



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:

Wilfrid Reavie
Planning Service Headquarters
Microgeneration PD Rights Consultation
3rd Floor Millennium House
17 - 25 Great Victoria Street
Belfast
BT2 7BN

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:

We believe that microgeneration could provide a significant proportion of Northern Ireland's energy needs in a way that limits our contribution to climate change. The IPCC and Sir Nicholas Stern have delivered the evidence that climate change is occurring, human activity is the main cause of this change and that we should start to act now on both environmental and economic grounds. Furthermore, it has been shown that if everyone in the world lived as we do in Northern Ireland, more than three planets would be required to support the current global population: this statistic should compel us to act. Therefore, we feel that it is entirely appropriate for planning policy and the permitted development regime to be used to facilitate microgeneration utilisation.

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:

We feel that for ease of reference and clarity of purpose the PD rights for microgeneration should be provided for separately, however, each document should clearly reference the other.

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:

Yes, although it is particularly important that the restrictions for listed buildings, conservation areas and other designated zones are applied. In designated areas we believe that restrictions should be balanced between maintaining the character of the area and the promotion of microgeneration technologies. In addition, we believe that guidance notes should advise home owners to use products which best conform with existing materials.

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:

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:

We believe that this is an acceptable restriction given that on the slope not facing the road the constraint is the highest part of the roof

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:

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:

Although we feel that regard should also be taken of the change in view from other popular vantage points.

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 appears to be a reasonable restriction.

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:

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:

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:

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:
No, however it should only relates to roads (and vantage points) from which the panels are visible.

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:

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:

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:

Yes, we believe that listed buildings are a special consideration, although a full planning application should be considered on its merits.

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:

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:

Although a full planning application should be considered on its merits.

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:

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:
However, they should not exceed the height of the existing roof or extend beyond the boundaries of the original wall.

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:

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:

Although a full planning application should be considered on its merits.

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:

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:

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:

For PD we feel that 14 square metres may be appropriate but ultimately we feel that the maximum should be assessed on a case by case basis

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:

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

Yes

No

Comments:

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:

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:

Although a full planning application should be considered on its merits.

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

Yes

No

Comments:

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:

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:

Yes, however, every planning application should be treated on its merits as an underground installation may be preferable to an above ground container on some sites of archaeological interest

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:

Yes, however, every planning application should be treated on its merits as an underground installation may not impact on the archaeological interest.

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:

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:

And should not exceed highest point of building

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:

Five metres sounds reasonable but there should also be a prescribed noise emission limit.

Wind Turbine Development

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

Yes

No

Comments:

But with maximum height restrictions imposed.

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

Yes

No

Comments:

But with maximum height restrictions imposed.

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:

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:

It is important that such technologies perform adequately. The location of such technologies should be considered in terms of generating potential, however, 3 metres does sound an adequate limit for PD.

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:

The limit may need to change as the technology evolves, but this seems reasonable at the moment

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:

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

Yes

No

Comments:

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:

This should be dependent on the specification of the equipment installed and the amount of noise emitted.

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:

Although a full planning application should be considered on its merits.

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:

Although, government has a responsibility in terms of licensing these products

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:

It is essential that home owners are made aware of their legal responsibilities beyond the planning system when they are considering installing microgeneration equipment. In addition guidance should be given on best practice in terms of siting technologies and homeowners should be encouraged to research the potential performance of technologies on their site. Homeowners should be encouraged to seek professional advice on what technology would best suit their lifestyle and location.

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:

We feel that this may not be appropriate for PD.

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:

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:

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

Yes

No

Comments:

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:

Although a full planning application should be considered on its merits,.

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:

This should be dependent on the specification of the equipment installed and the amount of noise emitted.

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:

Although a full planning application should be considered on its merits.

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:

General Condition

Q68 Do you agree that conditions should be applied where appropriate to require that the development permitted must be for the purpose of providing heat or energy for use within the curtilage of the dwellinghouse?

Yes

No

Comments:

But the condition must also allow export of excess heat and energy to the grid or neighbouring properties

Additional Comments: