

Environmental Assessment (Scotland) Act 2005

**Permitted Development Rights for Domestic
Microrenewables – Consultation Paper**

**Strategic Environmental Assessment
Screening Report**

**The Scottish Government
Planning Directorate**

**November 2007
(with updated determination January 2008)**

**SEA SCREENING REPORT
COVER NOTE**

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
The Scottish Government
Area 2-H (south)
Victoria Quay
Edinburgh
EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:
Permitted Development Rights for Domestic Microrenewables – Consultation Paper

The Responsible Authority is:
The Scottish Government

PART 3

Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:

- | | |
|---|--|
| X | an SEA is required because the consultation paper falls under the scope of Section 5(3)(c) of the Act and is likely to have significant environmental effects or |
| | an SEA is required because the consultation paper falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects or |
| | an SEA is not required because the PPS is unlikely to have significant environmental effects |

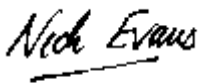
PART 4

The PPS does not require an SEA under the Act.

PART 5

None of the above apply. We have prepared this screening report because:

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COVER NOTE**

PART 6	
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PART 7	
Signature (electronic signature is acceptable)	
Date	27 November 2007

SEA SCREENING REPORT - KEY FACTS

Responsible Authority	The Scottish Government
Title of PPS	Permitted Development Rights for Domestic Microrenewables – Consultation Paper
Purpose of PPS	To enable the installation of microrenewable technologies on domestic buildings and within their curtilage in specific circumstances without a specific grant of planning permission.
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	<p>The Consultation Paper is being prepared in response to growing demand for domestic microrenewables and a general view from the public, planning authorities, manufacturers and environmental NGOs that in many cases a specific grant of planning permission is not necessary to safeguard residential amenity and control adverse impacts. The demand is driven by concern to reduce green house gas emissions by the increased use of renewable energy sources. Scottish Planning Policy 6 – Renewable Energy (March 2007) announced that consideration would be given to permitted development rights for microrenewables. Development which is defined as “permitted development” is granted planning permission by the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 as amended (GPDO).</p> <p>Importantly, for development which falls outside the scope of the GPDO there is no implication that it will be refused. It just means that the issues require to be examined specifically so a planning application is needed.</p>
Subject (e.g. transport)	Town and Country Planning, housing, climate change
Period covered by PPS	Not specified
Frequency of updates	There are no standard review timescales for amendments to the GPDO. It is amended when necessary. On average this is once a year.
Area covered by PPS	Scotland
Summary of nature/content of PPS	The consultation paper will provide an overview of the technologies: photo voltaics; solar thermal; heat pumps; wind turbines; biomass; hydro and combined heat and power; and the likely impacts on the environment, including residential amenity and the public. It will describe how the technologies and their impacts have led to the Government’s proposals for permitted development. These will be contained in a draft amendment Order within the consultation paper. The Order will specify the microrenewable technologies which are covered by the Order and the criteria which have to be met for any specific case to be permitted development. This follows the existing style of the GPDO.
Are there any proposed PPS objectives?	To make it easier for householders to reduce their carbon footprint through installing micro-renewables on existing buildings or within their curtilage; Safeguarding residential amenity and impacts on the general public.
Copy of objectives attached	No
Date	November 2007

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Permitted development rights for microgeneration equipment on residential buildings is expected to increase the take up of the equipment by removing the administrative requirement to apply for planning permission, saving householders the planning application fee and removing the uncertainty over whether or not planning permission will be granted. The circumstances in which permitted development will apply will have to be carefully specified to avoid or minimise adverse impacts such as noise, vibration and visual intrusion.

The key question to be considered at this stage of the process is whether the proposed amendments to the GPDO are likely to have significant environmental effects. This should be determined by an assessment against the criteria specified in Schedule 2 of the Act.

The Scottish Government's views on this are set out in Table 1 below:

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

Criteria for determining the likely significance of effects on the environment	Likely to have significant environmental effects?	Summary of significant environmental effects (negative and positive)
1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	Yes	The Order will be a framework which grants planning permission for specified microrenewable technologies providing they meet criteria on design, size, amenity and impact.
1(b) the degree to which the PPS influences other PPSs including those in a hierarchy	No	The Order will only influence other PPSs to the extent that development plans will not have to contain policies for the equipment in circumstances where it is permitted development. They will still however have to contain policies for the circumstances in which it is not permitted development.
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development	Yes	Decisions on the extent of the permitted development rights will have to integrate environmental considerations regarding emissions savings and sustainable development with considerations about local environmental impacts on amenity and the public. The Order should promote the installation of microrenewables as a contribution to more sustainable development. Investment in microgeneration will have most effect if measures to improve the energy efficiency of the house have already been made. The consultation paper will make this point.
1(d) environmental problems relevant to the PPS	Yes	Climate change is the key environmental problem relevant to the consultation paper and Order. Local environment problems are also relevant, the key ones being impacts on townscape including the historic environment, architectural heritage, noise and visual impact.

1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection)	No	No relevant EU legislation.
2 (a) the probability, duration, frequency and reversibility of the effects	Yes	<p>Without predicting the extent to which householders will use the permitted development rights when they would have been deterred by the need to obtain planning permission, only a general answer to this question can be given. Reductions in emissions due to microrenewables will make a long term contribution to Scotland's reduction.</p> <p>The local amenity impacts of the equipment which is installed will be reversible but only if householders voluntarily remove it. It will however be possible to further amend the Order if experience shows there are serious adverse effects, thus controlling further damage. The criteria set for the permitted development will be intended to minimise adverse effects and promote good design solutions.</p>
2 (b) the cumulative nature of the effects	Yes	<p>Cumulative reductions in GHG emissions can be expected from the installation of microrenewables. The amount will depend on the technologies chosen, the rate of take up, installation details and technological improvements. The economics of using microrenewables will in part depend on the relative cost of alternative sources of energy and the effect of economies of scale on the price of the equipment.</p> <p>Adverse impacts e.g. visual, noise, architectural heritage are also expected to be cumulative. They will vary according to the location of the house in question, the viewpoint/location of those affected and their perception. Given the scale of the installations and their lack of significant effects on an individual basis, we anticipate that the SEA will particularly focus on identifying these cumulative effects.</p>
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)	No	Reductions in GHGs will have a small effect on global climate change, but is unlikely to generate significant transboundary effects..
2 (d) the risks to human health or the environment (for example, due to accidents)	Yes	<p>No significant risks to human health or the environment are anticipated. The improper installation of microrenewable equipment could pose a risk in individual cases if it became detached, but when fixed to buildings, the building regulations will apply and are designed to avoid such failings..</p> <p>Poor maintenance over the life of the equipment could lead to it posing a risk to human health.</p>

<p>2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>Yes</p>	<p>Amendments to the GPDO will apply throughout Scotland, though the criteria may need to reflect the environmental qualities of designated areas such as Conservation Areas and SSSIs. The ability to install equipment without a specific grant of planning permissions potentially affects all householders. The whole population could be affected by the adverse effects of microrenewables, and global population could benefit from reduced emissions of GHGs.</p>
<p>2 (f) the value and vulnerability of the area likely to be affected due to-</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use. 	<p>Yes</p>	<ul style="list-style-type: none"> i) Many landscapes and townscapes would be vulnerable to inappropriately large microrenewable installations which were out of scale with the receiving building, urban setting/townscape or landscape. Some of these areas may be protected as a result of their cultural or aesthetic value. ii) It is however unlikely that they would exceed environmental quality standards or indeed that they would be relevant. iii) Intensively developed residential areas will be most vulnerable to adverse effects. (iv) the consultation paper is likely to suggested restrictions on microrenewables if they could impact upon species/sites with special natural heritage value.
<p>2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>Yes</p>	<p>Areas designated for the natural heritage value are unlikely to be significantly affected by equipment installed on houses or within their curtilage, provided it is domestic in scale.</p> <p>Significant effects could arise in relation to the built heritage, particularly in conservation areas. The proposals for permitted development will not affect the requirement to obtain Listed Building Consent under separate legislation.</p>

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A summary of our considerations of the significant environmental effects of the proposed Consultation Paper and Draft Amendment Order for domestic microrenewables is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

The Consultation Paper containing proposals to amend the GPDO is intended to facilitate the installation of domestic microgeneration equipment. The take up of such equipment will reduce demand for other energy sources and thus contribute to reductions in green house gas emissions. The benefits will be maximised if the house is already energy efficient and the consultation paper will say so.

Adverse environmental effects are likely to be local. The installation of equipment on roofs, facades and in gardens has the potential to adversely affect neighbouring properties and the general public, and reduce residential amenity generally. Visual intrusion, noise and vibration are known to be issues with the technologies to differing degrees.

It is the view of the Scottish Government that the local adverse effects can be avoided or minimised by the details of the Permitted Development Order, particularly the detailed criteria attached to each technology.

The wider environmental effects on reducing green house gas emissions and the local adverse impacts are likely to be significant and therefore an environmental assessment is required.

Views on the potential significance of environmental effects from granting permitted development right to domestic microgeneration equipment are invited from the Consultation Authorities at the earliest possible opportunity, or within 28 days of receipt of this summary report, as required under Section 9 of the Environmental Assessment (Scotland) Act. An early response would allow us to proceed with the consultation paper and draft Order quickly.

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**TABLE 3
SUMMARY RECORD OF COMMENTS FROM CONSULTATION AUTHORITIES**

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TITLE OF PLAN, PROGRAMME OR STRATEGY	
Permitted Development Rights for Domestic Microrenewables – Consultation Paper	
RESPONSIBLE AUTHORITY	
The Scottish Government	
DATE COMMENTS RECEIVED FROM CONSULTATION AUTHORITIES	
22 nd January 2008	
Consultation Authority	Views
Scottish Environment Protection Agency	Significant environmental effects - YES
	If YES, note SEA topics/issues here Water
Scottish Natural Heritage	Significant environmental effects - YES
	If YES, note SEA topics/issues here Biodiversity, flora and fauna (including birds and bats), water, landscape
The Scottish Ministers (Historic Scotland)	Significant environmental effects - YES
	If YES, note SEA topics/issues here Cultural heritage / historic environment

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TABLE 4 – RECORD OF POST SCREENING ACTION

TITLE OF PLAN, PROGRAMME OR STRATEGY (PPS)	
Permitted Development Rights for Domestic Microrenewables – Consultation Paper and Draft Order	
RESPONSIBLE AUTHORITY	
The Scottish Government	
1 Responsible Authority and Consultation Authorities in agreement PPS <u>is</u> likely to have significant environmental effects	X
Date of determination	22nd January 2008
2 Responsible Authority and Consultation Authorities in agreement – PPS <u>is not</u> likely to have significant environmental effects	
Date of determination	
3 Responsible Authority and Consultation Authorities cannot reach agreement – referred to the Scottish Ministers for their determination	
Date referred to the Scottish Ministers	
4 Scottish Ministers' determination	
Date of determination	
5 Publicity requirements met	X
6 Signature	
Date	22nd January 2008