

PLA115/1107



Established 1918

Ulster Farmers' Union

Clarke Black
Chief Executive



16th April 2007


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

UFU Response to Consultation on Proposed Microgeneration Permitted Development Rights

Dear Wilfrid,

Please find the Ulster Farmers' Union response to the Proposed Microgeneration Permitted Development Rights. The Questionnaire has been considered on behalf of our Rural Enterprise Committee, and we have commented on those areas we deem to be most relevant to the interests of our members.

I trust you will find our comments constructive as we seek to ensure that farmers and farm families can become involved in micro renewable energy installations.

Yours sincerely,



Michael Harnett
Chairman, Rural Enterprise Committee



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:

- 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:

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:

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:

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:

The threat of Global warming must be given greater priority than simple aesthetics

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:

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:

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:

15 centimetres is too stringent

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:

The threat of Global Climate Change must be given sufficient weight. Listed buildings often have a higher requirement for energy efficient solutions.

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:

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:

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:

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:

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

Yes, but not so close to the house, and not in the garden. No, because of the height and the fact that they are not always needed.

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 6,008 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:

The above 6,000 litres limit would be too low for district heating systems and should be raised.

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

Yes

Na

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:

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:

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:

A listed building often has a large energy requirement, and sufficient flexibility must be given.

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:

4 metres

...the Department suggests it could be about 5 metres

Wind Turbine Development

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

Yes

No

20/10/14 2.5

Comments:

Up to a maximum 10Kw

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

Yes

No

20/10/14 2.5

Comments:

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:

3 metres

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:

2.5 metres

448 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:

10 metres measured from rotor

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:

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:

A voluntary scheme, not legislated for

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:

Yes, but excluding diameter of rotor measured from axis of rotor

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

for building tax, would prohibit A

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:

Do limit to a safe distance as specified by the manufacturer

462 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:

10 metres from the centre of rotor

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:

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:

Fuel Cells technology may be available in the next 2 to 3 years and so should be considered within the current document

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:

Additional Comments:

Why no reference to micro-Combined heat and power installations under Permitted Development? These will become more apparent as biomass fueled technologies are installed. Also include boiler housing and storage under P.D. rights.

These technologies may be installed in the garden and be covered by the Permitted Development rights.