

Permitted Development Rights for Microgeneration Equipment on Non-Domestic Properties - Consultation



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Micro Hydro Association

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

King-Smith

Forename

Gavin

2. Postal Address

High Appin		
Tynron		
Thornhill		
Dumfries & Galloway		
Postcode DG3 4LF	Phone 01848200770	Email administrator@microhydroassociation.co.uk

3. Permissions - I am responding as...

Individual / Group/Organisation
Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?
Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis
Please tick **ONE** of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).
Are you content for your **response** to be made available?
Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?
Please tick as appropriate Yes No

EQUAL OPPORTUNITIES QUESTIONNAIRE

This Equal Opportunities Questionnaire is requested in order that the Scottish Government can build an accurate picture of the make-up and diversity of the people that our planning policies impact on, and to ensure that the way in which we carry out our consultations is inclusive and not unwittingly discriminatory. If you have responded to this consultation as an individual, it would be helpful if you could complete this form. This information is only used for this purpose.

If you have a disability that requires us to make a reasonable adjustment to enable you to complete this form, please notify us.

Name	Gavin King-Smith
Consultation to which you are responding	Permitted Development Rights for Microgeneration Equipment on Non-Domestic Properties
Gender	Male <input checked="" type="checkbox"/> Female <input type="checkbox"/>

Ethnic Origin

How would you describe your ethnic or cultural origin?		
White Scottish <input type="checkbox"/>	White British <input checked="" type="checkbox"/>	White European/Other <input type="checkbox"/>
Black Scottish <input type="checkbox"/>	Black British <input type="checkbox"/>	Black African <input type="checkbox"/>
Black Caribbean <input type="checkbox"/>	Black Other <input type="checkbox"/>	
Asian Scottish <input type="checkbox"/>	Asian British <input type="checkbox"/>	
Indian <input type="checkbox"/>	Pakistani <input type="checkbox"/>	Chinese/Other Asian <input type="checkbox"/>
Bangladeshi <input type="checkbox"/>		
Mixed Race Origin <input type="checkbox"/>		Other <input type="checkbox"/>

Age

Under 25 <input type="checkbox"/>	25-39 <input type="checkbox"/>	40-54 <input type="checkbox"/>	55-65 <input checked="" type="checkbox"/>	65+ <input type="checkbox"/>
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Disability

<p>Do you have a disability as defined by the Disability Discrimination Act 1995 (DDA)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>The definition of a disability under the DDA is “a physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out normal day to day activities.”</p>

CONSULTATION QUESTIONS -

Core Question (Question 1)

What types and scales of equipment do not need to be examined by a planning authority because they will have an acceptably small impact, or no impact at all?

Micro-hydro installations (under 50kW); these are sufficiently regulated by electrical connection regulations (G83/1 and G59/1, G59/2); SNH requirements, including historic buildings regulations, and environmental laws and regulations (SEPA). They are now also subject to MCS or equivalent certification procedures. These cover all relevant issues. Their footprint, particularly for high head schemes is too small to warrant planning authority involvement in addition to this. Most viable high head schemes are to be found on agricultural land, their intake structures are small (usually <1m height and <3m width), their pipelines are normally buried, their cables are buried, and their turbine houses are smaller than those suggested as permitted building structures.

Regulation through a planning authority duplicates existing regulation.

I have deleted questions on which I have no comment.

Question 2

Do you think that it is appropriate to introduce an entirely new schedule of permitted development rights (with specific amendments for existing permitted development rights for Agricultural and Forestry units). The alternative is to make amendments to each of the existing classes of permitted development.

No

Question 40

Given the number of components which are required to make an operational micro hydro scheme and the variability of the nature of invasiveness of each individual scheme is there sufficient value gained in granting permitted development for one part of the scheme given that planning permission would be required for the remainder of the scheme?

See answer to question 1

Question 41

Is the proposed condition on the removal of equipment sufficient to safeguard against inoperative microgeneration equipment effectively becoming redundant clutter within the built environment?

Comments

Question 42

Do you think that it is appropriate for the internal noise threshold should be extended to all buildings where people are expected to sleep?

Most turbine houses will be sited near the watercourse from which water has been abstracted and will not generate significantly more noise than the water itself (which will become quieter as energy will be removed from it)

Partial Equalities Impact Assessment - Consultation Question

(Annex B to the main consultation paper)

Partial Business and Regulatory Impact Assessment for Permitted Development Rights for Microgeneration Equipment on Non-Domestic Properties - Consultation Questions

(Separate consultation document, available on the Scottish Government's website)

Question 3

Do you agree with the range of costs for planning applications for microgeneration equipment, if not, what should the range be?

For micro-hydro schemes, costs of obtaining licenses for abstraction and costs of meeting electrical connection regulations

Question 4

Is the approach taken to costs associated with compliance with the Microgeneration Certification Scheme appropriate?

The current MCS scheme is not viable for micro-hydro and imposes costs on potential suppliers and installers which are prohibiting development; an alternative scheme of design and sight inspection now under consideration will add costs for proprietors. As stated earlier, there is no case for further planning approval with its associated costs.

Question 7

We would welcome comments from consultees on the impacts on Scottish firms and competition as a result of the proposed regulations.

See answer to question 4 – unless an alternative to MCS certification is introduced, there is likely to be very limited development in the micro-hydro sector. Requirements for planning regulation and its associated duplication of effort and costs will exacerbate this.