

Report

Report to:	Planning Committee
Date of Meeting:	16 November 2021
Report by:	Executive Director (Community and Enterprise Resources)

Subject	South Lanarkshire Local Development Plan 2 Supporting Planning Guidance:- ◆ Carrying out Development at a Dwellinghouse ◆ Electric Vehicle Charge Points
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ inform the Committee of the work undertaken to prepare Supporting Planning Guidance (SPG) related to the South Lanarkshire Local Development Plan 2 (SLLDP2)
- ◆ advise the Committee of the policy direction taken in the SPGs
- ◆ seek Committee approval for the proposed SPGs as set out in Appendices 1 and 2 respectively and the carrying out of a 6 week period of public consultation
- ◆ inform the Committee of the next steps in preparing further SPGs

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the following Supporting Planning Guidance, attached at Appendices 1 and 2 of the report respectively, be approved:-
 - ◆ Carrying out Development at a Dwellinghouse
 - ◆ Electric Vehicle Charge Points (EVCPs)
- (2) that the Supporting Planning Guidance be published and made available for a 6 week period during January and February 2022; and
- (3) that the Head of Planning and Building Standards Services be authorised to undertake the appropriate procedures and to make drafting and technical changes to the Supporting Planning Guidance on Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points prior to their publication for consultation.

3. Background

3.1. The Planning Committee on 1 December 2020 agreed to carry out the necessary steps to adopt the proposed South Lanarkshire Local Development Plan 2 (SLLDP2). The Plan was submitted to Scottish Ministers in February 2021 for them to advise of the Council's intention to adopt the plan and notice was received in March that adoption could proceed. The SLLDP2 was subsequently adopted in April 2021.

- 3.2. Members may also recall that when the proposed SLLDP2 was approved it was highlighted that, in order to respond to the need for development plans to be concise and focused, further detailed information, advice and guidance would be contained in Supporting Planning Guidance. Previously this would have taken the form of Supplementary Guidance (SG) and formed part of the Development Plan. However the Planning (Scotland) Act 2019 removes the ability for planning authorities to prepare SG. However Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance without having to comply with the procedures involved in the production of statutory Supplementary Guidance (SG). Non-statutory planning guidance may be used to provide detail on a range of subject areas. This form of guidance does not form part of the development plan. However, adoption of this guidance by the Council gives it a formal status, meaning that it will be a material consideration in decision making on planning applications.
- 3.3. Going forward it is intended to prepare non statutory supporting planning guidance on a range of topics. This work has been continuing and proposed Supporting Planning Guidance on Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points has now been prepared. The purpose of the Supporting Planning Guidance is to support the policy approach already contained within the adopted SLLDP2 by providing more detailed guidance and advice. The SPG expands on the policy direction set out in SLLDP2 and translates this into detailed guidance. The purpose of each SPG is solely to reinforce and support the terms of the policies already contained in the adopted SLLDP2, approved by the Committee in December 2020. The SPG does not alter either the aims or purposes of the policies.
- 3.4. The SPG on Carrying out Development at a Dwellinghouse was based on, and updates, the advice that was previously set out in the superseded Development Management and Placemaking Supplementary Guidance (SG) associated with the former South Lanarkshire Local Development Plan. The SPG on Electric Vehicle Charge Points is a new document prepared to provide up to date advice on the emerging issue of the transition to low emission vehicles to tackle climate change.
4. **Supplementary Planning Guidance - Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points**
 - 4.1. The proposed Supporting Planning Guidance documents are found in Appendices 1 and 2 of the report. The SPG on Carrying out Development at a Dwellinghouse sets out detailed guidance to homeowners proposing to extend or alter their house. It sets out key design principles which should be taken into account by applicants when planning new house extensions and alterations. The guidance also covers proposals for using the property for work or business purposes, including as a short term let.
 - 4.2. The SPG has been prepared to supplement and support the adopted SLLDP2, in particular Policy DM2 House Extensions and Alterations. Within the SPG general advice is given on associated issues such as permitted development rights, certificate of lawfulness, accessibility, flooding and drainage, road safety and building warrant regulations.
 - 4.3. The SPG on Electric Vehicle Charge Points (EVCPs) is intended to assist developers with requirements in terms of the type and number of EVCP units to be provided and the information that will be required to be submitted with planning applications. The SPG contains advice on both residential and non-residential standards, including disabled space provision and accessible parking bays.

- 4.4. This SPG will support the aims of Policy SDCC4 Sustainable Transport in SLLDP2. This policy advises that to address climate change and support the use of electric vehicles, the Council will seek the inclusion of electric vehicle charging points (EVCP) within new developments. This aim reflects the vision of the Scottish Government's National Transport Strategy 2 to reduce transport emissions by 75% by 2030 and to net-zero by 2045. The transition to Electric Vehicles (EVs) will contribute significantly to these goals and the aim is to enable access to convenient and reliable EV charging infrastructure at home, at work and when out and about.
- 4.5. It is proposed that, if Committee agree with the format and context of both draft documents, the SPG on Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points will be the subject of public consultation in January 2022, for a period of 6 weeks.
- 4.6. The Committee should also note that it is anticipated further SPGs will be produced covering:-
- ◆ Town and Neighbourhood Centres
 - ◆ Residential Design Guide
 - ◆ Rural Design and Landscape Impact
 - ◆ Community Infrastructure Assessment

Other topics may emerge once the Scottish Government publishes the draft National Planning Framework 4 later this year. These will be reported to the Planning Committee when they are prepared and thereafter be the subject of public consultation. It should be noted that the list of proposed SPGs is not exhaustive and may be updated at a later date.

- 4.7. The SPGs on Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points have been made available for viewing by Members prior to Committee.

5. Next Steps

- 5.1. It is recommended that the proposed SPGs, as attached at Appendices 1 and 2, are approved. Following Committee approval it is intended to finalise the documents including the use of diagrams and photographs to demonstrate examples of good practice and what to avoid. Thereafter the SPGs will be published and made available for public comment during January/February 2022 for a 6 week period.
- 5.2. Following public consultation a report will then be produced summarising the comments received, the Council's response and any suggested revisions to the SPGs. This report will be considered at a future meeting of the Planning Committee.
- 5.3. Subject to the Committee's approval, the proposed SPGs will become a material consideration in the determination of planning applications alongside the adopted South Lanarkshire Local Development Plan 2.

6. Employee Implications

- 6.1. The preparation of the Supporting Planning Guidance and subsequent publicity and potential changes will be carried out using existing staff resources within Planning and Economic Development Services.

7. Financial Implications

- 7.1. The financial resources required to deliver the local development plan including any associated SPGs are based upon current budget levels available to Planning and Building Standards Services. Changes in these resources may impact on the programmes presented.

8. Climate Change, Sustainability and Environmental Implications

- 8.1. A Strategic Environmental Assessment (SEA) of Local Development Plan 2, including the Plan's spatial strategy, policies and potential development sites, was carried out as required by the Environment Assessment (Scotland) Act 2005. The comprehensive and robust SEA helped to ensure that LDP2 fulfils its purpose of providing a clear framework to direct development in an environmentally sustainable way, ensuring any wider environmental issues were considered as far as reasonably possible. The SEA helped to improve the linkage between the local environment, sustainable lifestyles and the potential for promoting sustainable economic development across communities.
- 8.2. A SEA Screening Report for both SPGs was prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) for their consideration. All three agencies have advised that further SEA work is not required as the SPGs are unlikely to have significant environmental effects other than those already identified, assessed and reported within the SEA of LDP2.

9 Other Implications

- 9.1. The SLLDP2 was adopted in April 2021. However it is necessary to provide detailed guidance to support the adopted planning policies. There would be a reputational risk if this was not undertaken. The SPGs proposed are aimed at promoting the increased provision of EVCPs throughout new build development in South Lanarkshire and promoting higher quality householder development while protecting residential amenity and the character of existing residential areas.

10. Equality Impact Assessment and Consultation Arrangements

- 10.1. An Equalities Impact Assessment (combining Child Rights and Wellbeing Impact Assessment) is not required.
- 10.2. Consultation on the SPG will be carried out as described in section 5.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

5 November 2021

Link(s) to Council Values/Ambitions/Objectives

- ◆ Accountable, effective, efficient and transparent
- ◆ Make communities safer, stronger and sustainable
- ◆ Improve the quality of life of everyone in South Lanarkshire

Previous References

- ◆ Report to Planning Committee 1 December 2020

List of Background Papers

- ◆ Planning (Scotland) Act 2019
- ◆ Circular 6/2013 – Development Planning
- ◆ South Lanarkshire Local Development Plan 2 adopted April 2021

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Pamela McMorran, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB

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Appendix 1

Carrying out Development at a Dwellinghouse

Supporting Planning Guidance

This Supporting Planning Guidance (SPG) has been prepared to provide guidance to homeowners proposing to extend or alter their house. It sets out key design principles which should be taken into account by applicants when planning new house extensions and alterations. The guidance also covers proposals for using the property for work or business purposes, including as a short term let. The content of this SPG will be used by South Lanarkshire Council as planning authority in determining planning applications.

This is part of a series of SPG that will be prepared to supplement and support the policies and proposals contained in the South Lanarkshire Local Development Plan 2, adopted on 9 April 2021. In particular, Policy DM2 House Extensions and Alterations should be read in conjunction with the advice provided in this SPG.

1.0 General Principles

1.1 Permitted Development

Many forms of householder development may be carried out as 'permitted development'. Provided the proposed development meets criteria set out in legislation, it will not require a specific grant of planning permission. Generally, this is because the scale and nature of the development is considered to be less significant and will have little impact on the surrounding area. The types of development that can be considered as 'permitted development', and the qualifying criteria, are set out in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended.

The Scottish Government has created a guide for householder permitted development which clearly sets out, with the support of sketch examples, when permission is not required. It also includes advice for proposed changes to flatted dwellings (where different rules can apply) and microgeneration. Please refer to this guide in the first instance to establish if your proposed development can be carried out without the submission of a planning application.

1.2 Certificate of Lawfulness

If it is not clear whether a proposal needs permission or where a householder requires to have a formal decision taken by the Council, then an application for Certificate of Lawful Use of Development should be submitted. This is a means of obtaining a decision from the Council as to whether proposed works require planning permission. The fee is half of the planning application costs, for example: to determine if a proposed house extension is permitted development, the fee would be £101 (half that of a planning application for the erection of an extension). Please note that a Certificate of Lawfulness decision is not a grant of planning permission, or an indication of the likely outcome of any future application. Further details on how to submit a Certificate of Lawfulness can be found on the Council's website.

A Certificate of Lawfulness can also be submitted for existing development which can confirm that it is lawful and exempt from enforcement action. In these cases, the full planning application fee is payable. An example of when this may be useful is for the purposes of selling a property.

1.3 Accessibility

The Planning (Scotland) Act 2019 sets out the requirement for Local Authorities to ensure that the housing needs of older and disabled people are met. This includes the extent to which the planning system is operating to ensure that existing housing is adapted to meet the housing needs of older and disabled people.

It is anticipated that the National Planning Framework 4 (NPF4) will be approved in mid-2022. As an interim measure the Scottish Government published a Position Statement (26 November 2020) on NPF4 which sets out current policy. Promoting inclusion and eliminating discrimination is a key outcome expressed in the Position Statement to achieve resilient communities.

When planning any extension or alteration to a dwellinghouse, consideration must be given to ensure that the existing inclusive environment is not compromised and can be improved where possible.

Modern houses are designed to promote a more inclusive built environment that will better address the changing needs of occupants over time. Inclusive design can take the form of ramped access, level thresholds, accessible apartments, and accessible sanitary facilities. House designs also normally include features to aid future adaptation, such as space for a shower on the accessible entrance level and space to allow the installation of a stair-lift. The external environment can also contribute to accessibility, in particular having level hard surfaces which allow manoeuvrability and ease of access. It is unlikely older properties will have been designed to include these features.

Alterations and extensions should consider their impact on existing accessibility and manoeuvrability with the aim of maintaining or improving it and the ability to adapt the property in the future. Further advice on this can be sought from the Building Standards service and to guidance on our website:-

https://www.southlanarkshire.gov.uk/info/200219/planning_for_developers/51/inclusive_design

1.4 Flooding and Drainage

When proposing an extension to a property or the erection of structures within garden ground, it is important that possible flood risk and drainage design are taken into account at the early stages. It can be of benefit to consult and liaise with the Council's Flood Risk Management Team at roadsandtransportation@southlanarkshire.gov.uk

Where an application site is located within an identified flood risk area (shown in flood maps produced by SEPA), the Planning Officer may consult the Council's Flood Risk Management team for advice. Please see the link for SEPA's flood maps.

Structures such as decking are unlikely to be acceptable where they extend directly into a watercourse or the floodplain of a watercourse. Although ownership may extend to the midpoint of the watercourse, for reasons of public safety, integrity of the river embankment and flood risk both localised and further downstream, it is unlikely proposals will be supported through the submission of a planning application.

Where the property is in an area that does not have a public sewer, and the extension involves additional bedrooms, the onus is on the applicant to confirm with SEPA that an existing licence under the Controlled Activities Regulations (Scotland) is not breached by the proposals. Drainage infrastructure outwith a site boundary must take account of impacts on any protected sites such as SSSI, SAC etc, and ownership and access rights to maintain the system.

1.5 Road safety

Impact on car parking provision

It is important that sufficient car parking provision is provided to serve a dwellinghouse. This ensures that parking on roads or pavements does not occur. Where an extension increases the number of bedrooms, additional parking spaces may be required.

Proposals resulting in the removal of existing car parking, such as building over or removing part of a driveway, must demonstrate that sufficient car parking remains to serve the property, or that replacement parking can be provided where it is needed.

In accordance with the SCOTS National Roads Development Guide, one-bedroom properties should have one parking space, two and three-bedroom properties should have two parking spaces, and larger houses with four or more bedrooms require 3 parking spaces. As a guide: 1-2 bedroom houses need one parking space; 3-4 bedrooms require 2 spaces, and larger houses with four or more bedrooms should have will need 3 three parking spaces. A parking space is 3m x 6m, and must not overlap. An exception may be made for parking spaces to reduce to 2.75m x 6m in cases where the existing driveway does not meet a 3.0m width.”

A garage is not considered a car parking space, unless it measures 7m x 3m internally. A double garage may count towards a maximum of 1 parking space where the above criteria on internal dimension for both garage spaces is satisfied. The conversion of integral garages to form a habitable room must ensure the appropriate parking provision is provided as per the above requirements.

Triple length driveways are not acceptable as this configuration is unlikely to see all spaces regularly used instead resulting in cars being parked on-street.

The desirable maximum driveway gradient shall be 8% and absolute maximum shall be 10%, however, where the driveway forms part of the property pedestrian access then the applicant shall take account of the maximum gradients permitted under the Building Regulations whichever is the more onerous.

Through the planning application process the existing and proposed block plans are required to show the available car parking spaces. This will be considered when we assess an application, and the application can be refused if insufficient parking to serve the house would be provided.

Section 56 Agreement / Road Opening Permit

This may be required if the proposed extension includes a new vehicle access that crosses a public footpath from a road. Please consult the Council's Roads and Transportation Services for more information.

Planning permission is not required to form a new driveway unless the property is on a classified road or is a flat. However, please check the guidance referred to in section 1.1 to establish if planning permission is required to create a hard surface, such as block paving.

Sightlines

Any external works, including car parking and access arrangement, should ensure that sufficient visibility splays are provided and maintained to maximise vehicle and pedestrian safety. New car parking spaces or driveways shall not be located within

junction or forward visibility splays. Such works should also ensure that the visibility splays of neighbouring properties are not adversely impacted upon. Details on sightline requirements can be found in the National Roads Development Guidelines - Please contact the Councils Roads and Transportation Services for advice at roadsandtransportation@southlanarkshire.gov.uk

1.6 Building Warrant

A building warrant may be required for development proposals, even if planning permission is not. For example, internal work such as installing a new stair, converting a loft, or converting a garage needs to meet building regulations. Some work, such as the erection of a shed, garage, summer house or other detached building within your property, may also require a building warrant. Depending on the design and siting, such work may require consideration of the fire performance of elements of the building, particularly when close to another building or boundary. Even where a building warrant is not required, work must comply with all relevant building regulations.

We encourage you to submit any building warrant application online using [eBuildingStandards Scotland](#) - this lets you pay online too.

Further information on the Building Standards system in Scotland and the customer journey is available on the Scottish Government website, see link:- <https://www.gov.scot/publications/building-standards-customer-journey/>

Please contact the Building Standards team if you need further advice.

2.0 House Extension and Alterations

Many housing areas have a distinct character resulting from the quality of the buildings, layout and landscaping. Every dwellinghouse contributes to the general character of the street and surrounding area and as such it is important that extensions or external alterations are in keeping with both the original house and the context of the streetscape. Poorly designed house extensions and alterations can have a detrimental effect on the visual appearance of an area and on the residential amenity of neighbours. The aim should be to extend or alter dwellings to a high standard which is both sympathetic to the original design and the impact on neighbouring properties.

The next two sections set out guiding principles that will be considered when assessing a planning application. Detailed guidance is then set out in relation to specific forms of development:

- 1- Decking and raised platforms
- 2- Dormer extensions
- 3- Single storey extensions
- 4- Two storey extensions
- 5- Garages, car ports and integral garage conversions
- 6- Porch outside any external door
- 7- Ancillary detached buildings
- 8- Fences and walls
- 9- Renewable Energy
- 10- Flats
- 11- Listed Buildings and Conservation Areas
- 12- Open plan estates
- 13- Working from home
- 14- Short term lets/ Self-catering

3.0 Guiding Principles

Permitted development rights enable development to take place without the need for planning permission even though the development may not meet the aims of this SPG, for example respecting distances from boundaries for access, or the impact on neighbouring properties such as over shadowing. Where a planning application is submitted, a development proposal will be guided by the criteria set out in this SPG. In assessing the acceptability of the proposal, no consideration will be given to the criteria of permitted development regulations unless it can be shown the proposal would not significantly affect the amenity or character of the area and adjoining properties, reduce the minimum 1.0m accessible footpath criteria, or adversely impact upon car parking provision. So, while aspects of a proposal may be viable in principle under permitted development rights, this may not be sufficient justification to support a proposal which fails to meet the relevant criteria and may result in a refusal of the application.

To protect the amenity, character and appearance of existing residential areas, applications for extensions and alterations to existing houses will be assessed against and will be required to meet the following criteria:

- a) The extension should be kept in proportion to the existing house in terms of its width, height, and massing. The design should not detract from the appearance of either the house or the surrounding area. It should be finished in materials which match or are compatible with those of the existing house; or which can be assessed in a wider context as beneficial to the area.
- b) Extensions should not result in a significant loss of privacy to adjoining/neighbouring houses or their garden ground. The minimum distance between windows of directly facing habitable rooms, such as living rooms and bedrooms, should be no less than 20 metres. This distance may be relaxed where the line of view between the windows is at an angle. Where overlooking of adjoining gardens would occur the application should include proposals to provide screening to mitigate the impact.
- c) Upper floor side windows that have the potential to overlook adjoining properties, including their garden areas, will generally be acceptable where they relate to non-habitable rooms and hallways. Bathroom windows and those in habitable rooms such as dressing rooms will be required to use obscured glazing.
- d) The extension should not result in a significant loss of daylight or sunlight to neighbouring houses, or their garden ground, nor cause overshadowing, detrimental to the amenity of adjacent properties.
- e) The extension should not, by virtue of its sheer physical/visual presence or scale, dominate adjacent properties such that the visual amenity of the area is adversely affected.
- f) The extension should not be of a form or design which would result directly, or if repeated on adjoining properties, in the modification of detached or semi-detached properties to create either physically or visually, a terraced or continuous form of development when viewed from the street. A minimum distance of 1.0m for single storey extensions, and 2.0m for 2 storey extensions, will normally be required from the side boundary to help achieve this. However, a relaxation for 2 storey extensions from 2.0m to 1.0m may be appropriate where it can be shown that through the bespoke design of the proposal the impact can be mitigated for example, stepping the extension back an appropriate distance from the front elevation, or where the extension adjoins neighbouring open ground.
- g) The extension, regardless of height, scale, or location, should only extend to the side boundary where it can be shown that there will be no significant adverse effect

- on the amenity/setting of the adjacent property. Mitigation measures should be considered to reduce any impact, such as pitched roof gable ends.
- h) Any extension to the side boundary should not have a detrimental impact on the provision of, or access to, bin storage. The preference for bin storage to be in a non-public location will be maintained. If this cannot be achieved a bin storage area should be shown on the proposed block plan. The bin storage area should be located outwith car parking spaces and, if it is to be located at the front of the property then screening proposals should be included with the application.
 - i) Windows and other details of the extension should be aligned with those of the existing house where possible.
 - j) If the extension is at the rear, a usable amount of garden ground should be left for drying clothes, bin storage and general amenity.
 - k) Proposals should not reduce the provision of adequate off-street parking to serve the existing house, nor should it result in the creation of a sub-standard access or interfere with visibility splays. A footpath from the dwelling entrance to the public footpath that does not interfere with car parking spaces should be maintained.
 - l) It is desirable that the extension/alteration should be capable of being constructed and maintained from within the garden of the applicant's property and should not require access for these purposes to be taken from neighbouring property. It is therefore desirable that a gap of at least 1.0m is left from the boundary of any adjoining property. A gap of less than 1.0m could create an inaccessible gap that may collect debris.
 - m) Where an extension is proposed on the boundary, no part of the development should extend beyond the boundary – in particular gutters or eaves should not overhang neighbouring land. The design of the extension will require to take this into account.
 - n) Upper floor balconies will only be permitted where they do not cause a significant adverse impact on the privacy of neighbouring properties. Consideration should be given to side screening of the balcony and included in the application. The visual impact of any screening will be taken into consideration in determining the application.

3.1 Decking and raised platforms

As decking and raised platforms can offer direct panoramic views over adjoining properties and gardens, the residential amenity of neighbours can be severely affected. Where a planning application is required, applications will be assessed in terms of privacy and overlooking and overshadowing

Decking on sloping ground can potentially increase the impact of overlooking from a raised and level platform. Such proposals will be carefully assessed for their impact on overlooking, where the decking will be in close proximity to neighbouring boundaries or visually prominent from the surrounding area.

In all cases where the development would result in overlooking of adjoining properties the application should include proposals to reduce it to a reasonable level. Where this involves an increase in the height of existing fencing the design should match that of the current fence. However, it should not result in an increase in overshadowing of the adjoining property to an unacceptable degree.

Where there is no adverse impact on neighbouring properties, but a large underbuild and structure would impact the visual appearance from the wider area, mitigation measures such as landscape planting should be considered.

3.2 Dormer extensions

Dormers should be of a size and scale that it does not over dominate the original roof or dwelling house, nor significantly detract from the appearance or character of the street.

The following criteria should be taken into account when considering the formation of dormer windows. Dormers should:

- (a) be stepped below the ridgeline of the existing roof and drawn back from the eaves.
- (b) be a minimum of 0.3m back from the edge of the roof, including any adjoining roof boundary with a neighbouring semi-detached or terraced property.
- (c) where located on a prominent or visible frontage, they should not extend the full width of the roof. Two small dormers on the same elevation can offer a suitable alternative to one large dormer, which may be out of scale with the existing house.
- (d) Rear dormers will be assessed in relation to how visible they are from public view and how they impact on the privacy of adjacent houses and gardens. In certain cases, a longer dormer, rather than 2 smaller separate dormers, may be acceptable.
- (e) Not result in overlooking to neighbouring windows or garden areas. A 20m distance between main habitable windows should be provided. This distance may be reduced where the windows are at an angle to each other, or the window has obscured glazing.
- (f) The roof of the dormer should be finished in materials which match or are compatible with the existing roof finish. The sides and front of the dormer may use an alternative material where it is compatible to the dwellinghouse.
- (g) In Conservation Areas and on Listed Buildings, where the principle of dormer extensions has been accepted, dormers should be designed in a traditional manner and be of a scale and materials in keeping with the original property. The dormer will be expected to be finished in natural slate that matches the existing roof, and both the roof and sides of the dormer should use slate. The front face should be either timber or slate.

3.3 Single storey extensions

Single storey extensions to the side of a property do not need to be stepped back from the frontage elevation unless this would prevent the introduction of a terraced effect. They may project forward of the original main elevation only when its scale and design is well proportioned to visually fit in with the appearance of the existing dwelling. In addition, the streetscape should not be adversely impacted upon by an out of character addition.

A minimum distance of 1.0m is required to be maintained from an adjoining boundary across the length of the extension. This may be relaxed if there is an alternative option to externally access the rear garden, and the proposals would not result in the creation of a terrace effect with a neighbouring property.

Where an extension is proposed close to a neighbouring boundary, consideration is to be given to forming pitched roof gable ends to reduce the visual and physical impact. It may also be necessary to reduce the pitch of the roof to create a lower sloping roof. These mitigation measures would reduce the visual impact and potential physical impact of an extension to protect neighbouring residential amenity.

Flat roofed extensions are not generally encouraged, although they may be acceptable to the rear or where they are not highly visible or as additions to existing flat-roofed buildings. Where flat roofs are acceptable, they should incorporate a green living roof to make a positive contribution towards reducing their impact on climate change.

3.4 Two storey extensions

Two-storey extensions should:

- a) Not have a flat roof unless the existing house is flat-roofed, or the proposal would tie into an existing flat roof extension.
- b) Carry through the line of the eaves of the existing house (except where differences in floor level do not permit this).
- c) Be designed and positioned such that no significant loss of amenity occurs to neighbouring properties through overlooking, loss of light, overshadowing or sheer physical impact.
- d) Not, if repeated on detached/semi-detached properties, result in the formation of a continuous terrace. A minimum distance of 2.0m is required from the boundary across the length of the extension.
- e) Set the ridge line below the existing ridge and be stepped back, where appropriate, from the front elevation to delineate the original dwelling from the extension, so that it will appear secondary to the main dwelling.

3.5 Garages, car ports and conversion of integral garages

It is recognised that despite being an important design feature of residential developments, garages are often used for other purposes, such as general and cycle storage. It is also known that cars are getting bigger. As reflected in the National Roads Development Guide (Scotland), a garage is not considered a car parking space unless it is 7m x 3m (internal size).

A private driveway of at least 6 metres long must be provided in front of any new garage or car port (measured from the edge of the footpath), and any garage doors and driveway gates must not open out over the car parking space, public road, or footpath.

The design and location of a proposed garage should be in harmony with the existing dwelling and surroundings; they should be located either at the side or rear of a house, providing that sufficient garden ground remains available.

Garages to the front can often appear out of character with the streetscape and established building lines, and careful consideration to its acceptability will be required. The garage should preferably be set back from the front elevation of the house and should not obscure it, be over dominant or be positioned forward of the building line such that it looks out of place or forms an intrusive feature in the street or plot.

The ridge height of the garage should consider the impact on neighbouring properties, and its prominence within the streetscape. This is particularly relevant where a storage space is proposed in the garage roof space and the roof would be steeply pitched.

The conversion of an integral garage into additional accommodation to serve the house usually does not require planning permission. However, there are cases where the original planning consent for the property will include a condition to prevent the garage from being converted. Check with the Planning Service whether this applies to your property.

3.6 Porch outside any external door

Where a porch requires permission, the visual prominence and impact on the streetscape will be carefully considered. Any porch should not be of a scale or projection that will appear out of proportion with the dwellinghouse.

Many proposals for front access porches include the formation of a toilet. The scale of these is often defined by minimum internal size requirements and accessible door standards through the Building (Scotland) Regulations. The provision of adaptations to

improve the accessibility and liveability of an existing dwelling to cater for the changing needs of homeowners should be supported. However, given the visual prominence on a main elevation, the size of such porches should be kept to the minimum size necessary.

3.7 Ancillary detached buildings

This section relates to the erection of sheds and greenhouses as well as structures such as summerhouses and gazebos. As best practice, consideration should be given to the orientation of the structure to minimise noise disturbance and overlooking to neighbouring properties. Where a planning application is required, the following criteria should be met:

- a) Be positioned, where possible, within the rear garden and not forward of any principal elevation.
- b) Be in proportion to the size of the garden - a usable amount of garden ground should remain undeveloped to allow for drying clothes, bin storage and general amenity.
- c) Not adversely affect neighbours by overshadowing or overlooking their property.
- d) Be constructed of materials which match or are compatible with the existing dwelling.
- e) Where the visual impact is of concern, or the structure would be visually prominent from the wider street scene, careful positioning will be a requirement and, in some cases, additional landscaping should be considered where this may mitigate the impact.

3.8 Fences and walls

Fences and walls, particularly in front gardens, can have a significant effect on the appearance of the property and surroundings. When erected beside driveways or on the corner of the street, they can also have an impact on sightlines and traffic safety. The height of the fence or wall to be erected is measured from the ground level of the applicant's curtilage.

Where a fence is proposed next to a public footpath or private driveway, the impact on the visual amenity of the streetscape and the impact on traffic safety will be carefully assessed. Generally, fences should be stepped back from the public footpath to retain an open plan approach to the streetscape. Proposals will also be assessed to ensure that driver visibility is not adversely affected when manoeuvring into private driveways, road junctions or road geometry. In such cases the advice of the Roads and Transportation Service may be sought.

Where a fence along a neighbouring boundary is higher than 2m, an assessment will be carried out whether this would have an acceptable impact on overshadowing and appearance.

3.9 - Renewable energy

New Development

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest (with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040). The use of micro-renewables are valuable contributors to emission reduction. Proposals for extensions and alterations requiring planning permission should be designed to incorporate the use of sustainable materials and micro-renewables to contribute to meeting these targets.

Adaptation

As Scotland seeks to achieve its greenhouse gas emissions targets it will be increasingly important that existing houses adapt to reduce their impact on climate change. One way of doing this is to install renewable energy technology such as solar roof panels. Permitted development rights exist for a wide range of such development. Where a planning application is needed, there will generally be a presumption in favour of the development if it can be demonstrated that there would no adverse impact on the amenity of neighbouring properties or visual prominence within the streetscape. An application should be supported by sufficient information to enable an assessment to be carried out, this may include for example a noise impact report.

Free standing wind turbines can have more of an impact due to their increased visibility, and potential for shadow flicker and noise. It is unlikely that free standing turbines proposed within garden areas in a residential area would be acceptable.

Solar panels have the potential to create an adverse impact on the historical character of listed buildings and conservation areas. In such cases, the solar panels should be located on non-prominent roof elevations.

When making an application for air source heat pumps, consideration should be given to the location of the pump to minimise noise and vibration levels for neighbouring properties.

Similarly a planning application involving the provision of biomass or a wood burning stove should include details of the flue, including height, and should be included on elevational plans and block plans. If the property is located within an Air Quality Management Area, then further information relating to type of fuel and particle emissions may be requested. It would be advisable to consult with the Council's Environmental Health service before submitting an application for advice on both of these matters.

3.10 Flats

Extensions to flats, including four-in-a-block cottage flats, do not benefit from 'permitted development' rights and planning permission is therefore required for such works. Planning permission is also required for structures to be erected within the curtilage of a flat. Please refer to the General Permitted Development (Scotland) Order 1992 (as amended) for full details of permitted development rights available to flatted dwellings.

The main issues in considering applications for extensions or alterations to flats is access for maintenance, over shadowing, and the visual amenity of cumulative alterations. Reference should be made to guidance elsewhere in this document.

4.0 Listed Buildings and Conservation Areas

The guidance contained within this section should be read in conjunction with Policy NHE 3 Listed Buildings and Policy NHE 6 Conservation Areas of the adopted South Lanarkshire Local Development Plan 2.

A Listed Building is defined by the Planning (Listed Buildings and Conservation Areas) Act 1990 as a building of architectural or historic interest. Historic Environment Scotland holds up to date lists of all listed buildings, and their category listing which defines how important the building may be.

A separate permission, **Listed Building Consent (LBC)**, will be required for any extensions and alterations to a Listed Building or to buildings or structures in its curtilage, which affect the character of the listed building. Please check with the Planning

service for the need for LBC for internal changes prior to any works being carried out. Repairs and like for like replacement should also be discussed with the service.

Extensions to Listed Buildings or new outbuildings within the curtilage must be sensitively designed and of the highest quality. An application to extend a house that is listed should be accompanied by clear information to show the impact on the existing fabric and character of the building. Similarly, alterations to the existing building should be accompanied with details of what exists in comparison to what will replace it, such as replacement windows or stone repairs.

It should be noted that extensions can be either traditional in design and materials, to match existing, or of contemporary design with contrasting materials. Modern materials such as UPVC are unlikely to be acceptable, however high-quality composite materials may be considered where they have the appearance of painted timber. Each approach will be considered on its individual merits as part of the application process.

Careful consideration is to be given to original windows, and where they are of notable historic importance, the repair of windows rather than their replacement should be investigated. Where double glazing is proposed, the glass and frame should be slim to provide a high-quality finish that respects the historic character of the building. Windows should have a sliding method of opening.

Conservation areas are defined by the Planning (Listed Building and Conservation Areas) Act 1990 as areas of special architectural interest, the character or appearance of which it is desirable to preserve or enhance. Conservation Area Consent (CAC) is required if a proposal involves the demolition of any building or structure in a conservation area.

An extension to a house or a new outbuilding in or affecting the setting of a Conservation Area must be sensitively designed to ensure that it does not adversely affect the special character of the area. The building materials must be carefully chosen to match or at least complement those of the main building.

On unlisted buildings within a conservation area, elevations which are not visible from main public views may potentially have flexibility in what can be proposed. This includes the installation of replacement windows where UPVC windows may be acceptable.

If on a main or visible elevation, the application may require to be advertised in the local newspaper (this will be carried out by the Planning Department).

5.0 Open Plan Estates

Some residential estates are subject to a condition on the original planning permission that prohibits the erection of walls and fences in front gardens. This reflects the contribution that the open plan concept can make to environmental quality and seeks to avoid a proliferation of boundary treatments of different design and materials. There will be a general presumption against permitting front walls/fences within residential areas where the open plan character has largely been maintained, with few breaches having occurred.

In private residential areas where an open plan condition exists, but where a significant number of breaches have taken place which have resulted in the erosion of the open plan character to such an extent that it is no longer worth preserving, there will be a general presumption in favour of permitting front walls/fences subject to compliance with the following criteria:

- a. No fence or wall shall exceed 1 metre in height and shall be constructed in facing brick or finished in render to match the house. Alternative proposals of suitable design and colour may be permitted where considered appropriate.
- b. The introduction of a front wall/fence shall not adversely affect the visual amenity of an area by way of:
 - ◆ its relationship with adjacent properties within the layout
 - ◆ its effect on streetscape
 - ◆ its prominent/inappropriate location with particular regard to corner plots, plots adjacent to footpaths and areas of public open space
 - ◆ the basic concept or character of the layout itself
 - ◆ by affecting sightlines/visibility as required to access the property itself, adjacent properties or at road junctions or, its design and material

6.0 Working from home

Small businesses make an important contribution to the economy of South Lanarkshire and often have their origin in the business operator's dwellinghouse. The use of one room of a house, a garden structure, or garage for business which generates no clients, traffic, noise, or smell will not require planning permission as there will be no material effect on the use of the property as a dwellinghouse or on the residential environment of the area. However, once the business activity increases and the business use of the property ceases to be ancillary to its use as a dwelling, a material change of use is likely to have taken place and planning permission will be required.

Where there is uncertainty if planning permission is required, a Certificate of Lawful Use will be required to make a formal decision (see section 1.2). The application will be assessed against the following criteria to decide whether a planning application is required:

- 1) The extent to which the main use of the property (including garden) remains as a dwelling.
- 2) The proportion of rooms/space in the dwellinghouse or flat to be used for business or professional purposes.
- 3) The extent to which non-residents of the household are employed on the premises.
- 4) The extent to which activities associated with the business are detrimental to the amenity of the area by virtue of noise, vibration, smell, fumes, smoke, ash, dust, or grit.
- 5) The number/frequency of commercial vehicles used in conjunction with the business.
- 6) The manner and extent of retailing that takes place from the property.
- 7) The number/frequency of delivery or dispatch vehicles generated by the business.
- 8) The extent to which external storage of materials or goods takes place at the dwelling.

Further advice on more commonly requested businesses operating from home is as follows:

Vehicle repairs and alterations for commercial purposes is considered a material change where planning permission is required. There is potential for noise and road safety implications with such businesses, and preferably such businesses should be relocated to unit within an industrial or business area or potentially a farm steading.

A child-minding business from a house can be carried out without planning permission where there is no more than 6 children and 1 staff member at the property at any one time. Where there is an increase in activity, planning permission may be required, and it is best to discuss your proposal with a Planning Officer. Child minding may require

suitable outdoor space and car parking to be provided, and the amenity on neighbouring amenity will be considered through the submission of any planning application required.

The use of one room within the dwelling for beauty, hairdressing or therapy may not require planning permission and will depend on the site context and individual circumstances, in particular the maximum number of customers at any one time, availability of car parking and the cumulative impact of other similar businesses within the immediate area.

Commercial dog grooming and day care may cause noise disturbance to neighbouring properties, and requires planning permission.

The need for planning permission will be assessed on a site-by-site basis considering the site's context and on the individual merits of the case. Where a business use expands to a scale which is not compatible with a residential use (that is where it cannot comply with the above criteria), the business will be required to relocate to a more appropriate industrial or business location. Guidance on appropriate premises can be provided by the Council's Business Support team.

Where a proposed business use from a dwelling constitutes a material change of use and requires planning permission, the proposal will have to comply with the following:

- a) There will be no adverse impact on the residential amenity of neighbouring properties in terms of noise, disturbance, smell, and dirt generated by the business or by members of the public visiting the premises.
- b) There will be no adverse impact on traffic or public safety resulting from traffic generated by the use.
- c) There is provision for satisfactory car-parking and servicing facilities. This can either be in curtilage, or available to the public within easy reach of the site.
- d) There will be no adverse impact on neighbours caused by activities taking place outside socially acceptable hours and at weekends.
- e) Any required storage of materials/vehicles is satisfactorily accommodated on the site without any adverse impact on neighbouring properties.
- f) A supporting statement is submitted to include the following information: description of business and activity carried out, hours of operation, number of staff, number of visiting members of the public at any one time, details of deliveries and storage requirements, and available car parking. During the planning application process additional information may be requested by the Planning Officer to enable a full assessment to be carried out.

7.0 Short term lets/Self-catering

The Planning (Scotland) Act 2019 introduces powers for planning authorities to designate short term let control areas where the use of a dwellinghouse for providing a short term let will require planning permission. Currently within South Lanarkshire Council there are no designated short term let control areas. There is currently no evidence demonstrating that there is a high concentration of short term let properties to the detriment of the character of that area, or to the extent that housing stock is being reduced. However this will be kept under review.

A short term let, or self catering property, is not to be confused with bed and breakfast provision. A house (class 9 of the Use Classes Order (Scotland)) can be used to offer bed and breakfast without planning permission where no more than two bedrooms are used for this purpose or, in the case of premises having less than four bedrooms, only one bedroom is used for that purpose. A flat cannot generally be used to offer bed and breakfast without planning permission.

In general terms planning permission will be required for use of a dwellinghouse as a short term let if this results in a material change of use of the property. A short term let is defined as one where:

- Sleeping accommodation is provided for one or more nights for commercial purposes.
- The sleeping accommodation is not provided for an immediate family member.
- The accommodation is not provided for an employee of the household.
- It does not involve a dwellinghouse that is part of a hotel, boarding house, guest house, hostel, a hospital or care home, a refuge or student accommodation.

Matters that will be taken into account when deciding if a material change of use has occurred include:

- How guests arrive and depart.
- Likely frequency and intensity of noise or other unsociable behaviour.
- Impact on public services and resident's amenity.
- The ability to provide in-curtilage car parking.
- Cumulative impact on the character and amenity of a neighbourhood.
- Number of people staying.

More guidance on this can be found at Scottish Governments Planning Guidance for Hosts and Operators – Short Term Lets in Scotland.

Planning permission will not normally be required for short term let proposals within established town centre locations as identified in the local development plan. The character of such areas is predominantly commercial, food and leisure, with an element of residential. It is considered that proposals would not adversely impact upon the character, could utilise existing public parking facilities and public transport, and would support the economic function of the town centre.

Outwith town centre locations, self-catering proposals that meet any of the following criteria will require planning permission:

- A flatted dwelling,
- A dwellinghouse containing 5 or more bedrooms,
- The use of a building within the curtilage of a dwellinghouse, such as domestic garage or other ancillary building, which does not provide a bed and breakfast only arrangement (maximum of 2 bedrooms in any case).

All other situations will be determined on their merits. Enquiries by an owner to establish if planning permission is required for the letting of a dwellinghouse will be addressed only through the submission of a Certificate of Lawfulness (see section 1.2).

Where planning permission is required the ability to manage the business will focus on protecting the amenity of predominantly residential areas where self-catering could impact upon parking provision, and adversely impact upon the character of the area and residential amenity. The criteria set out in section 6.0 will be used to assess proposals.

Where planning permission is approved, a temporary consent for 10 years will be given. After this date, and without a renewal of the consent in place, the property will revert to residential use.

This approach aims to achieve a balance between the benefits of self-catering to tourism and the local economy, and the impact upon the areas in which they are located.

The Scottish Government is intending to introduce a Licensing Order that will come into effect in 2022. This will require all new short term let businesses to have a licence to operate after 1 October 2022. Existing hosts and operators will have until 1 April 2023 to apply for a licence. All short term lets will have to have a licence by 1 April 2024 to be able to continue operating. More information on this can be sought from the Council's Licensing Service.

Appendix 2

Electric Vehicle Charge Points

Supporting Planning Guidance

1.0 Introduction

The transport sector is the largest emitter of greenhouse gases in Scotland, accounting for 29% of all emissions in 2019 with road transport making up the majority of those emissions at 66%. The Scottish Government's Climate Change Plan update published in December 2020, set out the pathway to meet Scotland's statutory greenhouse gas emission reduction targets by 2032. This includes an aim to phase out the need for new petrol and diesel cars, and vans by 2030. Part of that pathway is the Scottish Government's commitment to the decarbonisation of transport in Scotland. The National Transport Strategy 2 sets out the strategic vision for Scotland's transport system and the Mission Zero for transport commitment – to reduce our emissions by 75% by 2030 and to net-zero by 2045. The transition to Electric Vehicles (EVs) will contribute significantly to these goals and, with demand for EVs growing rapidly, the aim is to enable people to have access to convenient and reliable EV charging infrastructure at home, at work and when out and about.

Planning (Scotland) Act 2019

The Planning (Scotland) Act 2019 was passed by the Scottish Parliament in June 2019. This will determine the future structure of the modernised planning system. The detail of how the new Act's provisions will work in practice will be contained within secondary legislation and guidance, which are currently being developed and implemented. The current preparation of Scotland's fourth National Planning Framework (NPF4) is a crucial element of the planning reforms. NPF4 will set out a new plan for Scotland to 2050.

NPF4 Position Statement

It is anticipated that the National Planning Framework 4 (NPF4) will be approved in mid 2022. As an interim measure the Scottish Government published on 26 November 2020 a non-statutory Position Statement on NPF4 which sets out their current thinking.

The position statement describes NPF4 as 'a new spatial plan for Scotland that will look ahead to 2050 to set out where future development can bring benefits for people, the economy and environment'. The impact on climate change is a key theme throughout the document. In order to achieve the Scottish Government target of net-zero emissions by 2045 there will be a need for the planning system to be 'rebalanced' so that climate change will be an overarching priority for the spatial strategy and a guiding principle for all plans and decisions.

The approach of the Scottish Government will ensure transport options that focus on reducing inequalities and the need to travel unsustainably are prioritised. There will be a need to maintain and safely operate existing transport infrastructure and services, and to ensure the transport networks can adapt to the impacts of climate change. Ultra-low emission vehicles (ULEV), including electric vehicles and the associated electric vehicle infrastructure will have a role to play.

South Lanarkshire Council

South Lanarkshire Council seeks to become a leading local authority in the provision of Electrical Vehicle (EV) charging infrastructure and accelerate the area's transition to sustainable net zero travel, stimulating the region's economy and meeting the needs of the diverse local communities.

2.0 South Lanarkshire Local Development Plan 2

The adopted South Lanarkshire Local Development Plan 2 (SLLDP 2) contains Policy 2 Climate Change. This policy requires any new development proposals to minimise and mitigate the effects of climate change and the reduction of greenhouse gases by seeking to provide electric vehicle recharging infrastructure to encourage greater use of low carbon vehicles.

Reinforcing this requirement is Policy SDCC4 Sustainable Transport that advises to address climate change and support the use of electric vehicles, the Council will seek the inclusion of electric vehicle charging points (EVCP) within new developments.

This advice note is intended to assist developers with these requirements in terms of the type and number of EVCP to be provided and the information that will be required to be submitted with planning applications.

3.0 Developer Requirements

3.1 New Residential Development

Within all new residential developments of one or more units, 100% EVCP provision will be requested. Each residential unit is required to have a minimum of one parking space with an installed EVCP unit. This applies whether the parking space is to be provided in curtilage or as part of a communal parking arrangement. Where a development has a reduced car parking requirement of less than 1 space per dwelling unit, the EVCP requirement will be reduced to the maximum number of car parking spaces available.

This advice applies to all residential types, including flatted developments and managed properties (eg Registered Social Landlords or rented properties). The Council aims to ensure equality across new developments and ensure that all occupiers regardless of whether they are in the private or rented sector are able to access an EVCP.

All new disabled spaces to serve a residential development shall be served by an EVCP.

3.2 New Non-residential developments

This advice applies to all new build non-residential types of development, including education facilities, hotels, community buildings, offices, industrial estates and retail. The requirements within the guide will only apply where such development is required to provide new car parking provision. The exception is for new build premises located within out of town centre retail parks that will utilise existing parking, including drive throughs and food and drink units. These developments are required to upgrade existing spaces.

Developers are required to meet the following criteria:-

2 in every 10 spaces is required to be served by a dual EVCP unit.

where 1 or more spaces are requested, but the car park overall comprises less than 10 spaces, a minimum of 1 single connection EVCP is required.

3.3 Accessible parking spaces

Accessible spaces will allow additional space for a multiple range of users who may require extra room, such as wheelchair users and users with small children. The spaces will replicate the space standards of disabled spaces and comprise 2.9m wide bays with a clearance space of at least 1.0m on three sides, clearly marked through signage (Figure 1) and painted road hatchings (Figure 2). For non-residential development, 1 space within every 10 spaces is to be an accessible bay served by an installed EVCP. Should you require further information please contact Roads and Transportation Services at roadsandtransportation@southlanarkshire.gov.uk to discuss.

3.4 Installation and maintenance

The EVCP's are required to be installed during the construction phase. The developer should ensure that cabling and underground infrastructure is installed as necessary in consultation with Scottish Power Networks. The onus is on the developer to meet the costs of installation and to agree grid capacity with Scottish Power Networks.

The maintenance of an EVCP within a curtilage will be the responsibility of the house owner/occupier and shall be replaced or repaired as necessary at their expense. Where there is a communal arrangement, the maintenance of the EVCP's will be subject of a factor agreement.

The developer can find further advice on topics such as installation, equipment and wiring standards within Transport Scotland's document Common Requirements and Good Practice for the Charge Place Scotland Network.

3.5 Exemptions

There will be no requirement for EVCP units to be installed for the following developments:

- Extensions to existing dwellinghouses.
- Extensions to existing business premises where no additional car parking is requested.

- Change of use of a building, either residential or non-residential, where no new car parking provision is requested.

Listed Buildings

The installation of an EVCP unit to the fabric of a listed building will require the submission of a Listed Building application. The historic fabric and character is to be taken into account when installing an EVCP unit. The preference is that a pole mounted option is investigated as a first option. This would prevent the need for drilling and fixing damage to the stone. Where this is not a viable option, any unit to be fixed to an external wall should be located within reach of the car parking spaces and should avoid being located on, or visually detract from, any decorative features, such as coin stones or ornate stone work. The fixtures should use lime based mortar, and no cement, into drilled holes.

4.0 Planning Application Requirements

The inclusion of EVC points should form part of the design process for the proposed development and included at the outset for detailed planning applications. This is because the EVCP's must be located outwith car parking space dimensions and need room to be installed.

The following criteria is to be met for detailed planning applications:

- 1 Detailed block plan showing the location within the curtilage of each plot (or communal parking area where relevant) where a future Fast Charging unit installation is proposed for connection to an appropriate electricity supply. A fast charge unit = charge point capable of delivering a minimum power output of 7Kw - 22Kw.
- 2 The charging unit location must be accessible to a minimum of one parking space; however it is recommended that where possible it is sited to serve as many spaces as possible. This can be external to the building or within a garage (if the garage has minimal internal clear dimensions of greater than three metres by seven metres).
- 3 A maximum cable length of 5m shall be used to determine the suitability of parking and charging unit locations. The applicant shall demonstrate the proposals on a detailed layout plan which indicates both the future charging unit location and the parking spaces (3m x 6m per space) marked out.
- 4 A condition will be attached to planning consent granted requiring the developer to confirm the provision of further details – which is to include the following: cabling, ducting, and the proposed type of consumer unit capable of supporting a fast-charging unit.
- 5 A condition will be attached to planning consent granted requiring the developer to confirm the factor agreement for any EVCP's which serve a communal car parking arrangement.

5.0 Scottish Government Building Regulations Consultation

The Scottish Government has commenced the process of carrying out a review to consider further improvements to the standards set within The Building (Scotland) Regulations 2004 (as amended) (Building Regulations) to limit greenhouse gas emissions and energy use, both in new buildings and where work to existing buildings takes place. This includes proposals for the provision for electric vehicle charging infrastructure or facilities as part of the broader action by the Scottish Government on climate change and to meet targets of becoming a net-zero society by 2045.

At this stage, it is proposed that all new build residential units are provided with one EVCP unit installed during the construction phase – this includes flatted developments and will be provided as in curtilage parking or a communal parking arrangement. There are exceptions proposed, including where there is a reduced car parking requirement (therefore each space to be provided will have an EVCP unit), and also where the cost of grid connection per unit will be £2000 or greater. Subject to the outcome of this consultation, changes via the amendment of Building Regulations requiring the provision of electric vehicle charging provision will be subject to further development and implementation during 2022.

Any future Building Regulations amendments will be subject of separate legislation under the Building (Scotland) Regulations 2004 (as amended) (Building Regulations) and will be an additional requirement for developers to comply with along with the Planning (Scotland) Act 2019, adopted local plan policies and associated SPG – Electric Vehicle Charge Points.