

Child Rights and Wellbeing Assessment Screening: Permitted Development Rights Review – Phase 3

Brief Summary

Permitted development rights (PDR) refer to types of development which are granted planning permission through national legislation, meaning they can be carried out without a planning application having to be submitted to (and approved by) the local authority. Specifically, PDR are contained within the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (“the GPDO”).

The Scottish Government is currently undertaking a review of PDR in Scotland. This review involves taking forward new and extended PDR for a wide range of development types. Phase 3 of the review is primarily focussed on measures that are intended to help address the climate and cost of living crises.

In particular, the Phase 3 measures are intended to help to support the:

- deployment of domestic and non-domestic renewables equipment, such as solar panels, wind turbines and heat pumps.
- Alteration/replacement of windows to improve energy efficiency.
- roll-out of electricity network infrastructure.

They would contribute to the following National Outcomes:

- We value, enjoy, protect and enhance our environment.
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy.
- We live in communities that are inclusive, empowered, resilient and safe.

The Phase 3 measures have been informed by a public consultation carried out in summer 2023, as well as sustainability appraisal incorporating Strategic Environmental Assessment (SEA) requirements, which was subject to public consultation in November 2019. The sustainability appraisal and draft SEA Post Adoption Statement have been updated alongside each phase of the review. An independent analysis of the consultation responses has been carried out, and it contains a detailed summary of respondents’ views on each of the Phase 3 consultation proposals.

By removing the need to seek planning permission before carrying out specified development or works, PDR can help to provide greater certainty for developers and save time and money associated with preparing a planning application. In doing so, this can help to promote wider Scottish Government objectives – including those related to the climate and cost of living crises.

What aspects of the policy/measure will affect children and young people up to the age of 18?

The impact of the Phase 3 measures will ultimately depend on the number and nature of developments that come forward as a result of any new provisions. PDR enable specified development and works to be carried out without an application for planning permission but they do not guarantee delivery.

Insofar as the measures result in increased deployment of renewable energy equipment, thermal efficiency improvements and electricity network infrastructure, the measures would help to contribute to reductions in carbon emissions; they could also help to reduce households' and businesses' energy costs over the medium- and longer-term. These outcomes would positively affect children and young people.

What likely impact – direct or indirect – will the policy/measure have on children and young people?

The Phase 3 measures are not expected to have direct impacts on children and young people. We anticipate that positive indirect impacts would stem from the new/extended PDR that support improvements in thermal efficiency and the deployment of renewable energy equipment – in both domestic and non-domestic contexts. This is on the basis that children and young people are disproportionately affected by air pollution and the long term effects of climate change.

Over the medium- and longer-term, additional PDR for domestic renewables and replacement windows could help deliver savings on heating bills. This could provide additional indirect benefits to children and young people by improving the general financial situation of households, providing sustainable warmth and alleviating fuel poverty.

A small number of respondents suggested that not extending PDR for replacement windows and other renewables to World Heritage Sites and other designated areas could exacerbate existing inequalities.

Which groups of children and young people will be affected?

The positive indirect impacts associated with the Phase 3 measures are expected to benefit all groups. As noted in the Equality Impact Assessment (EqIA) accompanying the Phase 3 consultation, the proposed PDR measures to mitigate impacts of climate change are likely to advance equality of opportunity for children and young people who are most likely to experience adverse impacts in their lifetime.

Given the potential for the proposed changes to reduce energy costs/heating bills over the medium- and longer-term, children living in poverty may be most positively influenced by the indirect impacts of the proposed measures.

Is a Children's Rights and Wellbeing Impact Assessment required?

We do not consider that a Children's Rights and Wellbeing Impact Assessment is required. This view was not altered by the responses to the Phase 3 consultation.

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