

Planning Development Delivery Team
(PDR Review)
Scottish Government
Area 2F South
Victoria Quay
EDINBURGH
EH6 6QQ

12 November 2020

To whom it may concern,

Permitted development rights - phase 1 priority development types: consultation

Scottish Renewables is the voice of Scotland's renewable energy industry. Our vision is for Scotland leading the world in renewable energy. We work to grow Scotland's renewable energy sector and sustain its position at the forefront of the global clean energy industry. The sectors we represent deliver investment, jobs, social benefits and reduce the carbon emissions which cause climate change. Our members work across all renewable energy technologies, in Scotland, the UK, Europe and around the world. In representing them, we aim to lead and inform the debate on how the growth of renewable energy can help sustainably heat and power Scotland's homes and businesses.

Scottish Renewables note from the timetable that changes to micro-renewables, district heating and energy storage will be considered in Autumn 2021. These topics are of key interest to our members, and we request the opportunity to discuss the scope for these changes at an early stage.

Facilitating renewable energy development is an important part of the response to the climate emergency. Although there is no mention in the timetable, we consider there is scope for changes to other PDR to facilitate renewable energy development and request an opportunity to discuss this. For example, restricting the benefit of class 40 PDR to statutory undertakers seems an historic anachronism, and there is no reason why wind farm developers should not be able to use class 40 PDR. It is a general principle that planning is about use, not user.

Digital Telecommunications Infrastructure

The proposed extensions to PDR should be replicated for renewable energy development.

6th Floor, Tara House, 46 Bath Street,
Glasgow, G2 1HG
☎ 0141 353 4980 📧 @ScotRenew
www.scottishrenewables.com

Scottish Renewables Forum Limited.
A company limited by guarantee in Scotland No.200074
Registered office: c/o Harper Macleod,
The Ca'd'oro, 45 Gordon Street, Glasgow G1 3PE

Agricultural Developments

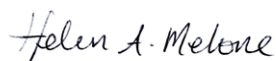
In relation to allowing the conversion of agricultural and forestry buildings to residential and other uses under PDR, paragraph 5.15 proposes to give planning authorities the power to consider limited matters. That power is important to ensure that conversion of buildings does not result in nuisance claims against the operation of existing wind turbines. It is a well-established legal principle that it is not a defence to a nuisance claim that the complainant came to the nuisance. The occupier of a dwelling converted using PDR could therefore submit a nuisance claim against a pre-existing wind turbine. A limitation should therefore be imposed preventing the PD rights from being exercised if the building is within 10 rotor diameters of existing or permitted wind turbines (shadow flicker) or if consented noise levels from operational or permitted turbines exceeds XdB(A) LA90.

Peatland Restoration

Wind farm projects often provide opportunity for peatland restoration. We therefore support the proposed PDR. We agree with the statement at 6.14 that definition of 'peatland' can be highly technical and not necessarily helpful for the purposes of readily identifying peatland.

Scottish Renewables would be keen to engage further with this agenda and would be happy to discuss our response in more detail.

Yours sincerely,



Helen Melone

Senior Policy Manager

Scottish Renewables