

# SURF Response to Review of Permitted Development Rights (phase 3)

In August 2023, SURF contributed to [a Scottish Government review of permitted development rights](#). Permitted development rights enable some types of development to take place without requiring approval from a planning authority.

The review forms part of a [Planning Reform Programme](#) with six key guiding principles:

- Strong and flexible development plans
- The delivery of more high quality homes
- An infrastructure first approach to planning and development
- Efficient and transparent development management
- Stronger leadership, smarter resourcing and sharing of skills
- Collaboration rather than conflict – inclusion and empowerment

The permitted development rights review is taking place in phases, and SURF fed evidence into phase three, which is closely linked to the climate crisis, and looks at renewables equipment, thermal efficiency and the upgrading of electricity networks.

SURF expressed concern that a plan not to extend permitted development rights (PDR) to world heritage sites could negatively impact low-income households in parts of Edinburgh and New Lanark. Our response to the relevant consultation question follows:

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***Do you have any comments on the partial and draft impact assessments undertaken for Phase 3?***

*Yes. The proposals, under section 4. Thermal Efficiency: Domestic and Non-Domestic Buildings, not to extend PDR to World Heritage Sites could exacerbate existing inequalities. The New Lanark WHS and the Old and New Towns of Edinburgh WHS have affordable housing providers operating within their boundaries providing homes for low-income households. The Old and New Towns of Edinburgh WHS further contains areas of significant economic deprivation including owners on low incomes. Maintaining the requirement to apply for planning permission for replacement windows within WHS will put them at a disadvantage compared to owners not within world heritage sites.*

*Women, children, people with disabilities and minority ethnic people are disproportionately represented within the affordable housing sector therefore any barrier to improving their housing standards will exacerbate inequalities.*

*While recognising the positive aspects of using traditional materials and skills in replacing windows, the cost differential when compared to PVCu is significant and private landlords, who do not benefit from the resulting reduced energy-for-heat demand, will transfer improvement costs to tenants.*

*Without financial mitigation to some property owners, affordable housing providers in particular, continued requirement to apply for planning permission and the use of more expensive materials will unfairly impact on already vulnerable groups.*

*We would suggest that this should be noted in the Equalities Impact Assessment, Children's Rights and Wellbeing Impact Assessment and Fairer Scotland Duty.*

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The relevant Scottish Government consultation paper is [available here](#).

The Scottish Government state responses to the consultation will:

*"...help inform the refinement of proposals and the drafting of regulations that would bring any PDR changes flowing from this consultation into force. We anticipate that such regulations would be laid in the Scottish Parliament later in 2023 - 2024."*

Further updates will be shared in the monthly [SURF e-bulletin](#).

Other planning-related SURF consultation responses, including Local Living (2023), Land Reform in a Net Zero Nation (2022), National Planning Framework 4 (2022) and the Land Rights and Responsibilities Review (2022), are available on [the policy consultations section of the SURF website](#).

**SURF – Scotland's Regeneration Forum**

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