



QUESTIONNAIRE ON PROPOSED MICROGENERATION PD RIGHTS

Instructions on how to complete this Questionnaire:

1. This questionnaire can be completed on your computer and emailed to microgenerationpdrights@nics.gov.uk or printed and sent to the postal address below:

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Microgeneration PD Rights Consultation
3rd Floor Millennium House
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2. Completed questionnaires may be sent by fax to (028) 9041 6960.
3. Advice on how to respond to each individual question is provided in the consultation document. The questions should therefore be read in conjunction with the full document.
4. Questions which require a Yes or No answer can be completed by ticking the appropriate box.
5. Where requested, please give further details in the box provided. Should you require extra space to make comments, please use the additional comments provided.

Background

- Q1 Should a simplified regulatory regime of PD rights be provided to facilitate microgeneration development?

Yes

No

Comments:

Some domestic customers have expressed frustration regarding the Planning process for renewable energy technologies and view it as a barrier to installing, therefore a simplified PD system would help to increase the uptake of renewables in Northern Ireland in line with government policy.

- Q2 Should PD rights for microgeneration associated with a dwellinghouse or within the curtilage of a dwellinghouse be provided for separately from existing PD rights for development within the curtilage of a dwellinghouse?

Yes

No

Comments:

Existing PD rights were not designed for renewables, therefore separate PD rights would address the specific requirements of the technologies and any potential issues .

SOLAR PANELS

Solar panels fitted to the roof of a dwellinghouse

Q3 Do you agree that a requirement that the design and external finishes of solar panels fitted to the roof of a dwellinghouse be in conformity with those of the original dwellinghouse should not apply?

Yes

No

Comments:

It is not feasible to enforce this requirement for solar panels.

Q4 Do you agree that the highest part of the roof constraint should be retained for solar panels fitted to a ridged roof and solar panels fitted to a flat roof should be allowed to project up to 1.5 metres above the plane of the roof?

Yes

No

Comments:

1.5m would facilitate an acceptable tilt towards the sun.

Q5 Do you agree that solar panels on a roof slope which faces onto and is visible from a road should not extend more than 15 centimetres beyond the plane of the existing roof slope?

Yes

No

Comments:

This will minimise visual intrusion.

Q6 Do you agree that no maximum area limit should be applied to solar panels fitted to the roof of a dwellinghouse?

Yes

No

Comments:

This allows SWH and PV panels to be sized to meet the needs of the household without unnecessary area limits.

Q7 Do you agree that in designated areas the fitting of solar panels to a roof should be permitted provided that:

a. in the case of a ridged roof, the roof slope does not face onto and is not visible from a road; and

b. in the case of a flat roof, no part of a solar panel is visible from a road?

Yes

No

Comments:

Visibility from road should not restrict planning

Q8 Do you agree that solar panels fitted to the roof of a dwellinghouse should be limited to the boundaries of the existing roof?

Yes

No

Comments:

This protects visual amenity and also avoids potential wind loading issues.

Solar panels fitted to the wall of a dwellinghouse

Q9 Do you agree that a requirement that the design and external finishes of solar panels fitted to the wall of a dwellinghouse be in conformity with those of the original dwellinghouse should not apply?

- Yes
- No

Comments:
It is not feasible to enforce this requirement for solar panels.

Q10 Do you agree that no maximum area limit should be applied to solar panels fitted to the wall of a dwellinghouse?

- Yes
- No

Comments:
This allows SWH and PV panels to be sized to meet the needs of the household without unnecessary area limits.

Q11 Do you agree that solar panels fitted to the wall of a chimney should not be allowed to exceed the highest part of the roof of the existing dwellinghouse?

- Yes
- No

Comments:
This protects visual amenity and also avoids potential wind loading issues.

Q12 Do you agree that a restriction that solar panels fitted to the wall of a dwellinghouse should be no nearer to any road which bounds its curtilage than the part of the original dwellinghouse nearest to that road is unnecessary?

Yes

No

Comments:

Wall mounted solar panels would not impact on road improvement. Furthermore, a constraint on panels facing onto and visible from a road (Ref. Q 17) would prevent visual distraction to drivers.

Q13 Do you agree that where any part of a solar panel fitted to a wall within 3 metres of the boundary of the curtilage extends above 4 metres in height, the panel should not extend more than 15 centimetres beyond the plane of the wall?

Yes

No

Comments:

This is sufficient to protect overshadowing of adjacent properties.

Q14 Do you agree that solar panels fitted to the wall of a dwellinghouse can be excluded from any calculation of the total area of buildings within the curtilage (other than the original dwellinghouse)?

Yes

No

Comments:

This restriction is not applicable to solar panels.

Q15 Do you agree that solar panels fitted to the wall or roof of a dwellinghouse should not be permitted where the dwellinghouse is a listed building?

Yes

No

Comments:

Listed buildings should be assessed on a case by case basis through the planning application process, it should be kept in mind that the installation of renewables will reduce the carbon footprint of the

building and such benefit may outweigh any perceived visual disadvantages.

Q16 Do you agree that solar panels fitted to the wall of a dwellinghouse should not extend beyond the boundaries of the wall?

Yes

No

Comments:

This protects visual amenity and also avoids potential wind loading issues.

Q17 Do you agree that solar panels should not be permitted where they are fitted to a wall of a dwellinghouse which faces onto and is visible from a road?

Yes

No

Comments:

solar panels should not cause drivers to be distracted.

Solar panels fitted to other buildings within the curtilage of a dwellinghouse

Q18 Do you agree that a restriction that solar panels fitted to the wall of a building within the curtilage of a dwellinghouse should be no nearer to any road which bounds its curtilage than the part of the original dwellinghouse nearest to that road is unnecessary?

Yes

No

Comments:

Q19 Do you agree that the proximity of solar panels fitted to the wall or roof of a building within the curtilage of a dwellinghouse to the dwellinghouse should not be restricted in terms of cubic content or proximity to the dwellinghouse?

Yes

No

Comments:

Such restriction is not relevant to solar panels.

Q20 Do you agree that it is unnecessary to apply a height restriction to the fitting of solar panels to the roof or wall of an existing building within the curtilage of a dwellinghouse or to the attachment of solar panels to an existing wall, including that of an enclosure, within the curtilage of a dwellinghouse?

Yes

No

Comments:

Such restriction is not relevant to solar panels.

Q21 Do you agree that solar panels fitted to the wall of a building within the curtilage of a dwellinghouse can be excluded from any calculation of the total area of buildings within the curtilage (other than the original dwellinghouse)?

Yes

No

Comments:

Such restriction is not relevant to solar panels.

Q22 Do you agree that:

- a. in a designated area, the fitting of solar panels to a roof slope which faces onto and is visible from a road and the fitting of solar panels to a flat roof where any part of the solar panel would be visible from a road;
- b. the fitting of solar panels to existing walls or walls of existing buildings which face onto and are visible from a road; and,

- c. the fitting of solar panels to the roof or walls of a building or an existing wall within the curtilage of a listed building,

should not be permitted?

Yes

No

Comments:

Given the importance of striking a balance between protecting the environment and built heritage and promoting carbon reduction technologies, such proposals should be assessed on a case by case basis via the planning application process.

Freestanding solar panels within the curtilage of a dwellinghouse

Q23 Do you agree that freestanding solar panels should be permitted within the curtilage of a dwellinghouse subject to suitable restrictions?

Yes

No

Comments:

Suitable restrictions will protect visual amenity and road safety.

Q24 Do you agree that freestanding solar panels should not be permitted where any part of a solar panel is nearer to any road which bounds the curtilage than the part of the dwellinghouse nearest to that road?

Yes

No

Comments:

Such restrictions will protect visual amenity and road safety.

Q25 Do you agree that the area of freestanding solar panels allowed within the curtilage of a dwellinghouse should be limited?

Yes

No

Q26 If your answer to question 25 is 'yes', what area do you suggest – the Department proposes 14 square metres?

Comments:

30m² would be a more appropriate limit as it would accommodate a 3kWp array suitable for a larger home. The proposed 14m² limit would restrict all customers to a 1.5kWp system which is not sufficient for larger homes.

Q27 Do you agree that the height of freestanding solar panels within the curtilage of a dwellinghouse should be a maximum of 1.5 metres and that this should apply everywhere?

Yes

No

Comments:

This height limit may be too restrictive. To avoid shading of the panels the system may need to be raised above ground level therefore a 2-3m limit would be preferable.

Q28 Do you agree that freestanding solar panels should not be permitted development within the curtilage of a listed building?

Yes

No

Comments:

When listed buildings are being assessed on a case by case basis through the planning application process, it should be kept in mind that the installation of renewables will reduce the carbon footprint of the building and such benefit may outweigh any perceived visual disadvantages.

Biomass Development

Biomass fuel storage

Q29 Do you agree that existing PD rights for the storage of oil are sufficient for bio-heating oil?

Yes

No

Comments:

3,500 litres is sufficient for storage of bio heating oil.

Q30 Do you agree that:

- a. a capacity limit of 6,000 litres should be applied to an above ground solid biomass fuel storage container;
- b. no capacity restriction should be applied to below ground solid biomass fuel storage?

Yes

No

Comments:

6,000 litres is too restrictive. New purpose built pellet storage containers with a capacity of 6,175 litres are becoming available and should be granted PD rights, therefore a limit of 6,500 litres would accommodate this example and other similar containers.

I agree that no capacity restriction should apply to below ground storage.

Q31 Do you agree that a 3 metre height limit is sufficient for above ground solid biomass fuel storage containers?

Yes

No

Comments:

3m will accommodate current purpose built pellet storage containers and is also sufficient for self build storage containers.

Q32 Do you agree that no part of a solid biomass fuel storage container, whether above or below ground should be permitted nearer to any road which bounds the curtilage than the part of the dwellinghouse nearest to that road?

Yes

No

Comments:

Such restriction will protect road improvement and road users.

Q33 Do you agree that PD rights for underground solid biomass fuel storage containers should be withdrawn within a site of archaeological interest?

Yes

No

Comments:

Such proposals should be assessed via the planning application process.

Heat Pump Development

Q34 Do you agree that PD rights for the provision of a ground source heat pump system within the curtilage of a dwellinghouse should be removed where the underground elements of the heat pump are within a site of archaeological interest?

Yes

No

Comments:

Such proposals should be assessed via the planning application process.

Q35 Do you agree that, in designated areas, an air source heat pump or any external element of the heat pump within the curtilage of a dwellinghouse should not face onto and be visible from a road?

Yes

No

Comments:

Such restriction will protect visual amenity.

Q36 Do you agree that within the curtilage of a listed building a heat pump or its housing should be limited to 10 cubic metres?

Yes

No

Comments:

Q37 Do you agree that where an air source heat pump or any part of it is within 3 metres of the boundary of the curtilage of the dwellinghouse it should not exceed 4 metres in height?

Yes

No

Comments:

Q38 Do you agree that PD rights should be withdrawn where any part of the heat pump or its housing is nearer to any road which bounds the curtilage than the part of the dwellinghouse nearest to that road?

Yes

No

Comments:

Q39 Do you agree that to minimise the risk of a noise nuisance, an air source heat pump should be a minimum distance from the façade of the nearest residential window (not being a window within the curtilage of the dwellinghouse which it serves)?

Yes

No

Q40 If your answer to question 39 is 'yes', what distance do you suggest that should be – the Department suggests it could be about 5 metres?

Comments:

5m seems reasonable as a precautionary measure at this early stage of development however this restriction should be reviewed when more ASHP installations are in place in Northern Ireland and the actual potential for noise nuisance has been determined via monitoring.

Wind Turbine Development

Q41 Should tower mounted wind turbines erected within the curtilage of a dwellinghouse have PD rights?

Yes

No

Comments:

Given the potential for visual intrusion, noise disturbance to neighbours, and health and safety issues should a tower or blade come down in a storm, it would be more appropriate to assess tower mounted wind turbines on a case by case basis via the planning application process.

Q42 Should wind turbines attached to a dwellinghouse or other buildings within the curtilage of a dwellinghouse have PD rights?

Yes

No

Comments:

However, customers should ensure that their site is suitable for generating wind energy as many urban sites in particular will not provide sufficient output to make the installation feasible.

[Empty box]

Wind turbines fitted to a dwellinghouse or other buildings within the curtilage of a dwellinghouse

Q43 Should wind turbines attached to a dwellinghouse or to a building within the curtilage of a dwellinghouse be disallowed in designated areas where they face onto and are visible from a road?

Yes

No

Comments:

Such proposals should be assessed via the planning application process on a case by case basis.

Q44 Should the topmost part of a wind turbine attached to a dwellinghouse or to a building within the curtilage of a dwellinghouse be allowed to project above the highest part of the roof?

Yes

No

Q45 If your answer to question 44 is 'yes', then what should the maximum height be for the topmost part of the wind turbine – the Department suggests 3 metres?

Comments:

3m is reasonable.

Q46 Should a maximum rotor diameter be set in any PD rights for building mounted horizontal axis wind turbines?

Yes

No

Q47 If your answer to question 46 is 'yes', then what should that maximum rotor diameter be – the Department suggests 2.5 metres?

Comments:

2.5m is reasonable and will accommodate the currently available models.

Q48 Should a maximum rotor diameter of a building mounted vertical axis wind turbine be set?

- Yes
- No

Q49 If your answer to question 48 is 'yes', then what should the maximum rotor diameter be?

Comments:
No data are currently available to inform this decision.

Q50 Should one wind turbine be allowed under PD rights with further wind turbines requiring a planning application?

- Yes
- No

Comments:
One building mounted wind turbine should be allowed under PD rights.

Q51 Do you agree that to minimise the risk of a noise nuisance, a wind turbine should be a minimum distance from the façade of the nearest residential window (not being a window within the curtilage of the dwellinghouse which it serves)?

- Yes
- No

Q52 If your answer to question 51 is 'yes', what distance do you suggest that should be – the Department suggests it could be about 10 metres?

Comments:
10m seems reasonable as a precautionary measure at this early stage of development however this restriction should be reviewed when more building mounted wind turbines are installed in Northern Ireland and the actual potential for noise nuisance has been determined via monitoring. .

Q53 Do you agree that attaching a wind turbine to the wall or roof of an existing dwellinghouse or to other buildings within the curtilage of a dwellinghouse which is a listed building should not be permitted development?

Yes

No

Comments:

Such proposals should be assessed via the planning application process.

Q54 Do you agree that the potential effects of vibration should be addressed by manufacturers and installers of building mounted wind turbines and householders should seek to ensure that this issue is addressed in their installation?

Yes

No

Comments:

Customers should also seek to ensure that their site is suitable for generating wind energy as many urban sites in particular will not provide sufficient output to make the installation feasible.

Q55 Do you agree that guidance should be provided highlighting what factors should be taken into account when siting a wind turbine (both building mounted and standalone wind turbines) and in particular, the potential issues that could affect bats and their existing legal protection?

Yes

No

Comments:

Provision of a 'standalone' wind turbine within the curtilage of a dwellinghouse

Q56 Should the topmost part of a tower mounted wind turbine – that is, the highest part inclusive of the rotor blades be permitted to project up to 3 metres above the highest part of the roof of the existing dwellinghouse?

Yes

No

Comments:

All tower mounted wind turbines should be assessed via the planning application process.

Q57 Do you agree that the rotor diameter of a tower mounted horizontal axis wind turbine should be restricted to a maximum of 2.5 metres?

Yes

No

Comments:

A 2.5kW Proven tower mounted wind turbine has a rotor diameter of 3.5m and is suitable for domestic use, however, all tower mounted wind turbines should be assessed via the planning application process.

Q58 Should a maximum rotor diameter of a building mounted vertical axis wind turbine be set?

Yes

No

Q59 If your answer to question 58 is 'yes', then what should the maximum rotor diameter be?

Comments:

No data are available to inform this decision.

Q60 Should one wind turbine be allowed under PD rights with further wind turbines requiring a planning application?

Yes

No

Comments:

One building mounted wind turbine should be allowed, but tower mounted wind turbines should be assessed via the planning application process.

Q61 Do you agree that tower mounted wind turbines should not be permitted where any part of the wind turbine is nearer to the neighbouring curtilage boundary or any road, than a distance equal to the overall height of the turbine (measured with the blade of the turbine in its vertical position)?

Yes

No

Comments:

All tower mounted wind turbines should be assessed via the planning application process.

Q62 Do you agree that to minimise the risk of a noise nuisance, a wind turbine should be a minimum distance from the façade of the nearest residential window (not being a window within the curtilage of the dwellinghouse which it serves)?

Yes

No

Q63 If your answer to question 62 is 'yes', what distance do you suggest that should be – the Department suggests it could be about 10 metres?

Comments:

10m is reasonable.

Q64 Do you agree that no part of a tower mounted wind turbine, including any supporting structure, should be nearer to any road which bounds the curtilage than the part of the dwellinghouse nearest to that road?

Yes

No

Comments:

Q65 Do you agree that provision of a tower mounted wind turbine within the curtilage of a dwellinghouse should not be permitted development where the dwellinghouse is a listed building?

Yes

No

Comments:

All tower mounted wind turbines should be assessed via the planning application process on a case by case basis.

Hydro Development

Q66 Do you agree that hydro development should always be considered on a case by case basis through the planning process?

Yes

No

Comments:

Fuel Cell Development

Q67 Do you agree that the need for PD rights for fuel cell development should be considered at some future date?

Yes

No

Comments:

Additional Comments:

The Planning Service should favour granting permission for new build properties where they incorporate renewable technologies linked with increased energy efficiency measures. Such examples might also include south facing properties which maximise opportunities for passive solar design and the installation of solar technologies.