitted development rights" (essentially, works people can carry out without having to submit a planning application).

REDACTED and REDACTED have helpfully assisted us in refining one of the proposals, which relates to temporary target shooting ranges.

SGLD colleagues who lead on planning have now checked over the document. **REDACTED Regulation 10(4)(e) – internal communications**

Would you be able to take a look and let me know if you have any suggestions by the end of this week?

Happy to chat over if helpful.

Thanks
REDACTED

DOCUMENT 18 – E-MAIL CHAIN ENDING 5 MAY 2023 (DRAFTING – LEGAL)

From: REDACTED@gov.scot
Sent: Friday, May 5, 2023 4:46 PM
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Thank you for your email. **REDACTED Regulation 10(4)(e) – internal communications**. To note, the GPDO grants planning permission for specified classes of development – in this case, temporary use of land for up to 28 days. These so-called permitted development rights (PDR) allow development to be carried out without having to apply for planning permission. However, the absence of PDR does not mean that development cannot take place – it just means that planning permission has to be sought (and granted) pursuant to a planning application.

I have made some minor amendments to the chapter to make this point clear **REDACTED Regulation 10(4)(e) – internal communications**. Our current intention is to send a submission seeking Ministerial clearance for the draft consultation document on Tuesday or Wednesday.

Thanks
REDACTED

From: REDACTED@gov.scot
Sent: 04 May 2023 15:48
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

I have spoken to REDACTED about the background to the proposed amendment to GPDO re target shooting ranges. **REDACTED Regulation 10(4)(e) – internal communications – legal advice**

Thanks
REDACTED

REDACTED | Scottish Government Legal Directorate | Equalities and Criminal Justice Division | SPS, Parole, Licensing and Victims and Witnesses Branch | Currently working from home most days |

This correspondence is from the Scottish Government Legal Directorate. To the extent that it may contain legal advice, it is legally privileged and therefore may be exempt from disclosure under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004.

From: REDACTED@gov.scot
Sent: 04 May 2023 08:52
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Hope you're well.

I work in the planning policy team and am currently preparing a consultation due to be published later this month on "permitted development rights" (essentially, works people can carry out without having to submit a planning application).

REDACTED and REDACTED have helpfully assisted us in refining one of the proposals, which relates to temporary target shooting ranges.

SGLD colleagues who lead on planning have now checked over the document. **REDACTED Regulation 10(4)(e) – internal communications**

Would you be able to take a look and let me know if you have any suggestions by the end of this week?

Happy to chat over if helpful.

Thanks
REDACTED

DOCUMENT 19 – E-MAIL CHAIN ENDING 5 MAY 2023 (DRAFTING – LEGAL)

From: REDACTED@gov.scot
Sent: Friday, May 5, 2023 8:10 PM
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Thanks REDACTED – I've tried to respond to the comments in the document and had another play with the text. **REDACTED Regulation 10(4)(e) – internal communications**

Cheers
REDACTED

From: REDACTED@gov.scot
Sent: 05 May 2023 18:02
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications – legal advice

Happy to discuss, and have a good weekend.

REDACTED

From: REDACTED@gov.scot
Sent: 04 May 2023 16:42
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Firstly – thank you for your v helpful comments on the draft Phase 3 consultation document. **REDACTED Regulation 10(4)(e) – internal communications**

Secondly – just had the response below from REDACTED re: the shooting range proposal. **REDACTED Regulation 10(4)(e) – internal communications**

Thanks
REDACTED

From: REDACTED@gov.scot
Sent: 04 May 2023 15:48
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications – legal advice

Thanks
REDACTED

REDACTED | Scottish Government Legal Directorate | Equalities and Criminal Justice Division | SPS, Parole, Licensing and Victims and Witnesses Branch | Currently working from home most days |

This correspondence is from the Scottish Government Legal Directorate. To the extent that it may contain legal advice, it is legally privileged and therefore may be exempt from disclosure under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004.

DOCUMENT 20 - EMAIL CHAIN ENDING 9 MAY 2023 (DRAFTING – LEGAL)

From: REDACTED@gov.scot
Sent: Tuesday, May 9, 2023 12:08 PM
To: REDACTED@gov.scot
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED/copy list

Thanks for the further chance to review section 6.3 of the draft consultation paper this morning – REDACTED & I have now had a look and I've included some suggestions in the comments, hopefully self-explanatory: **REDACTED Regulation 10(4)(e) – internal communications**

Kind regards

REDACTED
Firearms Policy
Safer Communities Division
Scottish Government

From: REDACTED@gov.scot
Sent: 05 May 2023 16:46
To: REDACTED@gov.scot (multiple)
Cc: REDACTED@gov.scot (multiple)
Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

Thank you for your email. **REDACTED Regulation 10(4)(e) – internal communications**. To note, the GPDO grants planning permission for specified classes of development – in this case, temporary use of land for up to 28 days. These so-called permitted development rights (PDR) allow development to be carried out without having to apply for planning permission. However, the absence of PDR does not mean that development cannot take place – it just means that planning permission has to be sought (and granted) pursuant to a planning application.

I have made some minor amendments to the chapter to make this point clear **REDACTED Regulation 10(4)(e) – internal communications**. Our current intention is to send a submission seeking Ministerial clearance for the draft consultation document on Tuesday or Wednesday.

Thanks
REDACTED

From: REDACTED@gov.scot

Sent: 04 May 2023 15:48

To: REDACTED@gov.scot (multiple)

Cc: REDACTED@gov.scot (multiple)

Subject: RE: Permitted Development Rights on excluding certain shooting activities

Hi REDACTED

I have spoken to REDACTED about the background to the proposed amendment to GPDO re target shooting ranges. **REDACTED Regulation 10(4)(e) – internal communications – legal advice**

Thanks

REDACTED

REDACTED | Scottish Government Legal Directorate | Equalities and Criminal Justice Division | SPS, Parole, Licensing and Victims and Witnesses Branch | Currently working from home most days |

This correspondence is from the Scottish Government Legal Directorate. To the extent that it may contain legal advice, it is legally privileged and therefore may be exempt from disclosure under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004.

DOCUMENT 21 – E-MAIL DATED 9 MAY 2023

From: REDACTED

Sent: Tuesday, May 9, 2023 6:35 PM

To: REDACTED

Subject: Condoc - Firing Ranges

HI

REDACTED Regulation 10(4)(e) – internal communications

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government



Scottish Government
Riaghaltas na h-Alba



Transforming
Planning



eDevelopment.scot

DOCUMENT 22– SUBMISSION TO MINISTER DATED 10 MAY 2023 AND 12 MAY 2023 RESPONSE

From: REDACTED@gov.scot

Sent: 10 May 2023 15:16

To: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Energy <MinisterEnergy@gov.scot>; MinisterforZeroCarbonBuild,ActTravel&Tenants’Rights 2021-2023 <MinisterZCBATTR@gov.scot>; Minister for Green Skills,CircEcon & Biodiversity 2021-2023 <MinisterGSCEB@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernmentandHousing@gov.scot>; Chief Planner <Chief.Planner@gov.scot>; Simpson F (Fiona) <Fiona.Simpson@gov.scot>; Wood HB (Helen) Campbell J (Jeanette) (Special Adviser) <Jeanette.Campbell@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; REDACTED@gov.scot (multiple)

Subject: Submission: Permitted Development Rights Review - Clearance to Consult on Phase 3 Proposals

Hi REDACTED

Further to our 18 April background submission (see below) about the ongoing permitted development rights review, please find attached submission seeking Mr FitzPatrick’s clearance for:

- The Phase 3 consultation document (**Annex A**); and
- The accompanying Business and Regulatory Impact Assessment (BRIA) (**Annex B**).

Clearance is requested by Wednesday 17 May. If the Minister is content, we will work towards publishing the consultation on Wednesday 31 May.

Thanks

REDACTED

Attachment to Document 22 - submission

From: REDACTED
Planning, Architecture and Regeneration Division
10 May 2023

Minister for Local Government Empowerment and Planning

PERMITTED DEVELOPMENT RIGHTS REVIEW – CLEARANCE TO CONSULT ON PHASE 3 PROPOSALS

Priority and Purpose

Routine. Scottish Government has committed to consult on the third phase of its review of permitted development rights (PDR) in the Spring. The purpose of this submission is to seek clearance for the Phase 3 consultation document, with a view to publishing it on 31 May. Clearance is requested by 17 May.

Recommendation

That you agree to clear the draft:

- Phase 3 PDR consultation document (**Annex A**)
- Business and Regulatory Impact Assessment (**Annex B**)

That you note that:

- The Sustainability Appraisal (SA) which informed the PDR review programme is being updated in light of the Phase 3 proposals; clearance for the SA Update will be sought through a separate submission and published alongside the consultation.
- Other supporting assessments will be cleared at official level.

Context and Issues

PDR refer to types of development which are granted planning permission through national legislation, meaning they can be carried out without a planning application. The Scottish Government is undertaking a phased review of PDR in Scotland as part of the wider planning reform programme. Phase 3 of the review will focus PDR for domestic and non-domestic renewable energy equipment. We have committed to publish a consultation in the Spring.

Options Considered and Advice

Draft Phase 3 Consultation

As set out in our background submission of 18 April, the draft consultation (**Annex A**) proposes new and/or extended PDR in respect of:

- Renewables equipment (solar panels, heat pumps and wind turbines) attached to, or within the grounds, of domestic buildings.
- Renewables equipment (solar panels and heat pumps) attached to, or within the grounds of, non-domestic buildings.
- Solar canopies in off-street parking areas – removing requirement that they power EV chargers.
- Replacement windows in domestic and non-domestic properties, including within conservation areas.
- Electricity network infrastructure.

- Reverse vending machines (RVMs) located on the road/pavement.

It also seeks views on removing or limiting existing PDR in respect of:

- Domestic flues for wood-burning stoves and biomass boilers.
- Temporary target shooting ranges.

Phase 3 Assessments

The Phase 3 consultation document will be accompanied by a number of assessments. The consultation versions of the Equality Impact Assessment (EqIA), Island Communities Impact Assessment (ICIA), Children's Rights and Wellbeing Impact Assessment (CRWIA) and Fairer Scotland Duty Assessment will be reviewed and signed off at official level by the Chief Planner. These can be provided on request if you would find it helpful.

In accordance with [published guidance](#), Business and Regulatory Impact Assessments (BRIA) must be signed off by the relevant Minister prior to publication. This includes 'partial' (i.e. consultation stage) assessments. The draft Phase 3 BRIA is at **Annex B**. It acknowledges that the proposals – which are deregulatory in nature – are likely to deliver net savings to businesses, but that their scale is difficult to forecast. The consultation seeks feedback (including additional evidence) on the BRIA; we will also engage with businesses during the consultation period.

The original work programme for the PDR review was consulted on in Nov 2019 and was accompanied by a Sustainability Appraisal (incorporating statutory Strategic Environmental Assessment (SEA) requirements), which considered the potential environmental, social and economic effects of options for extending PDR for 16 broad development types. Because the proposals have evolved since 2019, the Phase 3 consultation will be accompanied by an Update to the 2019 Sustainability Appraisal. This includes appraisal of those proposals that were not considered as part of the original Sustainability Appraisal (e.g. electricity infrastructure). Clearance for the SA Update will be sought separately.

Bute House Agreement Implications

The PDR review programme is not covered by the Bute House Agreement. However, the Phase 3 proposals would clearly support wider commitments to promote renewable energy and tackle climate change.

Financial and Legal Considerations

PDR are an established legal mechanism for providing planning freedoms and flexibilities – no significant legal issues are anticipated. If taken forward following the consultation, the measures would be implemented through a statutory instrument (negative procedure). Financial impacts are considered in the BRIA.

REDACTED Regulation 10(4)(e) – internal communications

Quality Assurance

This submission and its annexes have been approved by the Chief Planner.

Conclusions and next steps

If you are content with the draft consultation paper and partial BRIA, we will finalise the documents and arrange for publication on gov.scot and Citizen Space. Our intention is to launch the consultation on **Wednesday 31 May** and for this to run for the standard 12-weeks. In the meantime, we will work with press office to prepare the necessary comms and

briefing material. As noted at paragraph 9, a Sustainability Appraisal Update is being prepared and clearance will be sought separately.

REDACTED

Planning, Architecture and Regeneration Division (PARD)

Annexes

Annex A: Draft Phase 3 Consultation Document

Annex B: Draft Business and Regulatory Impact Assessment

Cabinet Secretaries and Ministers Copy List	For Action	For Information Portfolio interest	For Information Constituency interest	For Information General awareness
Deputy First Minister		X		X
Cabinet Secretary for Net Zero and Just Transition		X		X
Minister for Energy		X		X
Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights		X		X
Minister for Green Skills, Circular Economy and Biodiversity		X		X

Officials Copy List
DG Communities DG Economy DG Net Zero Sean Neill, Director: LG and Communities Fiona Simpson, Chief Planner Callum McCaig, Special Adviser REDACTED (multiple)

REDACTED Regulation 10(4)(e) – internal communications
REDACTED Regulation 10(4)(e) – internal communications

Response to Submission (Document 22)

From: REDACTED@gov.scot> **On Behalf Of** Minister for Local Government Empowerment & Planning

Sent: Friday, May 12, 2023 4:16 PM

To: REDACTED Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Energy <MinisterEnergy@gov.scot>; Minister for Zero Carbon Buildings, Active Travel & Tenants' Rights <MinisterforZCBATTR@gov.scot>; zzzMinister for Green Skills, CircEcon & Biodiversity 2021-2023 <zzzMinisterGSCEB@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Economy <DGEconomy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernmentandHousing@gov.scot>; Chief Planner <Chief.Planner@gov.scot>; Fiona Simpson <Fiona.Simpson@gov.scot>; Callum McCaig <Callum.Mccaig@gov.scot>; REDACTED@gov.scot (multiple)

Subject: RE: Submission: Permitted Development Rights Review - Clearance to Consult on Phase 3 Proposals

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team [in line with SG records management policy.](#)

REDACTED

Mr FitzPatrick is content.

Many thanks,

REDACTED (she/her)

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance – Shona Robison MSP

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

E: DFMCSF@gov.scot

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

DOCUMENT 23 – E-MAIL CHAIN ENDING 11 MAY 2023

From: REDACTED@gov.scot

Sent: Thursday, May 11, 2023 12:05 PM

To: REDACTED@gov.scot

Subject: RE: Submission: Permitted Development Rights Review - Clearance to Consult on Phase 3 Proposals

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Thanks,

REDACTED

Firearms Policy Support Officer

Safer Communities Division

Scottish Government

From: REDACTED@gov.scot

Sent: 11 May 2023 11:48

To: REDACTED@gov.scot

Subject: RE: Submission: Permitted Development Rights Review - Clearance to Consult on Phase 3 Proposals

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

REDACTED

Firearms Policy

Safer Communities Division

Scottish Government

DOCUMENT 24 - E-MAIL DATED 16 MAY 2023

From: REDACTED@gov.scot

Sent: Tuesday, May 16, 2023 10:52 AM

To: REDACTED@gov.scot; REDACTED@gov.scot

Subject: PDR SA Update - Reverse Vending Machines (RVMs) / Shooting Ranges

Hi REDACTED and REDACTED

I hope that you're both well today and have been enjoying the sunnier weather?

I wanted to let you know that we are slightly re-calibrating the assessments for RVMs and Shooting Ranges in the Sustainability Appraisal (SA) Update. **REDACTED Regulation 10(4)(e) – internal communications**

Best,
REDACTED

REDACTED | Senior Environmental Planner | Planning, Architecture and Regeneration Division | Scottish Government



DOCUMENT 25 – E-MAILS DATED 25 MAY 2023

From: REDACTED@gov.scot
Sent: Thursday, May 25, 2023 2:13 PM
To: REDACTED@gov.scot (multiple)
Subject: RE: Phase 3 Consultation - Anyone else we want to give notice of the consultation?

Thanks for responses thus far.

REDACTED Regulation 10(4)(e) – internal communications

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government



From: REDACTED@gov.scot
Sent: 25 May 2023 13:50
To: REDACTED@gov.scot (multiple)
Subject: RE: Phase 3 Consultation - Anyone else we want to give notice of the consultation?

H REDACTED

REDACTED Regulation 10(4)(e) – internal communications

I hope that's a help, and please let me know if there's anything more I can do?

Many thanks,

REDACTED

REDACTED Senior Environmental Planner | Planning, Architecture and Regeneration Division | Scottish Government



From: REDACTED@gov.scot
Sent: 25 May 2023 13:33
To: REDACTED@gov.scot(multiple)
Subject: RE: Phase 3 Consultation - Anyone else we want to give notice of the consultation?

Hi REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Cheers

REDACTED

From: REDACTED@gov.scot
Sent: Thursday, May 25, 2023 12:02 PM
To: REDACTED@gov.scot(multiple)
Subject: RE: Phase 3 Consultation - Anyone else we want to give notice of the consultation?

Thanks REDACTED

REDACTED Regulation 10(4)(e) – internal communications

Cheers
REDACTED

From: REDACTED@gov.scot
Sent: 25 May 2023 11:53
To: REDACTED@gov.scot(multiple)
Subject: Phase 3 Consultation - Anyone else we want to give notice of the consultation?

Hi folks

You'll have seen I have arranged with REDACTED to issue e-mail alert and tweets and an e-mail to individual Heads of Planning (which includes other planning authority contacts).

REDACTED Regulation 10(4)(e) – internal communications

Regards

REDACTED

REDACTED | Policy Manager | Planning, Architecture and Regeneration Division | Scottish Government | 0131 244 6590

DOCUMENT 26 – E-MAIL DATED 31 MAY 2023 (HOPS)

From: REDACTED@gov.scot

Sent: Wednesday, May 31, 2023 10:02 AM

Subject: Scottish Government: Planning Phase 3 of Permitted Development Rights Review - Public Consultation Paper

Dear Heads of Planning

As you know, the Scottish Government is currently conducting a substantial review of permitted development rights (PDR) as part of its wider planning reform programme. The review is being taken forward on a phased basis, with each phase focusing on new and extended PDR for specific types of development.

Permitted Development Rights Review – Phase 3 – Publication of Consultation

The Phase 3 consultation was launched on 31 May 2023 and can be found here: [Permitted Development Rights review - phase 3: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/permitted-development-rights-review-phase-3-consultation)

In light of the cost and climate crises, Phase 3 of the review focusses primarily on new and extended PDR for domestic and non-domestic renewable energy equipment. The proposals would streamline the planning process for various zero and low carbon technologies, such as solar panels and heat pumps. The proposed changes are intended to support households and businesses who are looking to reduce bills and emissions by adapting their properties. Other proposals in the Phase 3 consultation relate to electricity network infrastructure, reverse vending machines, certain domestic flues and the temporary use of land.

The full list of areas covered in the consultation is:

- Domestic renewables: solar panels; air, water and ground source heat pumps; wind turbines; and the removal of PDR for certain flues.
- Non-domestic renewables: solar panels; solar canopies in qualifying parking areas; and air, ground and water source heat pumps.
- Replacement windows for domestic and non-domestic properties.
- Electricity network infrastructure.
- Reverse vending machines.
- Temporary use of land for shooting ranges.

The consultation will run for three months until 23 August 2023

Regards
REDACTED

DOCUMENT 27 – E-MAIL DATED 31 MAY 2023 (STAKEHOLDERS)

From: REDACTED@gov.scot

Sent: Wednesday, May 31, 2023 10:55 AM

Subject: Scottish Government - Permitted Development Rights Review – Phase 3 – Publication of Consultation

Dear Stakeholder

As you may know, the Scottish Government is currently conducting a substantial review of permitted development rights (PDR) as part of its wider planning reform programme. The review is being taken forward on a phased basis, with each phase focusing on new and extended PDR for specific types of development.

Permitted Development Rights Review – Phase 3 – Publication of Consultation

The Phase 3 consultation was launched on 31 May 2023 and can be found here: [Permitted Development Rights review - phase 3: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/consultations/development-rights-review-phase-3), and relates to or may touch upon matters of interest to you/ your organisation.

In light of the cost and climate crises, Phase 3 of the review focusses primarily on new and extended PDR for domestic and non-domestic renewable energy equipment. The proposals would streamline the planning process for various zero and low carbon technologies, such as solar panels and heat pumps. The proposed changes are intended to support households and businesses who are looking to reduce bills and emissions by adapting their properties. Other proposals in the Phase 3 consultation relate to electricity network infrastructure, reverse vending machines, certain domestic flues and the temporary use of land.

The full list of areas covered in the consultation is:

- Domestic renewables: solar panels; air, water and ground source heat pumps; wind turbines; and the removal of PDR for certain flues.
- Non-domestic renewables: solar panels; solar canopies in qualifying parking areas; and air, ground and water source heat pumps.
- Replacement windows for domestic and non-domestic properties.
- Electricity network infrastructure.
- Reverse vending machines.
- Temporary use of land for shooting ranges.

The consultation will run for three months until 23 August 2023

Regards

REDACTED

DOCUMENT 28 – LETTER TO EMMA HARPER AND ASSOCIATED EMAILS

From: REDACTED@gov.scot **On Behalf Of** Minister for Local Government Empowerment & Planning
Sent: Wednesday, May 31, 2023 6:00 PM
To: Permitted Development Rights Phase 3 <Planning.PDR3@gov.scot>; Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>
Cc: REDACTED@gov.scot
Subject: RE: Permitted Development Rights Consultation - Phase 3

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team [in line with SG records management policy](#).

REDACTED

The Minister was content with these letters, which have now issued. See attached for your records.

Kind regards,
REDACTED

REDACTED (she/her)
Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance – Shona Robison MSP
The Scottish Government
St Andrew's House | Regent Road | Edinburgh | EH1 3DG
| E: DFMCSF@gov.scot

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Attachment document 28

From: REDACTED@gov.scot **On Behalf Of** Minister for Local Government Empowerment & Planning
Sent: Wednesday, May 31, 2023 5:59 PM
To: Emma.Harper.msp@parliament.scot
Cc: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>
Subject: Letter from the Minister for Local Government Empowerment & Planning - 31 May 2023

Good afternoon,

Please find attached a letter from the Minister for Local Government Empowerment & Planning.

Kind regards,
REDACTED

REDACTED

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance –
Shona Robison MSP**

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

| E: DFMCSF@gov.scot

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Minister for Local Government Empowerment and
Planning
Ministear airson Cumhachdachadh is Dealbhachadh
Riaghaltas Ionadail
Joe FitzPatrick MSP
Joe Mac Giolla Phádraig BPA



Emma Harper MSP
Emma.Harper.msp@parliament.scot
31 May 2023

Dear Emma,

I refer to the exchanges you had with my predecessor, Tom Arthur MSP, in relation to reviewing permitted development rights (PDR) for the temporary use of land for shooting ranges. I understand that Mr Arthur gave a verbal commitment to review such PDR. I can confirm that the Scottish Government's consultation on Phase 3 of its permitted development rights (PDR) review has now been published:

<https://www.gov.scot/publications/scottish-government-review-permitted-development-rights-phase-3-consultation/>

The PDR review is part of the wider planning reform programme and is being taken forward on a phased basis, with each phase focusing on new and extended PDR for specific types of development. In light of the cost and climate crises, Phase 3 of the review focusses primarily on new and extended PDR for domestic and non-domestic renewable energy equipment. It also includes other proposals involving the temporary use of land for shooting ranges (Chapter 6.2).

The consultation is open until 23 August 2023. Those wishing to respond are encouraged to use the [citizen space consultation hub](#).

I trust this is helpful.

Yours sincerely,

JOE FITZPATRICK

From: REDACTED@gov.scot **On Behalf Of** Permitted Development Rights Phase 3
Sent: 31 May 2023 13:07
To: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>
Cc: REDACTED@gov.scot
Subject: RE: Permitted Development Rights Consultation - Phase 3

REDACTED

Many thanks for your response.

The consultation is now live. I, therefore, provide the following lines for you to incorporate into an e-mail or to send the attached letters.

Please let me know if you need anything else.

REDACTED

Ms Harper Emma.Harper.msp@parliament.scot

I refer to the exchanges you had with my predecessor, Tom Arthur MSP, in relation to reviewing permitted development rights (PDR) for the temporary use of land for shooting ranges. I understand that Mr Arthur gave a verbal commitment to review such PDR. I can confirm that the Scottish Government's consultation on Phase 3 of its permitted development rights (PDR) review has now been published: <https://www.gov.scot/publications/scottish-government-review-permitted-development-rights-phase-3-consultation/>

The PDR review is part of the wider planning reform programme and is being taken forward on a phased basis, with each phase focusing on new and extended PDR for specific types of development. In light of the cost and climate crises, Phase 3 of the review focusses primarily on new and extended PDR for domestic and non-domestic renewable energy equipment. It also includes other proposals involving the temporary use of land for shooting ranges (Chapter 6.2).

The consultation is open until 23 August 2023. Those wishing to respond are encouraged to use the [citizen space consultation hub](#).

I trust this is helpful.

REDACTED | Development Delivery | Planning, Architecture and Regeneration Division | Scottish Government

From: REDACTED@gov.scot **On Behalf Of** Minister for Local Government Empowerment & Planning
Sent: Tuesday, May 30, 2023 8:40 AM
To: Permitted Development Rights Phase 3 <Planning.PDR3@gov.scot>
Cc: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>
Subject: RE: Permitted Development Rights Consultation - Phase 3

REDACTED

Mr FitzPatrick will try and flag this at SNP group however he would like a note to be drafted to both of them for their use.

Grateful if this could be drafted as soon as possible

Thanks,

REDACTED

**Private Secretary to the Minister for Community Wealth and Public Finance – Tom Arthur MSP
The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG
| **Email:** ministerCWPF@gov.scot

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

From: REDACTED@gov.scot **On Behalf Of** Permitted Development Rights Phase 3
Sent: 25 May 2023 16:10
To: Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>
Subject: Permitted Development Rights Consultation - Phase 3

Hi REDACTED

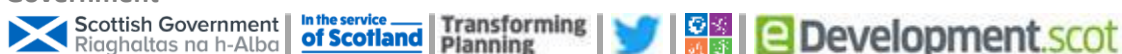
As you are aware we are due to publish the above consultation next Wednesday 31 May. At that time, we shall be alerting our internal and external stakeholders that the consultation has gone live and shall encourage them to participate.

Emma Harper MSP had lobbied the previous Minister about considering amending the PDR for the temporary use of land for shooting ranges. More recently, Mr FitzPatrick met with REDACTED to discuss issues regarding the proposed PDR for solar panels in conservation area. Could you, therefore, advise if the Minister would like to advise Ms Harper and REDACTED personally of the consultation, and if so we can provide lines, or if he would prefer planning officials to do so on his behalf.

Many thanks

REDACTED

REDACTED | Development Delivery | Planning, Architecture and Regeneration Division | Scottish Government



My working pattern is generally Mon-Thurs until 4.30pm