

# Speaking for Scotland's Buildings



Ivan McKee MSP  
Minister for Public Finance  
[MinisterPF@gov.scot](mailto:MinisterPF@gov.scot)

Dr Fiona Simpson  
Chief Planner  
[chief.planner@gov.scot](mailto:chief.planner@gov.scot)

Dear Minister and Chief Planner

## **The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2024 Phase 3 of Permitted Development Rights (PDR) in relation to Conservation Areas**

The Architectural Heritage Society of Scotland (AHSS) is a member of the Built Environment Forum Scotland (BEFS) and we have received a copy of the information sent to the Minister for Public Finance, Ivan McKee MSP and Chief Planner, Dr Fiona Simpson on behalf of the Conservation Officers Group (COG), regarding phase 3 of Permitted Development Rights (PDR) in relation to Conservation Areas.

We support the Conservation Officers Group request for consideration of a delay to the implementation of Phase 3 of Permitted Development Rights in relation to Conservation Areas. We note that The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2024 came into force on 24 May 2024, having been made on 26 March 2024 and laid before the Scottish Parliament on 28 March 2024. We would welcome suspension of this order, or a delay in implementation, while the two pieces of ongoing work in relation to Heat in Buildings legislation and the review of Energy Performance Certificates take place. In addition we advocate that you review the implications of implementing this Statutory Instrument in relation to the points made in the COG submission.

We would also encourage engagement with the Heritage Directorate of Historic Environment Scotland especially in relation to the wording of Article 8 and the insertion of Class 7A. In our consultation submission we made a number of points at Q17 and Q18 including that there was no mention of the material from which the replacement window is made in the proposed conditions. We consider this a serious omission in the Statutory Instrument. The appearance of the new windows will not preserve or enhance the conservation area if the windows which were originally of timber are not of timber. A further consideration is that there is a vast difference in the embodied carbon dioxide of uPVC windows versus timber, the natural product (timber) having only a tenth of the CO<sub>2</sub> emissions of the uPVC one.

The remit of the Society is to encourage the protection of Scotland's built heritage and thus the Society cannot support a weakening of this protection. We appreciate that compromises will have to be made in relation to the climate emergency but they must not damage the character of listed buildings or conservation areas because if they do the point of heritage protection is lost. The first priority of the legislation is to protect this character and to water it down in some of the ways suggested in the consultation and now in the implementation using Scottish Statutory Instrument 2024 No 102 is dangerous and will lead to consequences of long-term damage and degradation affecting the value of the built heritage for sense of place, the economy and tourism. Heritage is not a niche interest. It is of national and international importance, affecting everybody who lives in, visits or loves Scotland. For the Scottish Government to undermine previous investment as demonstrated in the Conservation Officers Group submission is hugely damaging.

We look forward to hearing from you.

Yours faithfully

Jocelyn M Cunliffe

Jocelyn Cunliffe RIBA FRIAS FRSA