

Permitted Development Rights to Support Provision of New Homes

Scottish Government Consultation

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only England, Wales and Northern Ireland.

1. Executive Summary

The Scottish Government has launched a consultation on proposed changes to *Permitted Development Rights (PDR)* to help address the national housing emergency and support the delivery of new homes in both rural and urban contexts. The consultation also seeks views on potential amendments to PDR for domestic *air source heat pumps (ASHPs)* and the installation of *heat network connections*.

The proposed reforms are positioned as part of the national response to the housing emergency and Scotland's wider *Housing to 2040* and *Heat in Buildings* strategies. They aim to streamline planning processes, unlock appropriate development, and align the planning system with national climate and housing objectives.

For Local Authorities, this consultation is particularly significant. Any changes to PDR will directly affect:

- **Development Management**, by altering which proposals require full planning permission and which proceed automatically under PDR;
- **Local Housing Delivery**, through potential new routes for rural and town centre homes;
- **Planning Resource Pressures**, by changing application volumes and types; and
- **Local Policy Implementation**, as PDR reforms must integrate coherently with Local Development Plans, Local Heat and Energy Efficiency Strategies (LHEES), and other statutory duties.

Responses are due by **Monday 27th October 2025**.

[Click here](#) for further information and to submit your response.

[Click here](#) to read the full report.

2. Overview

This consultation seeks views on how PDR could be revised to help increase housing supply across Scotland, particularly in rural areas and town centres, while maintaining appropriate safeguards around design and convenience. It also explores adjustments to PDR for low-carbon heat technologies to support Scotland's net zero transition.

The consultation forms part of the Scottish Government's wider *Review of Permitted Development Rights*, a multi-phase programme designed to ensure PDR remains consistent with current policy priorities. Earlier phases addressed issues such as electric vehicle charging, micro-renewables, and digital communications. This phase focuses on *housing and heat*.

The proposals are closely aligned with *National Planning Framework 4 (NPF4)*, particularly its emphasis on "Sustainable, Liveable and Productive Places," and reflect recent policy commitments in:

- The *Housing Emergency Action Plan (2024)*;
- The *National Planning Improvement Framework*; and
- The *Heat in Buildings Delivery Plan*.

Why Local Authorities Should Engage

Impact on Planning Workflows

Changes to PDR directly alter the volume and complexity of planning applications received. Expanding PDR to cover new housing types, conversions, or renewable infrastructure could reduce application numbers in some areas but may also increase *prior notification and approval* submissions, requiring new processes or staff training.

Influence on Local Development Outcomes

PDR reforms will shape what development happens *outside* of local authority control. Local authorities therefore have a direct interest in ensuring any changes align with local place strategies, settlement hierarchies, infrastructure capacity, and design frameworks established through Local Development Plans (LDPs).

Administrative and Enforcement Considerations

Authorities remain responsible for verifying compliance, handling prior approvals, and enforcing conditions attached to PDR. Feedback from local planning teams will help the Scottish Government understand enforcement implications.

Housing and Regeneration Objectives

For authorities involved in rural repopulation, regeneration, or town centre revitalisation programmes, expanded PDR could support or complicate existing initiatives. Input from local authorities will ensure national reforms compliment local regeneration and housing delivery objectives rather than cut across them.

Consistency with Other Regulatory Regimes

Local authority perspectives will also be vital in assessing how proposed PDR interact with:

- Building standards;
- Short-term let licensing;
- Conservation area management;
- Local Heat and Energy Efficiency Strategies (LHEES); and
- Environmental designations or flood risk management.

The Scottish Government is seeking implementation-focused feedback from planning authorities to ensure that revised PDR are aligned with local priorities.

Policy Context and Rationale

The consultation responds to three key national policy drivers:

1. **Housing Supply and Affordability:** Simplifying certain planning procedures could remove barriers to small-scale housing delivery and bring redundant rural or town centre buildings back into productive use.
2. **Rural Sustainability:** Revised PDR may help address depopulation and economic decline in rural communities by encouraging adaptive re-use and small-scale new-build housing.
3. **Decarbonisation and Energy Efficiency:** Adjustments to PDR for ASHPs and heat networks would align planning regulations with Scotland's net zero targets and the Heat in Buildings Bill.

However, the Government also acknowledges that poorly designed or excessive PDR could undermine design standards and infrastructure planning. This consultation therefore seeks to strike a balance between national consistency and local responsiveness.

PDR for Rural Homes

The consultation reviews existing PDR (Classes 18B and 22A) which allow the conversion of agricultural and forestry buildings into residential units. Since their introduction in 2021, uptake has been limited due to constraints such as floorspace caps, structural limitations, and the inability to extend or rebuild.

Proposed reforms seek to make these rights more practical and flexible, potentially through:

- Increasing or removing the five-unit and 150m² limits;
- Allowing modest extensions or detached ancillary buildings;
- Adjusting location-based exclusions;
- Refining the prior notification and approval process.

The Government is also considering introducing *entirely new PDR* to allow the replacement or new-build of rural homes under specific circumstances.

For local authorities, these changes could alter how rural housing is planned, serviced, and monitored and particularly in sensitive landscapes or areas with limited infrastructure. They may also impact Local Development Plan policies that currently manage rural housing pressure and design standards.

PDR for Town Centre Living

The consultation also explores new PDR to promote residential conversion in town and city centres — particularly upper floors above retail or commercial premises (*Use Class 1A*).

This aligns with the NPF4 objective of creating “*vibrant, mixed-use places*”, and could support regeneration by bringing vacant upper floors back into use.

Potential PDR could:

- Allow residential conversion of upper floors;
- Possibly extend to some ground floor uses where compatible;
- Be subject to *prior approval* on design, access, and amenity grounds.

For local authorities, expanded town centre PDR may:

- Reduce demand for full planning applications;
- Support regeneration initiatives and town centre living policies;
- Require careful consideration of local heritage, design guidance, and service capacity;
- Affect monitoring and enforcement functions in mixed-use areas.

Authorities are encouraged to comment on how such PDR could complement or conflict with existing town centre strategies and Masterplan Consent Areas (MCAs).

Other Key Proposals Relevant to Local Authorities

- **Short-Term Let Conditions:** The Government is seeking views on whether housing created under PDR should be prohibited from use as short-term lets, to safeguard permanent housing stock.
- **Householder PDR Review:** Possible updates to existing domestic PDR could influence common planning queries such as extensions, garden buildings, and roof alterations.
- **Renewable Heat Infrastructure:** Changes to ASHP and heat network PDR would require planning officers to interpret new technical criteria (e.g. MCS 020A compliance) and consider cumulative impacts in flatted or semi-detached contexts.

These proposals could have implications for planning authority workloads, guidance updates, and enforcement policies.

Next Steps and Local Authority Role

Following the consultation, the Scottish Government will analyse feedback and determine whether to draft amendments to the *Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (GDPO)*.

Local authorities' contributions will be critical in ensuring that any legislative changes:

- Are operationally feasible and do not create unintended burdens;
- Support local housing delivery and regeneration priorities;
- Reflect on-the-ground experience of current PDR implementation; and
- Integrate effectively with local policy, infrastructure, and environmental frameworks.

Stakeholders are strongly advised to read the full consultation before formulating responses.

3. Consultation Questions

This consultation seeks stakeholder views across four sections. Please note this briefing provides only an overview of the questions. Organisations are strongly encouraged to read the full consultation document before providing responses, as detailed context, evidence, and supporting analysis are set out there.

Sections in bold have been explored in the overview:

- **Permitted development right for town centre living: Q.1-Q.9**
- **Permitted development rights for town centre living Q.10-Q.17**
- **Other Considerations and Options Q.18-26**
- 5 Assessments Q.27-Q.36

Permitted development rights for rural homes

Potential for changes to PDR for conversion of agricultural / forestry buildings

Question 1. 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? Please explain your answer including (if appropriate) how you consider the limit should change.

Question 2. Do you believe the current floor space maximum of 150 square metres in Classes 18B and 22A should be removed or increased? Please explain how and why.

Question 3. 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?

Question 4. 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?

Question 5. 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?

Question 6. 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?

Question 7. Do you consider that the PDR under Classes 18B and 22A should be expanded or revised in any other way?

Potential for PDR for new-build homes in rural areas

Question 8. 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?

Question 9. 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?

Permitted development rights for town centre living

Potential for PDR for change of use of buildings within Use Class 1A

Question 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?

Potential for PDR for changes of use of upper floors only

Question 11. Do you consider that there should be PDR for the change of use of properties above Use Class 1A premises to residential use?

Question 12. Do you have any comments about the prospect that the PDR would allow a change of use to residential from any existing use?

Floorspace requirements

Question 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.

Other exclusions, limits and restrictions

Question 14. What other potential limits, restrictions and exclusions to such PDR should be considered?

Prior approval mechanism

Question 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?

External alterations

Question 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?

Other comments

Question 17. Please provide any other comments regarding the potential options to introduce PDR for 'town centre living' proposals as discussed in the consultation.

Other Considerations and Options

Other types of accommodation

Question 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?

Question 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?

Householder development

Question 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?

Streamlining and reducing application numbers

Question 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)?

Question 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?

Question 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?

Question 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?

Question 25. Do you consider that any other changes should be made to the existing PDR for the installation of ASHPs in Scotland? Please explain your answer

Potential for PDR for connections to heat networks

Question 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?

4. APSE Comment

APSE encourages our members to respond to this consultation. It is important that local authority views are considered fully, as the briefing highlights, the views from local authorities will be critical in ensuring that any legislative changes:

- Are operationally feasible and do not create unintended burdens;
- Support local housing delivery and regeneration priorities;
- Reflect on-the-ground experience of current PDR implementation; and
- Integrate effectively with local policy, infrastructure, and environmental frameworks.

As APSE members across the UK will be aware APSE has long expressed its concerns that permitted development rights can lead to poor quality housing lacking in suitable local infrastructure for residents, and in many cases more specifically those groups who may already face social and financial challenges. It is right that these concerns are reflected in the consultation questions and we would urge our member authorities to consider the negative impacts of poor housing developments that ultimately increase demand upon council services.

As the consultation highlights this also considers renewable heat infrastructure which also features frequently in our Climate Change and Renewables network. We therefore encourage our members to continue discussions on this consultation and the areas within by participating in our Scottish Housing, Construction and Building Maintenance Network and Scotland Climate Change and Renewables Network which are both free to attend for APSE members. Information on these Networks can be found by [clicking here](#). APSE also

runs a national Networks that meet to facilitate discussions between our members across the United Kingdom, more information on attending this can be found by [clicking here](#).

APSE's Energy service offers a range of briefings, publications and newsletters as well as in person and webinar events covering the Energy, Climate Change and Sustainability agenda which also takes in the themes outlined above, with a recent Scotland Energy Summit which took place in Glasgow on the 21 and 22 October 2025. For more information on the APSE Energy [click here](#).

Sophie Boyle,
Research and Information Officer
sboyle@apse.org.uk

Louise Melville,
Principal Advisor (Scotland)
lmelville@apse.org.uk

Sign up for APSE membership to enjoy a whole range of benefits

APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular networks, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The networks are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Networks are a free service included as part of your authority's membership of APSE and all end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE network meetings and would like to be added to our list of our contacts for your service area please email enquiries@apse.org.uk

Our national networks include:

- FM and Building cleaning
- Catering (School Meals)
- Cemeteries and Crematoria
- Local Government Reorganisation Network
- Highways and Street Lighting
- Housing, Construction and Building Maintenance
- Local Authority Social Value, Procurement and Commercialisation
- Parks, Horticulture and Ground Maintenance
- Recovery and Renewal
- Renewables and Climate Change
- Roads, highways and street lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport
- Waste Management, Refuse Collection and Street Cleansing
- Armed Forces and Veterans Network

Visit www.apse.org.uk for more detail



Association for Public Service
Excellence 3rd floor, Trafford House,
Chester Road, Manchester M32 0RS.
telephone: 0161 772 1810 fax: 0161
772 1811 web: www.apse.org.uk