

# Child Rights and Wellbeing Screening Sheet for Permitted Development Rights Review – Phase 2

## 1. Brief Summary

Permitted development rights (PDR) refer to those forms of development which are granted planning permission through national legislation, meaning they can be carried out without a planning application having to be submitted to (and approved by) the local authority. Specifically, PDR are contained within the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (“the GPDO”).

The Scottish Government is currently undertaking a review of PDR in Scotland. This review involves taking forward new and extended PDR for a wide range of development types. Through Phase 2 of the programme, we are introducing changes to PDR, as well as the Town and Country planning (Use Classes) (Scotland) Order 1997 (UCO)<sup>1</sup>, that are intended to help support:

- The rollout of electric vehicle (EV) charging infrastructure.
- The resilience and recovery of city, town and local centres.
- Operational development at Scottish ports

The Phase 2 measures:

- Increase the scale of EV chargers that may be installed under PDR, broaden the locations where PDR apply and extend the scope of the PDR to include associated apparatus and equipment.
- Provide greater flexibility to change the use of certain buildings and place furniture outside specified hospitality premises.
- Align port operators’ PDR with those of airports.

They would contribute to the following National Outcomes:

- We value, enjoy, protect and enhance our environment.
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy.
- We live in communities that are inclusive, empowered, resilient and safe.

The Phase 2 measures have been informed by a public consultation carried out in summer 2022, as well as a sustainability appraisal incorporating Strategic Environmental Assessment (SEA) requirements, which was subject to public consultation in November 2019. The Phase 2 measures are accompanied by an update to the sustainability appraisal and draft SEA Post Adoption Statement. An [independent analysis](#) of the consultation responses has been carried out, it contains a detailed summary of respondents’ views on each of the Phase 2 consultation proposals.

By removing the need to seek planning permission before carrying out specified development or works, PDR and the UCO can help to provide greater certainty for applicants and save time and money associated with preparing a planning

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<sup>1</sup> The UCO groups various uses of land/buildings into a series of separate classes and provides that a change between uses in the same class does not constitute development requiring planning permission.

application. In doing so, this can help to promote wider Scottish Government objectives – including those related to EV charging, centres and ports.

## 2. What aspects of the policy/measure will affect children and young people up to the age of 18?

The impact of the Phase 2 measures will ultimately depend on the number and nature of developments that come forward as a result of any new provisions. PDR and the UCO enable specified development and works to be carried out without an application for planning permission but they do not guarantee delivery. Insofar as the measures do support the rollout of EV charging infrastructure and EV ownership, they should help to contribute to reduced vehicle emissions and improved air quality. These outcomes would positively affect children and young people. Similarly, insofar as the measures promote the resilience and recovery of Scotland's centres, children and young people would be positively affected. The potential changes to port operator PDR are not expected to affect children and young people.

## 3. What likely impact – direct or indirect – will the policy/measure have on children and young people?

The Phase 2 measures are not expected to have direct impacts on children and young people. We anticipate that positive indirect impacts would stem from the extension of PDR for EV charging infrastructure. This is on the basis that children and young people are disproportionately affected by air pollution and the long term effects of climate change. The Phase 2 measures that are intended to support the resilience and recovery of Scotland's centres also have the potential to indirectly benefit children and young people by helping to create spaces which are welcoming, safe and accessible.

## 4. Which groups of children and young people will be affected?

The positive indirect impacts associated with the Phase 2 measures are expected to benefit all groups. As noted in the draft EqIA that accompanied the Phase 2 consultation, the proposed PDR for on-street EV chargers and furniture could potentially affect some disabled people (including disabled children and young people) negatively if they lead to uncontrolled provision of such developments. This is on the basis that obstructions and street clutter can hinder inclusive access. However, such issues can be considered and controlled through mechanisms other than planning, which will continue to apply even if planning permission is granted via PDR. The Phase 2 consultation sought views on this point and the final proposals have been refined as a result.

## 5. Is a Children's Rights and Wellbeing Impact Assessment required?

We do not consider that a CRWIA is required. None of the respondents to the Phase 2 consultation commented on or disagreed with our view that a CRWIA is not required.

## 6. Sign & Date

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