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To Whom It May Concern,

Response to Permitted development rights to support provisions of new homes consultation

Scottish Renewables (SR) is the voice of Scotland's renewable energy industry. Our vision is for Scotland to lead 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. We represent over 380 organisations that deliver investment, jobs, social benefit and reduce the carbon emissions which cause climate change.

Our members work across all renewable technologies, in Scotland, the UK, Europe and around the world, ranging from energy suppliers, operators and manufacturers to small developers, installers, and community groups, as well as companies throughout the supply chain. In representing them, we aim to lead and inform the debate on how the growth of renewable energy can provide solutions to help sustainably heat and power Scotland's homes and businesses.

SR appreciates the opportunity to provide feedback on this consultation related to permitted development rights (PDRs) for new homes. Whilst we welcome the inclusion of heat pumps and heat networks in this consultation, we are concerned that the proposal does not support the Scottish Government's net-zero obligation by sufficiently supporting the adoption of heat pumps and connection to heat networks. Nor does the proposal address the need for expanded PDR for rooftop solar panels. This is a missed opportunity to make PDRs an effective tool for delivering the infrastructure needed to reach Scotland's net-zero targets.

PDRs are an effective tool for lowering costs and reducing time delays for consumers transitioning to low-carbon technologies. We would encourage the Scottish Government to think more boldly about applying PDRs to low-carbon technologies that have minimal impact on the environment, communities, or cultural heritage but an outsized impact on reducing Scotland's climate impact.

This consultation does not meaningfully move the needle on the deployment of heat pumps or the connection to heat networks in Scotland. We recommend that the Scottish Government look at more impactful policy levers to remove barriers to deployment as Scotland transitions to low-carbon heat to meet net-zero targets.

Heat Pumps
We support efforts to streamline the installation of air source heat pumps and encourage this proposal to go further to make heat pump installation economically viable for consumers.

The current rules limit the number of heat pumps that can be installed on a single building, regardless of whether it is a terraced or semi-detached property. Fossil-fuel heating systems are not subject to similar restrictions, which unfairly disadvantage heat pumps.

The current rules are based on outdated noise assessments that do not recognise the quieter operation of the current generation of heat pumps. These rules unfairly prevent homeowners in terraced or semi-detached properties from installing heat pumps, because a neighbour in the same building has already installed one.

PDR should be amended to allow each dwelling within a terrace or semi-detached building to install a heat pump. If noise is of concern, then a decibel limit should be applied rather than a limit on the number of heat pumps. Such a limit should be based on the current generation of heat pumps.

The PDR prohibition on heat pumps located at the front of a building facing the road removes an opportunity to decarbonise heat in Scotland. Fossil-fuel heating systems are not subject to similar restrictions, which unfairly disadvantage heat pumps. Likewise, the restriction on heat pumps in heritage settings undermines the ability of properties in these areas to adopt low-carbon heating.

PDR must be revised to acknowledge that installing a heat pump at the front of a building may be the only option and that buildings in heritage areas also need to decarbonise their heating. The Government should work with industry to draft new PDRs that accommodate these situations rather than maintaining the current blanket ban.

Heat Networks
PDRs are crucial for all low-carbon technologies, including heat networks, and we welcome their inclusion in the consultation. PDRs that enable properties to connect to heat networks are critical for delivering low-carbon heat network projects. For Scotland to reach its net-zero targets, significant investments in heat network infrastructure are required.

However, these proposals do not go far enough to enable connections to heat networks. They address PDRs as they apply in rural settings, and heat networks are not always the

technology choice for low-carbon heat in rural areas. However, heat networks are the most cost-effective way to decarbonise building heating in urban settings. This consultation focuses heavily on new homes in rural areas, missing an opportunity to provide PDRs for heat networks in city centres. Evidence from the heat networks sector suggests that the lack of PDRs is hindering large-scale network development and adding costs and complexity to schemes. PDRs are crucial to achieving low-carbon heat.

In addition, heat networks should enjoy the same rights as other parts of the energy and wider utilities sectors. To achieve consistent treatment, more clarity is needed on the scope and content of PDR regulations for heat networks, the circumstances in which they might be used, and how they will fit alongside the developing regulatory framework.

As with heat pumps, restrictions on heritage buildings connecting to heat networks fail to account for the need for these buildings, which often have existing heating systems with substantial carbon footprints, to decarbonise their heating. This consultation does not address how to weigh the need to decarbonise heat against the cultural heritage protections. The Scottish Government must bring forward proposals that balance the protection of heritage buildings with the need to decarbonise heat.

The Crown Estate Scotland is exempt from PDRs. Expanding PDRs to Crown Estate Scotland lands would eliminate a significant barrier to deploying heat networks, although addressing that challenge is not referenced in this consultation.

Whilst the introduction of PDRs for heat networks is being considered, we urge the Scottish Government to expedite the introduction of Statutory Undertaker Rights for heat networks. These were proposed under the Heat Networks (Scotland) Act of 2021 but have not yet been implemented, to the detriment of the heat networks sector.

Solar Panels
Solar panels on building rooftops are now a common sight in Scotland. Requiring rooftop solar panels visible from the road to go through the planning process creates an unnecessary barrier to achieving the Clean Power 2030 Plan’s solar capacity goals in Scotland. The planning process is a significant cost and can make installation financially unviable. This proposal misses an opportunity to make it easier to permit rooftop solar panels and support Scotland’s net-zero targets.

Removing the PDR limitation on solar panels for dwelling houses or buildings containing one or more flats would allow more solar panels to be installed, including on carports.

Removing the 3km restriction on rooftop solar canopies and free-standing or ground-mounted solar panels would enable more solar development. We would also support removing the 12-

square-metre restriction on ground-mounted or free-standing solar, as it significantly hinders the deployment of small solar projects.

SEA
The SEA analysis of heat pumps and heat networks is inappropriately skewed against the technology for heritage without acknowledging the impact they will have on the climate.

It is unclear why the presence of a condenser on a property for a heat pump, in the context of a heritage site, would have a significant impact, given the small size of the condenser in a household heat pump.

The analysis of the impact of PDRs for heat networks and heat pumps on the climate in the SEA is deeply concerning. While historically heat networks have not been low-carbon, in the energy transition, all new heat networks will be low-carbon. Heat accounts for 49% of energy used in Scotland, and transitioning that to low-carbon sources—whether through heat pumps or heat networks—will have a significant impact on the climate. This should be acknowledged and included as part of the case for creating broad PDRs for heat networks and heat pumps in rural and urban areas across Scotland, including within heritage settings.

Fully implement the Heat Networks (Scotland) Act 2021
To support the achievement of Scotland's net-zero targets, the updating of PDR must be complemented by other policy changes. The primary challenge for deploying heat networks in Scotland is the lack of statutory undertaker rights and wayleaves. These powers now exist under the Heat Networks (Scotland) Act 2021, but they have not yet been established through regulation.

Developing these powers through regulation would have the most impact on the ability to deploy heat networks in Scotland, and we would welcome regulations as a matter of urgency.

We would welcome the opportunity to work with the Scottish Government to effectively remove barriers to deploying heat networks and heat pumps through the use of PDRs. Please do not hesitate to reach out with any questions.

Sincerely,

Megan Amundson
Head of Onshore & Consenting
Scottish Renewables