

Air Source Heat Pumps and Solar Panels Permitted Development Rights Consultation  
Scottish Government  
FAO Simon Bonsall  
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EH6 6QQ

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19 August 2015

Dear Mr Bonsall,

**Consultation on Permitted Development Rights: Non-Domestic Solar Panels and Domestic Air Source Heat Pumps<sup>1</sup>**

Thank you for the opportunity to comment on this consultation.

**The Chartered Institute for Archaeologists**

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. We promote high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provide a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,250 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

CIfA's Scottish Group has over 250 members practising in the public, private and voluntary sector in Scotland. Furthermore, CIfA is a member of the Built Environment Forum Scotland (BEFS), a network organisation that brings together non-governmental organisations and professional bodies that work with Scotland's built environment.

**Permitted Development Rights: Non-Domestic Solar Panels and Domestic Air Source Heat Pumps**

**General**

CIfA continues to support Scottish Government in its aim to produce an *'effective, efficient and proportionate planning system which is focussed on outcomes'* (paragraph 1 of Scottish Government's consultation document on the General Permitted Development Amendment Order 2012). The Institute supports Scottish Government's initiatives to this end, provided that there are adequate safeguards to protect the historic environment. The historic environment can be vulnerable to relatively small changes, both individually and cumulatively. Such changes can involve actual disturbance of the fabric of historic assets, but they can also impact upon historic assets less directly (for instance, through an effect upon the appearance and setting of such assets).

## **Specific Questions**

### **Question 1 - Do you agree with the proposal for non-domestic solar panels?**

1.1 In part. CIfA welcomes the exclusion of permitted development rights in sensitive areas as identified in paragraph 17 of the consultation document and, in particular, the exclusion of such rights in relation to sites of archaeological interest as defined in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). The addition of World Heritage Sites to the list of excluded areas is also welcomed.

1.2 The exclusion of rights in relation to sites of archaeological interest is an important mechanism to protect historic assets, but the current wording of the definition means, for instance, that historic assets appearing on Sites and Monuments Records (SMRs) or Historic Environment Records (HERs) after the coming into force of the Order may still not receive due consideration in the planning process.

1.3 The proposals also fail fully to address the need to safeguard the setting of historic assets (which can be affected by development on nearby land which is not in a 'sensitive' area).

### **Question 2 - Please provide other comments on the proposal for non-domestic solar panels**

2.1 See paragraphs 1.1 to 1.3 above.

### **Question 3 - Do you agree with the proposal for domestic air source heat pumps?**

3.1 In Part. CIfA welcomes the exclusion of permitted development rights in World Heritage Sites and within the curtilage of listed buildings, but would also like to see such rights excluded in relation to sites of archaeological interest as defined in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended).

3.2 Furthermore, the Institute would like to see the requirement for prior approval continued so as to allow, in appropriate cases, for consideration of the impact of development upon the historic environment.

3.3 The proposals also fail fully to address the need to safeguard the setting of historic assets (which can be affected by development on nearby land which is not in a 'sensitive' area).

### **Question 4 - Please provide other comments on the proposal for domestic air source heat pumps**

4.1 See paragraphs 3.1 to 3.3 above.

**Question 5 – Please provide comments on the potential cost or other business impacts on small businesses as a result of extending the permitted development rights**

5.1 No comment.

**Question 6 – Please provide general comments on the Business and Regulatory Impact Assessment**

6.1 No comment.

**Question 7 – Please provide comments on the potential impacts of the technology on those people, in particular disabled older people, disabled children and young people, and other people who may be likely to spend long periods of time at home including older people, children and young people, women and minority ethnic communities**

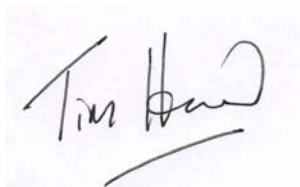
7.1 No comment.

**Question 8 – Please provide information that would assist in providing data to help inform further Equalities Impact Assessment or Child Rights and Wellbeing Impact Assessment**

8.1 No comment.

ClfA is concerned generally about the exercise of permitted development rights and its effect upon the historic environment. We would welcome the opportunity to discuss our concerns (and those of others in the sector) with Scottish Government and other stakeholders, not only in relation to this consultation but in a wider context. In the meantime, if there is anything further that I can do to assist please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard LLB, Dip Prof Arch  
Senior Policy Advisor

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<sup>1</sup> <http://www.gov.scot/Resource/0047/00479787.pdf>