



Law Society
of Scotland

Consultation Response

The Scottish Government's Proposed Programme for
Reviewing and Extending Permitted Development
Rights (PDR) in Scotland

January 2020



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Planning Law Sub-committee welcomes the opportunity to consider and respond to Scottish Government's consultation: *The Scottish Government's Proposed Programme for Reviewing and Extending Permitted Development Rights (PDR) in Scotland*¹. We have the following comments to put forward for consideration.

Consultation questions

Q1. Do you have any comments on the proposed Work Programme, including the proposed phasing and groupings?

We consider that the proposed programme and the groupings/phasing are logical and achievable. These appear to dovetail with other current policy aims and government themes. The work categories are appropriate as these will allow environmental developments which are relatively small in scale, but which will have a significant positive impact on climate change and sustainability to be carried out with minimum procedure and at less cost. PDR for these types of development should encourage more development and therefore are likely to produce a cumulative benefit.

From a legal perspective, we would recommend that there is precision in designating and defining the categories of extended PDRs as this will help to ensure clarity and certainty for owners and neighbours.

¹ <https://www.gov.scot/publications/scottish-governments-proposed-work-programme-reviewing-extending-permitted-development-rights-pdr-scotland/>

We note that habitat pond creation, and allotments and community growing schemes are scheduled for Autumn 2021. We wonder if this might be more suited earlier in the programme to compliment the new house build and community expansion targets which are being undertaken at present.

Sustainability Appraisal

We have no comments on these questions.

For further information, please contact:

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