

Review of Permitted Development Rights

- 1 CBI Northern Ireland welcomes the opportunity to comment on the Review of Permitted Development Rights. In general terms we welcome the general intention of the proposals through extending the range of minor developments which will not require planning permission.

Non-Householder Permitted Development Rights

- 2 In this section we comment on the proposals set out under the Cross-Cutting Themes and specific Development Types.

Cross-cutting themes

- **Communicating the GDO** – as the section highlights the GDO is difficult to understand, it is fragmented, and the language is often unhelpful and lacks clarity. We would strongly welcome a consolidated document which includes all amendments
- **Prior Approvals** – we support the recommendation that Prior Approval should not be a feature of PD rights in the new GPDO
- **Local Development Orders** – we do not support local planning authorities being able to extend PD rights in specific areas. Likewise we do not believe local planning authorities should be able to reduce/restrict PD rights in specific areas – indeed we believe there is a greater risk that this might happen
- **Article 4 Directions** – in principle we do not believe local planning authorities should have the ability to restrict PD rights, nor do we believe they should be able to extend them
- **Simplified Planning Zones** – we strongly support the use of simplified planning zones and would encourage the Department to ensure that such zones are actively utilised – we therefore support the provisions relating to SPZs being retained
- **Disability Access** – We support the a new Class D proposal to facilitate minor works to create disability access
- **Sensitive areas** – we agree that it will be sensible for the limitations of PD rights to be set differently in different areas
- **Climate change and sustainability** – we agree that certain types of PD be restricted in flood plains where they are vulnerable or most likely to be affected by flooding. We also accept the proposed restrictions listed be placed on PD rights in flood plains. Likewise we agree that PD rights for basements located in flood plains be removed. We also agree that PD rights should be restricted where there are significant impacts on nearby water. However with regard to Q13 greater clarity is required around the proposal for hardstandings – while we would support the use of permeable/porous materials for newly created hardstanding over 5m², it would seem unduly restrictive to insist on this on a replacement basis eg perhaps where hardstanding is being repaired for such a small area.

Development types

- **Industry, research and development** – we agree with the proposed extension of PD rights in this area, and accept the restrictions which are proposed for sensitive areas
- **Waste management** – we agree with the objective of encouraging businesses to reuse and recycle their waste. We support the PD rights covering the erection of waste storage (though suggest that the boundary limit may need to be extended to 15m where this is adjacent to residential property. We agree with the proposals to extend PD rights to allow the specified operations to both landfill sites and waste management facilities. We agree with the approach proposed for sensitive areas. With airports having ‘bird hazard management plans’ in place (covering 13km and increasing to 21km from airports which many of our members believe is excessive) there might be a need to ensure that any waste which might attract birds (eg food related) is covered or protected in some manner
- **Telecommunications** – we support the proposed PD rights to allow minor extensions and alterations, and agree that the same approach is taken in sensitive areas as the impacts will be negligible
- **Commercial/retail** – we support the introduction of new proposed PD rights for both retail space/town centre uses and office premises, including the proposed approach for sensitive areas
- **Rural areas** – we support the proposed changes to PD rights for rural areas including equestrian uses
- **Caravan sites** – we support the alignment of PD rights in NI with those in GB
- **Institutions, Community facilities, leisure and recreation** – we support the proposed PD rights, and accept the limitations in sensitive areas
- **Utilities** – while welcoming the overall proposals we are surprised that electricity connections for single user overhead lines are being limited to 400m while in GB there is no distance limit at all – this seems inappropriate, in that we are unaware of any application for an overhead electricity line being refused. Having this distance limit will continue to add cost and delays to such developments. We therefore **recommend** that NI brings itself into line with GB or we increase the distance to 1 km. We agree with the restrictions proposed for sensitive areas
- **Minerals** – we strongly welcome the proposed changes here which will bring Northern Ireland into line with GB. We accept the approach proposed for sensitive areas

Householder Permitted Development Rights

3 CBI comments are limited to one major anomaly which the current proposals do not address and one concern:

- **Dwellings under construction** – at present Permitted Development rights do not apply to a dwelling under construction, yet as soon as the dwelling is occupied the owners can utilise permitted development rights to make minor alterations/additions to the property. This is nonsensical and is a waste of resources. It creates unnecessary inflexibility in seeking to meet the needs of home owner who risks additional delay, inconvenience and expense. We strongly recommend that PD rights are extended to cover this dwellings under construction
- **Use of Obscure glass** - Sections 6.12 and 6.27 of the consultation paper propose that extensions and roof alterations etc that have a window on a side elevation within 15m of a boundary shall be obscure glass and non opening below 1.7m above the floor level. This appears excessively prescriptive and inflexible.