



Permitted Development Rights to Support Provision for New Homes

October 2025

Overview

General Comments

Thank you for the opportunity to provide feedback on the proposed revisions of the Permitted Development Rights to Support Provision for New Homes. Our comments can be found in the sections below

Detailed Response

1.	<p>Do you consider that the maximum limit in Classes 18B and 22A of five residential units per agricultural unit or forestry building should be changed?</p> <p>Please explain your answer including (if appropriate) how you consider the limit should change.</p>
	<p>Unsure - It is essential to assess whether the proposed number of habitations can be adequately supplied with water and wastewater services when connection to the public system is planned. Considerations should be given to water neutral and drainage neutral development to manage pressures on water resources and increased flood risk due to the cumulative impacts of multiple developments.</p> <p>Where properties depend on private water supplies an assessment of the source water can reliably provide safe drinking water and meet the anticipated increase in demand should be considered.</p>
2.	<p>Do you believe the current floor space maximum of 150 square metres in Classes 18B and 22A should be removed or increased?</p> <p>Please explain how and why.</p>
	<p>Unsure - If a building's footprint increases, the roof area and drainage to public sewers will also grow. It is important to address potential flooding impacts and consider managing rainfall on-site such that it adds no additional surface water into the combined sewer and or drainage system. Solutions like green roofs, stormwater planters, and water butts should be encouraged.</p>
3.	<p>Do you believe that small extensions and/or separate buildings should be allowed as part of the conversion of an agricultural or forestry building to residential use under PDR?</p>
	<p>Unsure – as outlined in our responses to questions 3, the impacts of increases in hardstanding areas should be fully considered prior to granting permission. This is equally important for urban and rural areas.</p>

4.	<p>Do you consider that any of the current location-based restrictions in relation to Classes 18B and 22A should be removed and if so, which?</p>
	<p>No comment</p>
5.	<p>Do you consider the prior notification and approval mechanism (including the relevant matters and fee) associated with Classes 18B and 22A should be changed? If so, how?</p>
	<p>Yes - Scottish Water notes that when the planning authority receives a "prior notification," their assessment does not include evaluating whether the new residences can access public water, wastewater, and drainage services (where applicable), nor do they consider the potential impact of the new properties on flooding. The latter is important in terms of additional properties potentially causing downstream flooding or increasing hardstanding areas that drain into the public system (if relevant). Scottish Water recommends that these issues should be considered as key factors before determining if prior approval is necessary.</p>
6.	<p>Do you consider that PDR should allow the change of use of any other buildings or agricultural/forestry land to residential? If so, to which type(s) of building should the PDR be extended and why?</p>
	<p>Unsure – see our answers to the previous questions with regards to considering water, water and drainage issues.</p>
7.	<p>Do you consider that the PDR under Classes 18B and 22A should be expanded or revised in any other way?</p>
	<p>No comment.</p>
8.	<p>Do you believe that there should be new PDR for the replacement of agricultural and forestry buildings with new-build homes in particular circumstances? If so, in what circumstances?</p>
	<p>Unsure - This depends on the "prior notification" assessment, considering water, wastewater, and drainage issues. If the new home includes water-efficient and sustainable drainage solutions; does not increase the risk of flooding; and is not in a flood risk area, PDR could be approved.</p>
9.	<p>Do you believe that there should be new PDR for new-build homes in any particular types of rural areas in particular circumstances? If so, in what type of rural areas and in what circumstances?</p>
	<p>Scottish Water agrees that proposals for new-build housing, including through the replacement of existing buildings should continue to be the subject of a planning application to support a plan-led approach to development.</p>

10.	Do you consider that proposals to convert the ground floor or entirety of buildings in town and city centres to residential use should benefit from PDR?
	No – we agree with the proposed position and stress the importance of ensuring that ground floor properties in particular are properly assessed against the risk of being flooded prior to conversion permissions being granted.
11.	Do you consider that there should be PDR for the change of use of properties above Use Class 1A premises to residential use?
	No comment.
12.	Do you have any comments about the prospect that the PDR would allow a change of use to residential from any existing use?
	For ground floor conversions in particular, flood risk should be assessed as should the ability to install property level protection solutions if required. If a property is in a known flood risk area, consideration should be given to maintaining safe access.
13.	Do you think PDR for the change of use of properties above Use Class 1A premises to residential use should include any limits on the minimum or maximum floorspace, size and/or number of residential units that can be formed? Please explain your answer and describe what you think the limits should be, if any.
	No comment
14.	What other potential limits, restrictions and exclusions to such PDR should be considered?
	No comment
15.	Do you consider that a prior notification and approval mechanism should be required in respect of a PDR for ‘town centre living’ as discussed in the consultation? If yes, what matters do you consider should potentially be subject to prior approval?
	Yes - prior approval matters or conditions should include a requirement to consider water efficiency measures and measures to reduce the quantity of rainfall entering the combined sewer and or drainage system.
16.	Should any such PDR (permitting the change of use of floors above Use Class 1A premises) also permit certain external alterations of a building to facilitate the conversion to residential use, if so what alterations?

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<p>Unsure - Any change to the exterior of a building/curtilage could alter the flood risk from the combined sewerage system. For example, impermeable areas for parking or removal of external downpipes to internal removes the ability to disconnect the downpipes from the sewer system. Any alteration that decreases the amount of rainfall entering the sewerage system and allows the disconnection of drainage from adjacent properties would be welcome.</p>	
17.	Please provide any other comments regarding the potential options to introduce PDR for 'town centre living' proposals as discussed in the consultation.
No comment	
18.	Do you consider that any expanded PDR for rural homes (described in chapter 2) should be subject to a condition prohibiting the use of the new units for short-term letting?
No comment	
19.	Do you consider that any 'town centre living' PDR (described in chapter 3) should be subject to a condition prohibiting the use of the new units for short-term letting?
No comment	
20.	Do you consider that it would be appropriate to amend PDR for existing dwellinghouses, to allow homeowners to make better use of their existing properties?
<p>No.</p> <p>Creating additional roof drainage (removing previously permeable areas such as grass) increases the volume of surface water entering the public sewer and increases flood risk to others. As identified in the SEA, small incremental increases in impermeable surfaces act together to increase the speed and volume of surface water runoff.</p> <p>This does not align with the National Flood Resilience strategy which states that everyone should be contributing to flood resilient places.</p>	
21.	Do you consider that the reference in the PDR for domestic air source heat pumps (ASHPs) should be revised to make it clear that the installation must comply with Microgeneration Certification Scheme (MCS) 020 a)?
No comment	
22.	Do you consider that ASHPs installed on domestic properties under PDR should be permitted to be used for heating and cooling but not solely cooling?

	No comment
23.	Do you consider that the PDR for domestic ASHPs in Scotland should be amended to allow for the installation of up to two ASHPs on a detached dwellinghouse?
	No comment
24.	Do you consider that proposals that would result in more than one ASHP being installed on flatted buildings or on terraced or semi-detached properties should continue to be assessed on a case-by-case basis by planning authorities?
	No comment.
25.	Do you consider that any other changes should be made to the existing PDR for the installation of ASHPs in Scotland?
	No comment
26.	Do you consider that it would be appropriate to have PDR for the installation (and subsequent repair and maintenance) of connections from individual buildings to heat networks?
	Yes. We support proposals that move Scotland closer to their Net Zero ambitions however the installation of ASHPs should consider opportunities to change the ground surface from impermeable to permeable rather than always restoring it to its original condition
27.	What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?
	We believe this to be appropriate
28.	What are your views on the predicted environmental effects of the proposals as set out in the environmental report? Please give details of any additional relevant sources.
	We agree with the point made in the SEA that across the development types, a number of the potential options to amend or extend the PDR relate to changes in the size and scale of development, particularly if limits to PDR building footprints are removed altogether. These developments could potentially increase the extent of impermeable surfaces or area requiring to be drained, potentially increasing the flood risk to the occupants or to the surrounding area and affecting the ability of Scottish Water to drain an area effectively. If the PDR incorporates such amendments, there would be no opportunity to consider the impact of such development on flood risk. We support the SEA proposal such that the conditions of the PDR are amended to

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include the requirement for prior approval of surface water management, any expansion of permeable surface areas and consideration of the impact on flood risk on the site and its surrounding area.

The SEA also references existing reliance on private water supplies in rural areas. Conversion of agricultural buildings to multiple dwellings will be accompanied by increased in water consumption. Rural areas are often served by private water supplies which are increasingly being put under strain due to the effects of climate change, leading to issues of water insufficiency or deteriorating water quality. An assessment of the sufficiency of the existing water supply should be essential when development of agricultural or forestry buildings is to result in an increase in occupancy. Following spells of dry weather, Scottish Water is increasingly being contacted by local authorities to tanker drinking water for private water supply consumers.

29.	What are your views on the assessment of alternatives as set out in the environmental report?
	We believe the assessment to be comprehensive and are pleased to see that consideration has been given to surface water management, flood risk and the availability of water resources
30.	What are your views on the proposals for mitigation, enhancement and monitoring of the environmental effects set out in the environmental report?
	The mitigation measures are appropriate. We would add that consideration should be given to amending the PDR so that the matters on which prior approval can be required include the effect of new/conversion of buildings in rural and urban areas on drinking water resources and the inclusion of water efficiency measures.
31.	Please provide any comments on the partial Business and Regulatory Impact Assessment (BRIA) and information on the potential business or regulatory impacts of any of the options identified in this consultation.
	No comment
32.	Are you aware of any examples of how any of the options identified in this consultation may affect, either positively or negatively, those with protected characteristics? If yes, please provide further detail.
	No comment
33.	Please provide any comments or information on the potential impacts on children's rights and wellbeing of any of the options identified in this consultation.
	No comment

34.	<p>Do you have any information or comments on the potential impacts on island communities of any of the options identified in this consultation?</p> <p>If yes, please provide further detail.</p>
	No comment
35.	<p>Are you aware of any examples of potential impacts, either positive or negative, that the options identified in this consultation may have on groups or areas at socio-economic disadvantage (such as income, low wealth or area deprivation)?</p> <p>If yes, please provide further detail.</p>
	No comment
36.	<p>Do you agree that a Fairer Scotland Duty assessment is not required in relation to the options set out in this consultation?</p>
	No comment

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