Session 2 – Community buildings: from idea to consent



Content

- CARES Community Building Fund- Fidra Sym
- Planning Permission – David Wood, Planning Action Scotland
- Conditions for success – Becky McLean, CIVIC
- Sharing learnings – Alex Fleming, Spark
- Q&A



LOCAL ENERGY SCOTLAND

COMMUNITY FUND

Net Zero Scotland
Scottish Government

LET'S DO NET ZERO

Current funding

The Scottish Government's Community and Renewable Energy Scheme (CARES) offers a range of financial support to local energy projects

Community Buildings Fund

- Help to decarbonise community buildings
- Grants up to £80k
- Allocated on a first come first served basis
- Supports renewable technologies including heat pumps, battery storage and solar PV
- Jointly funded by the Scottish Government and The National Lottery Community Fund



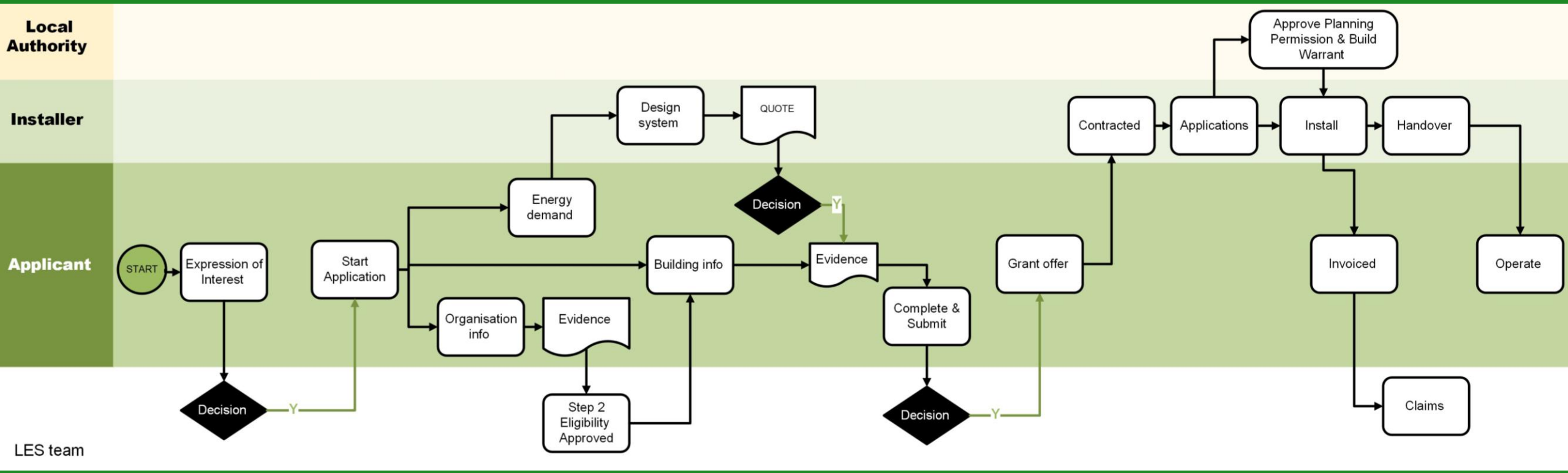
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Process Overview



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Planning Aid Scotland

Planning permission (and when you may not need it …)

CARES Conference
November 2026

David Wood (MRTPI)



Public

Overview …

- Intro to Planning Aid Scotland
- Planning permission and other types of consent
- How applications are decided
- Permitted development
- Questions and discussion

Public

What I am not covering

- **Building Standards legislation**
- **Building Warrants process**

Public

Planning Aid Scotland

We help people across Scotland understand and engage with the planning system.

Advice

Training

Community Engagement

Volunteering

Public

Planning: why is it important?

- Key public service working in the long-term public interest
- Planning for the future
- Impacts on climate, nature, landscape, health, economy, and more …
- Impacts on people’s day-to-day life: householder alterations to large new developments
- Change can lead to strong feelings, emotion and controversy

Public

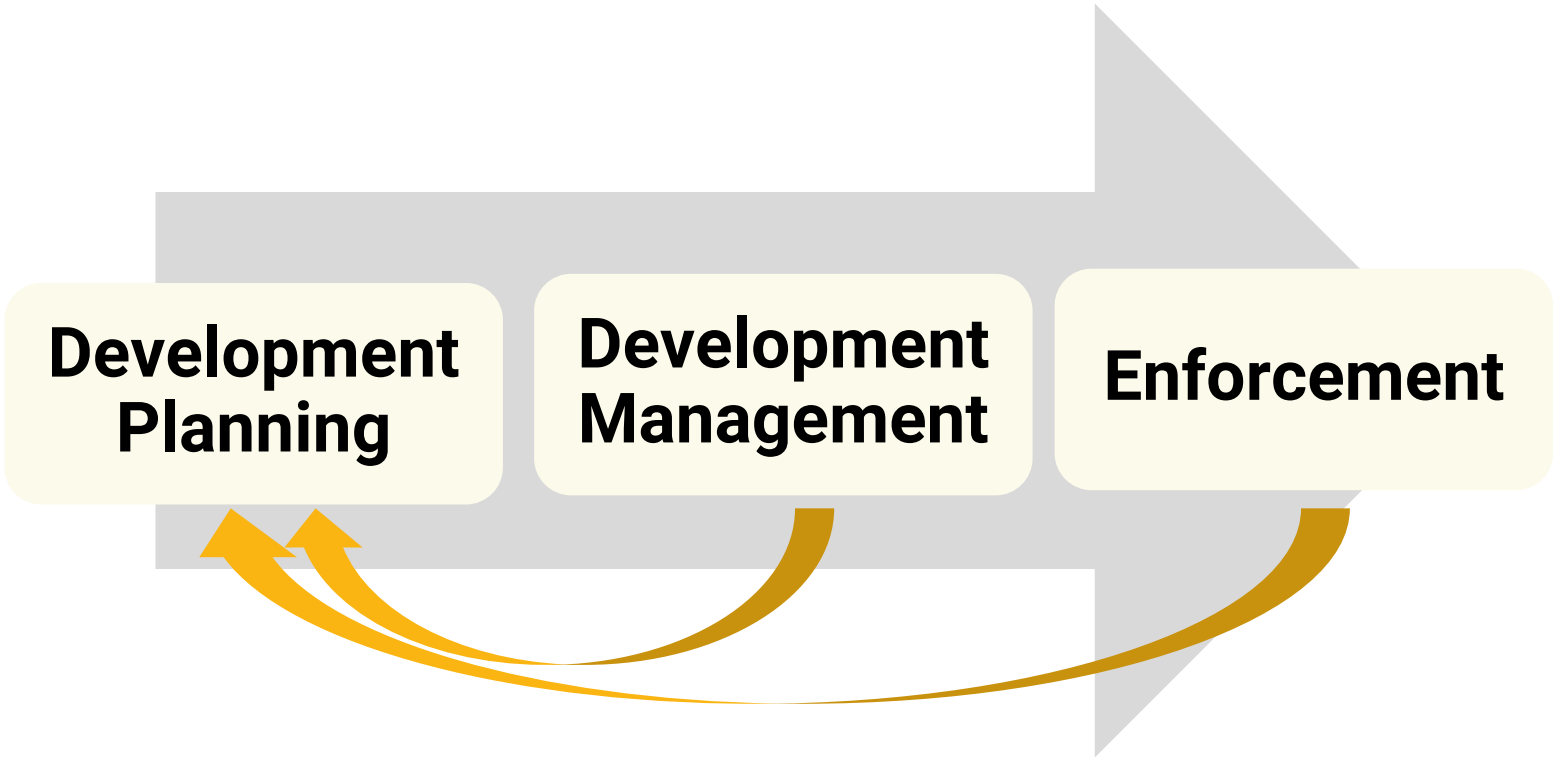
Purpose of Planning (as defined in the 2019 Act)

“…to manage the development and use of land in the long-term public interest”

long-term public interest:
anything which contributes to sustainable development, or meets the National Outcomes

Public

Planning authorities (the 32 councils and two national parks) perform three inter-related planning functions …

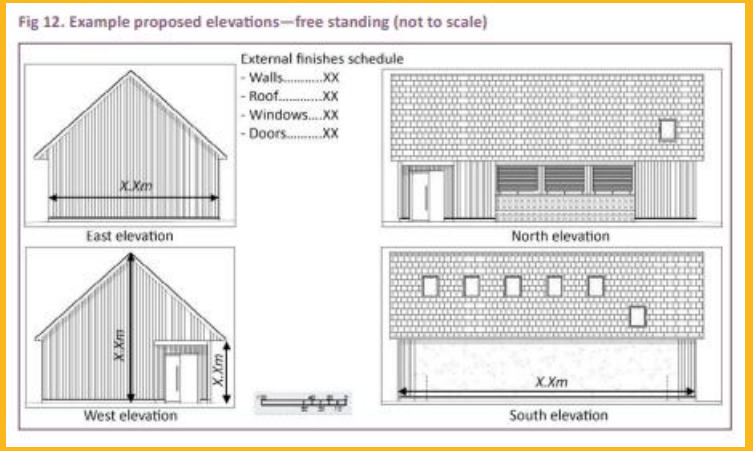


They also decide various different types of application …

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Detailed planning permission

- **The most common type of application by far**
- **Full set of plans required – elevations, sections, floor plans**
- **Reports and assessments as required, eg:**
  - Planning Statement
  - Design Statement
  - Design and Access Statement (can be statutory requirement)
- **Includes all proposals for change of use**



Source: HOPS guidance note on validation of planning applications in Scotland

Public

Planning permission in principle

- Basic information only is supplied – application for and location plan
- Can save costs up front
- If approved, planning conditions will be attached, to be met at next stage …



Source: HOPS guide note on validation of planning applications in Scotland

Application or approval of matters specified in conditions (AMSC)

- Follow up stage to the above
- Supply all materials required by planning conditions
- Development can only proceed when all matters are approved

Public

Listed Building Consent

- Required in advance for the any work that will affect the **special architectural or historic character** of a listed building:
  - Internal alteration
  - External alteration
  - Extension
  - Demolition

Conservation Area Consent

- Only required if you intend to demolish a building sited in a Conservation Area
- Note – some exceptions apply

Public

Certificate of Lawful Use

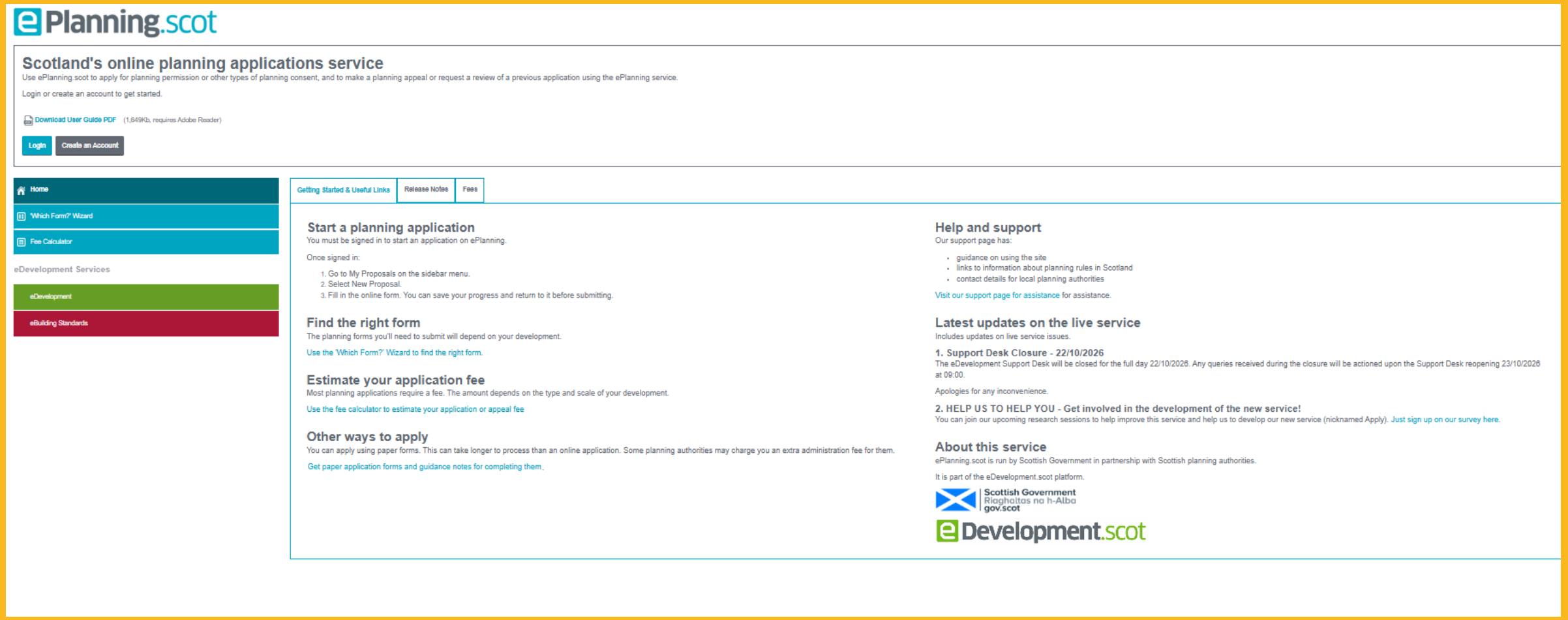
- Gives legal proof that a proposed or existing use or development does not require planning permission
- Not a type of planning permission – focus on legality only
- Often used to confirm that something is permitted development

You may also encounter or need to apply for …

- An amendment to an existing planning permission
- Extension of existing planning permission
- Retrospective planning permission

Public

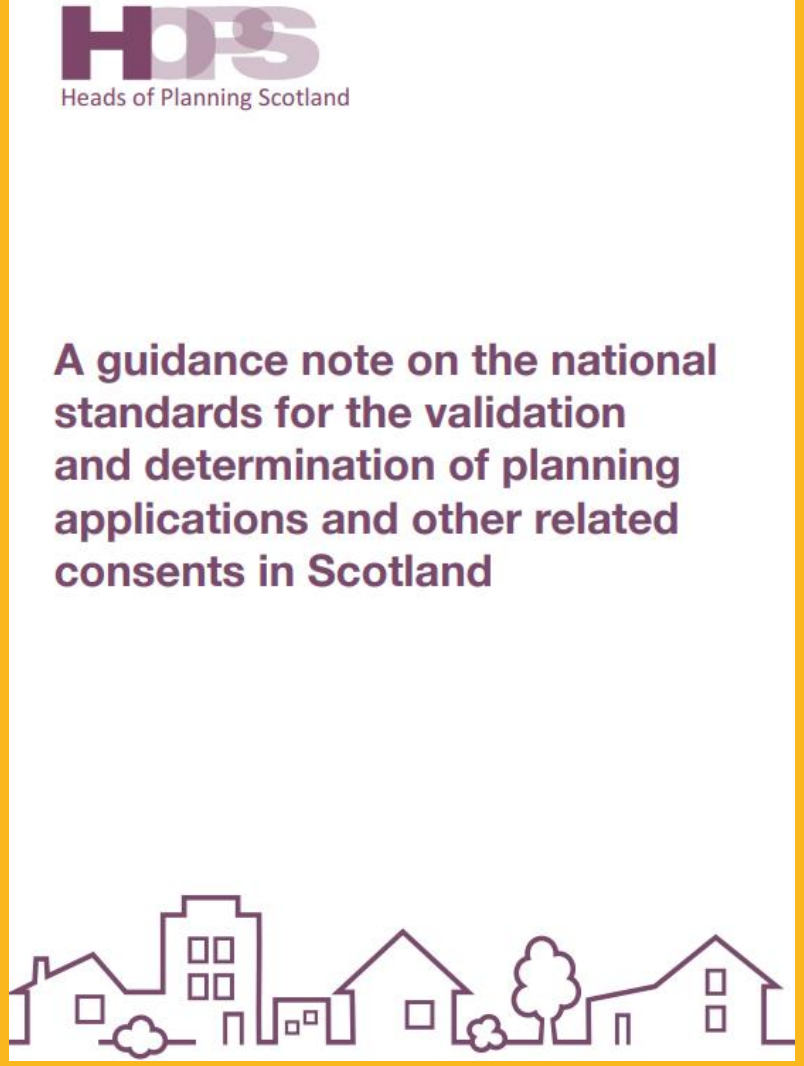
How to submit a planning application or other type of application



Click here to view

Public

Guidance on getting your planning application validated





Click here to view

Once validated, you can track your planning application on your council or national park planning portal

Public

Section 25 of the Planning Acts states that planning applications must be determined in accordance with the Development Plan,
unless material considerations indicate otherwise.

The Development Plan:

- **National Planning Framework**
- **Local Development Plan**

Public

National Planning Framework - 4 Policy 11: Energy

(extract)



Policy Intent:

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore.

Policy Outcomes:

Expansion of renewable, low-carbon and zero emissions technologies.

Policy 11

a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

iv. small scale renewable energy generation technology; v. solar arrays; vi. proposals associated with negative emissions technologies and carbon capture

Note: the policy continues with a requirement to that the application shows how a range of potential impacts are mitigated

33 National Planning Policies

Sustainable Places

1. Tackling the climate and nature crises
2. Climate mitigation and adaptation
3. Biodiversity
4. Natural places
5. Soils
6. Forestry, woodland and trees
7. Historic assets and places
8. Green belts
9. Brownfield, vacant and derelict land and empty buildings
10. Coastal development
11. Energy
12. Zero waste
13. Sustainable transport

Liveable Places

14. Design, quality and place
15. Local living and 20 minute neighbourhoods
16. Quality Homes
17. Rural homes
18. Infrastructure first
19. Heat and cooling
20. Blue and green infrastructure
21. Play, recreation and sport
22. Flood risk and water management
23. Health and safety
24. Digital infrastructure

Productive Places

25. Community wealth building
26. Business and industry
27. City, town, local and commercial centres
28. Retail
29. Rural development
30. Tourism
31. Culture and creativity
32. Aquaculture
33. Minerals

Public

Journey of a planning application

Pre-Application Advice (optional)

Pre-Application Notice (major proposals only)

Validation

Submission, fee & validation

Allocation of case officer

Neighbour Notification

Assessment

Site Visit

Policy

Public and consultees comments

Decision

Delegated Decision & Report of Handling

OR

Committee & Recommendation

Decision Letter

Granted

OR

Granted with condition/s

OR

Refused

Public

When a planning application might not be needed …

Permitted development legislation defines many “classes” of development that can gain deemed planning permission, subject to meeting a set of strict criteria

- Allows smaller, less impactful and important development to receive deemed planning permission
- No planning application fee
- Development can proceed faster

Public

Solar panels on non-domestic buildings - Class 6J

[F41 **Class 6J.**—(1) The installation, alteration or replacement of solar PV or solar thermal equipment on a non-d

(2) Development is not permitted by this class—

(a) if any part of the solar PV or solar thermal equipment installed would protrude more than 1 metre from t building,

(b) if the building is situated in a conservation area and the solar PV or solar thermal equipment would be loc

(i) the principal elevation, or

(ii) a side elevation where that elevation fronts a road,

(c) on a listed building or within the curtilage of a listed building,

(d) within 3 kilometres of an aerodrome or technical site,

(e) within—

(i) a national scenic area,

(ii) a historic garden or designed landscape,

(iii) a National Park,

(iv) World Heritage Site.

(3) Development is permitted by this class subject to the condition that solar PV or solar thermal equipment w needed for, or capable of, the generation of electricity or the production of heat, as the case may be, must be rem reasonably practicable.]

Key considerations:

- Does it protrude more than 1m from the building surface?
- Conservation Area: siting restrictions
- Not in listed building; national scenic areas; national parks; world heritage sites
- Aerodrome proximity
- Must be removed when no longer needed or functional

Note: Class 6N covers free-standing solar panels in the curtilage of non-domestic buildings

Public

Ground or water source heat pumps: permitted development for non-domestic buildings (Class 6I)

Class 6I.—[F38(1) The installation, alteration or replacement of a ground source heat pump c any associated equipment and underground pipes, within the curtilage of a non-domestic building.]

(2) Development is not permitted by this class if the surface area of land under which the install any underground pipes (together with any other such pipes) is to be carried out would exceed 0.5 h

(3) Development is not permitted by this class in the case of land within—

(a) a site of archaeological interest;

(b) within the curtilage of a listed building;

(c) a World Heritage Site; or

(d) a historic garden or designed landscape.

F39(4) . . . . . .

(5) Development is permitted by this class subject to the condition that the surface of the lan carried out to install, alter or replace the underground pipes required in connection with either or bo

(a) a ground source heat pump;

(b) a water source heat pump;

must as soon as practicable after the development is completed be restored.

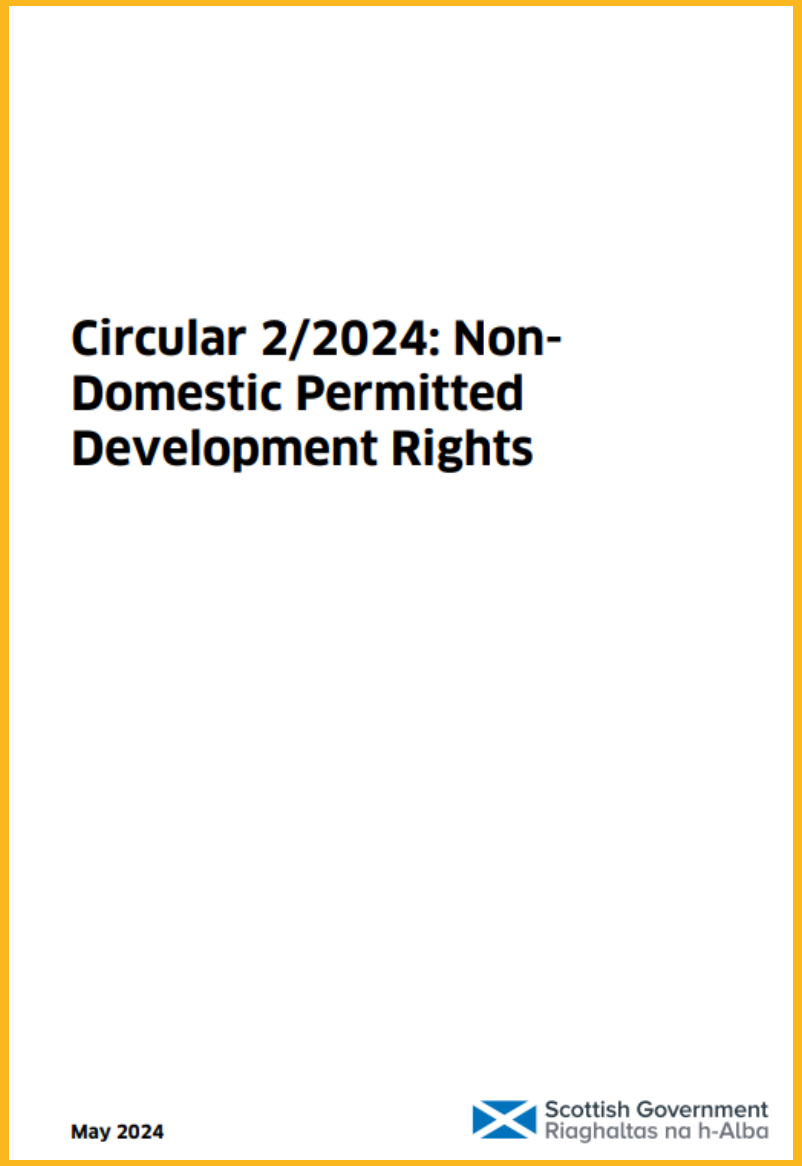
Key considerations:

- Is surface area of land under the pipes more than 0.5 ha.?
- Not in: listed buildings; world heritage sites; sites of archaeological interest; historic garden or designed landscapes
- Must restore land after installation, alteration or replacement

Note: currently there are no permitted development rights for Air Source heat pumps in non-domestic buildings

Public

Information on non-domestic permitted development



- Key legislation is The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (amended many times since 1992)
- Click here to view Circular 2/2024 – explains the legislation on solar panels but not heat pumps

Public

Enforcement is the process of managing breaches of planning control

eg, built without permission; not built to approved plans; planning condition/s not met

- A **discretionary** power & not about punishing
- **Methods**: retrospective planning application, Enforcement Notice, Stop Notice
- But: non-compliance can be a criminal offence and fines applied

Public

Key messages

- Be clear about the planning aspects of your project at the start
- Be certain that you meet permitted development requirements

- **Seek advice if you are unsure:**

  - Your planning authority (council or national park) may offer free or paid or pre-application advice
  - Planning Aid Scotland Advice Service

Planning Aid Scotland

Thank you

and please contact me with any follow-up questions

pas.org.uk | david@pas.org.uk



Public

Conditions for success

From ideas to delivery

Becky McLean – Director of Environment and Sustainability
Civic

Public

What we'll cover

1. **Know your building**
   How does it live and breathe?
2. **Start small, measure first**
   Tackle the small things first
3. **Consider surroundings and consents**
   Constraints, opportunities and working with CARES
4. **Involve CARES early**
   Success stories

Public

Condition 01

Know your building

CIVIC

Public

How does your building live and breathe?

1. Usage: Who uses it, and when?
2. Check the fabric: roof, walls, windows
3. Heating & hot water: is it sufficient for your needs?
4. Ventilation & lighting: areas of mould and damp?
5. Costs – providers, bills and meters
6. Ask the users: what improvements would they like to see?

Public

Condition 02

Start small, measure first

CIVIC

Public

Sensors & maintenance: small things first

Measure

1. Fit simple sensors
2. Log data – usage & bills
3. Record how it is used now (and how you would like it to be used)

Fix

4. Fix small things first
5. Plan routine maintenance

Scale

6. Consider what you need – revenue, heat etc to identify solutions

Public

Condition 03

Consider surroundings & consents

CIVIC

Public

Consider the surroundings

Constraints

- Planning, listed-building and conservation status
- Land ownership, title and Common Good conditions
- Flood risk, ecology and protected species
- Grid capacity, access and neighbouring uses
- Leaky buildings not always suitable of air source heat pumps
- Building orientation and tree shading on roofs

Opportunities

- Roof and land for solar PV and batteries (south facing is best)
- Shared heat or power with neighbours
- Number of panels linked to usage
- Battery can really help reduce bills and provide additional capacity
- Links with local partners, offtakers and funders
- Community cohesion
- Resilience & biodiversity

The surroundings shape your design and decide which consents you need.

Public

Why permissions and consents matter

Why it matters

- Work without consent risks enforcement, delay or removal
- Funding easier to secure with the correct consents in place
- Late discoveries could mean redesign and abortive costs
- Some projects will need consultation and council approval
- A clear objective and consents plan builds community trust and speeds up the process

Check early

- Planning permission, listed-building and conservation consent
- Building warrant and fire safety
- Landowner, title and lease permissions
- Grid connection approval
- Ecology, flood risk and neighbour impacts

Get consents in early: it protects the programme, the funding and the community's trust.

Public

Working with CARES and the advisory team

How we work together

- **Brief:** agree scope with your CARES development officer
- **Study:** share drawings and bills; feasibility study, surveys and assessments
- **Review:** interim report and discussion, with consultation (DNO, local planning authority and community) if needed
- **Decide & Deliver:** final report, then apply for the next round of funding

How to get the best design

- Developing the brief with your CARES development officer with input from the Civic team
- Tell us your needs and how the building is used now (and in the future)
- Keep stakeholders informed and use regular updates to steer the design

Involve us early: we can support you to understand the options available to you

Public

Condition 04

Involve CARES early!

CIVIC

Public

Four conditions for success

1. **Know your building**
   How it is used, its fabric and its bills

2. **Start small**
   Fit sensors and fix the simple things first

3. **Read the surroundings**
   Get the right consents in early

4. **Work with CARES**
   To understand what options are available to you

Public

People, Place and Purpose

Craigshill, Livingston

40 + years serving our community

Connection, confidence and opportunity

Alex Fleming - Chief Office, Spark



People - an independent building needed independent energy

- Separation from the neighboring school's utilities
- Responsibility for our own energy infrastructure
- CARES support for air source heat pumps and solar PV
- A building to meet modern demands



Air Source Heat Pump – Outdoor units



Rooftop Panels

People - an independent building needed independent energy

- Comfortable spaces for community activities
- Onsite solar generation can reduce purchased electricity
- Renewable energy people can see and discuss



Public

Partners - working through the project together

- Complex multi- faceted project
- Spark brought knowledge of the building and its users
- Contractors brought technical expertise
- CARES offered solutions as things developed
- Communication connected green energy installation with community needs





What Spark learned:

- Community use shaped our energy project
- Ask questions of everyone – You don't know what you don't know
- Learnings are part of the project

Q&A



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Networking break

Up next:
15:00 – 16:00

Afternoon sessions 2

- Community buildings: operations and maintenance
- Unlocking energy opportunities on public land
- Community-public sector partnerships
- Keeping energy value local
- Heat in Buildings workshop

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