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Our Ref: IHBC/02/10/RC  
Your Ref:



Extending Permitted Development Rights for Domestic Micro-Wind Turbines and Air Source Heat Pumps  
Directorate for the Built Environment  
The Scottish Government  
2-H (Bridge), Victoria Quay  
Edinburgh EH6 6QQ

Richard Cartwright  
IHBC Scotland  
Consultations Secretary  
c/o NLC Environmental Services  
Fleming House,  
Cumbernauld G67 1JW  
[www.ihbc.org.uk](http://www.ihbc.org.uk)

Dear Sirs,

## **CONSULTATION ON EXTENDING PERMITTED DEVELOPMENT RIGHTS FOR DOMESTIC MICRO-WIND TURBINES AND AIR-SOURCE HEAT PUMPS**

The Institute of Historic Building Conservation (IHBC) is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

The Scottish Branch of the Institute welcomes the opportunity to comment on this consultation paper and has the following comments to make on the document. These comments are restricted to the built heritage implications of the proposed PD Rights.

On a general note, this Institute recognises the Scottish Government commitment to combating climate change through a wide range of measures. This includes encouraging domestic households to make their contribution to reducing the production of fossil fuels by means of microgeneration. However, we would wish to see this done in a manner that does not have an adverse impact on the quality and appreciation of Scotland's historic environment. We are concerned that the measures as currently proposed to expand PDR's have the potential for significant adverse impacts.

### Comments on Text

1. Paragraph 5- IHBC requests addition of “, heritage interests” in final sentence, between ‘impacts on neighbours’ & ‘and amenity generally’ to reflect one of the KEY aims of these proposals.
2. Paragraph 13- we welcome this paragraph, including its recognition of the need to control potential impact on the setting of a listed building.
3. Paragraph 15- IHBC requests deletion of the word “some’ in line 7 prior to ‘conservation areas.’
4. Paragraph 17- we note reference to the extinct policy document SPP23.

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5. Paragraph 22- IHBC requests that the penultimate line of this be amended to refer to natural **and built** heritage legislation.
6. Paragraph 37- IHBC seeks amendment of the second sentence as follows to reflect the fact that roofscapes in CA's may be seen from wider public viewpoints, not just the highway in front of a building- and as they are often a key part of CA character, there would be potential for adverse affects if uncontrolled installations were allowed. We request the sentence should read:  
"The greatest impact would arise ~~where they were on the main façade of the building facing a road,~~ **in any location** where they would be visible to the public."
7. Para 37- IHBC welcomes 4<sup>th</sup> sentence which proposes no PD rights for MWT's in World Heritage Sites or Conservation Areas.
8. Para 37- 5<sup>th</sup> sentence- we welcome 1<sup>st</sup> part of sentence excluding ASHP PD from World Heritage Sites but consider the 2<sup>nd</sup> part of this sentence needs amending as follows to reflect our concern about wider potential impact on views:  
"...where they are not visible from ~~a road~~ **any public viewpoint** in a conservation area."
9. Para 37- we accept the final sentence on listed buildings, subject to our point 9 below.
10. Paragraph 38- this paragraph is accepted, however IHBC considers there is a need to spell out also that any proposal affecting the setting of a listed building will need Listed Building Consent, and that this can include sites which are not within the actual curtilage.

#### Responses to Consultation Questions 2 to 9

***Question 2 – What grounds are there, if any, to further constrain the PD proposals for domestic microgeneration equipment in areas designated for the protection of flora and fauna, geological or archaeological interests? Please provide justification or evidence for your answer.***

IHBC welcomes the exclusion from PD of free-standing wind turbines within 'sites of archaeological interest'- although noting this only appears to be spelt out in the table in Annex 1 and not in the text of the consultation document, where it should perhaps be added, including a definition of 'sites of archaeological importance.' We note the recognition in para34 that research indicates there could be impact from MWT foundations on sites of archaeological importance.

***Question 3 – What grounds are there, if any, to constrain the PD proposals for micro wind turbines and air source heat pumps in World Heritage Sites? Please provide justification or evidence for your answer.***

IHBC agrees with the proposed exclusion of PD rights for MWT installations in World Heritage Sites, as careful individual assessment would be required to ensure no adverse visual or other impact on important heritage assets. For ASHP in WHS's, we consider there should not be PD where visible from any public viewpoint, again to ensure no adverse impact on important heritage assets. See our general point 5 above.

***Question 4 – Should PD rights for air source heat pumps be granted in areas designated for their built heritage value providing that the principal elevation fronting a road is unaffected?***

NO, the key issue is that there must be no PD in areas designated for their built heritage value for any proposed installation which would be visible from any public viewpoint, in order to require careful individual assessment, to ensure no adverse impact on important heritage assets. See our general point 5 above.

***Question 5 - Are the separate controls for listed buildings sufficient to control the installation of microgeneration equipment? If not, what specific provisions are necessary?***

YES, however it would be helpful to add guidance on the need for sensitive methods of installation so as not to damage historic fabric.

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***Question 6 – Will the setting of listed buildings be adequately protected by not granting PD rights to wind turbines and ASHP within their curtilage?***

Provided Listed Building Consent legislation is adequately publicised and enforced, yes. There will be cases where a renewables site lies outwith a listed building curtilage but where development would still affect the setting of a listed building. The requirement for LBC should be more clearly spelt out in final documentation relating to changes to PD for Microrenewables.

***Question 7 – Do you think that general conditions on amenity and other impacts could be applied to the PD rights for MWT and ASHP equipment?***

YES, we do.

The Scottish Branch of the Institute would be grateful if you could consider these points in the review being undertaken of Permitted Development Rights for domestic micro-wind turbines and air-source heat pumps.

Yours sincerely,

Richard Cartwright  
Scottish Consultations Secretary  
Institute of Historic Building Conservation

**RESPONDENT INFORMATION FORM:  
EXTENDING PERMITTED DEVELOPMENT RIGHTS FOR DOMESTIC MICRO-WIND  
TURBINES AND AIR-SOURCE HEAT PUMPS**

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Richard Cartwright, IHBC Scotland Consultations Secretary,

Postal Address: c/o North Lanarkshire Council, Environmental Services, Fleming House, Cumbernauld G67 1JW

1. Are you responding: **(please delete the line that does not relate to your situation)**  
(a) as an individual go to Q2a/b and then Q4  
(b) **on behalf of** a group/organisation YES go to Q3 and then Q4

**INDIVIDUALS**

- 2a. Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government website)?  
**(please delete the line that does not relate to your situation)**  
Yes (go to 2b below)  
No

- 2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis **(please delete the lines that do not relate to your situation)**

- Yes, make my response, name and address all available  
Yes, make my response available, but not my name or address  
Yes, make my response and name available, but not my address

**ON BEHALF OF GROUPS OR ORGANISATIONS:**

- 3 The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government website). Are you also content for your **response** to be made available? **(please delete the line that does not relate to your situation)**

Yes

**SHARING RESPONSES/FUTURE ENGAGEMENT**

- 4 We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response? **(please delete the line that does not relate to your situation)**

Yes