



**HOUSEHOLDER  
PERMITTED  
DEVELOPMENT RIGHTS  
CONSULTATION PAPER  
RESPONSE FORM**

Once you have completed this form please  
return to

Policy and Legislation Branch  
3<sup>rd</sup> Floor  
Millennium House  
Great Victoria STREET  
Belfast  
BT2 7BN

by fax (marked 'Planning Householder PD  
Consultation Response') to:  
028 9041 6960

Or by e-mail to:  
[Planning.householderpd@doeni.gov.uk](mailto:Planning.householderpd@doeni.gov.uk)

All responses should be submitted to the  
Department no later than 22<sup>nd</sup> January 2010



Department of the  
**Environment**  
[www.doeni.gov.uk](http://www.doeni.gov.uk)



INVESTORS IN PEOPLE



## RESPONDENT INFORMATION

Please Note that this form **must** be returned with your response to ensure that we handle your response appropriately.

In keeping with our policy on openness, the Department will make responses to this consultation paper publically available. When publishing responses received on behalf of organisations the Department will also publish the organisation's name and address. When publishing responses received on behalf of individuals the Department will not publish details of the individual's name and address.

### 1. Name/Organisation

Organisation Name

N I Chief Environmental Health Officers Group

Title

Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

[REDACTED]

Forename

[REDACTED]

### 2. Postal Address

[REDACTED]

Postcode:

[REDACTED]

Phone:

[REDACTED]

Email:

[REDACTED]

### 3. Are you responding:

As an individual

On behalf of a group / organisation

**4. Which of the following best describes the capacity in which you are responding:**

Developer

Agent/Architect

Business

Member of Public

Environment Group

Council / Councillor

MLA, MP, MEP

Other  Please state: \_\_\_\_\_

Professional body within Local Government

**5. Acknowledgment**

Individual responses will not be acknowledged unless specifically requested

# Householder Permitted Development Rights

## Chapter 4: Impact Based Approach

### Question 1

Do you agree that an impacts based approach is an appropriate means to ensure an appropriate level of protection for residential amenity and the environment?

Yes  No

**We would support an impacts based approach which only allows permitted development rights where the effect of the development upon residential amenity and / or the environment is likely to be minor.**

### Question 2

Do you agree that overlooking, overshadowing, overbearing presence and disturbance are the main concerns for householder developments that may have an impact on the immediate neighbour?

Yes  No

**We would agree that the physical appearance and effect of such developments together with noise, odour, lighting overspill etc are the main concerns for immediate neighbours.**

**However, we would draw the attention of Planning Service to the potential harm to future occupiers and the environment due to land contamination risks. Where existing residential premises have been**

developed on land affected by contamination appropriate remedial measures may have been required through planning (for example the installation of a gas-impermeable membrane) to ensure that the risks were satisfactorily addressed. It would not be appropriate to allow an extension to the original premises to be developed without the same measures to address the risk to health of occupants.

### Question 3

Do you agree with restrictions on development to or in front of a principal or side elevation which faces onto a road are required in order to protect the amenity of the street scene?

Yes  No

No comment offered.

### Question 4

Do you agree that development should be restricted in areas of greater sensitivity, but that some degree of flexibility should be allowed for householders?

Yes  No

We agree that development should be restricted in areas where the existing land uses are particularly sensitive to the effects the proposal may create. Furthermore in relation to land contamination risks it may be appropriate to remove permitted development rights on sites where such risks may exist. It is acknowledged that the interpretation and implementation of such a restriction would be difficult as it would require detailed site-specific knowledge and information.

**Question 5**

Do you agree that development within the curtilage of Listed Buildings should not be permitted unless Listed Building Consent has previously been granted?

Yes  No

No comment offered.

**Chapter 6: Proposals for Extensions, Roof Alterations and Process**

Class A – The enlargement, improvement or other alterations to a dwellinghouse

**Question 6**

Do you agree that a change to a dimension based criteria for enlargements, improvements or other alterations will be easier for householders to interpret?

Yes  No

**No comment offered.**

#### **Question 7**

Do you agree that up to 50% (as in the current GDO) of the total area of the domestic curtilage (excluding the original dwellinghouse) could be covered by buildings?

Yes  No

**No comment offered.**

#### **Question 8**

Do you agree it is acceptable to permit two storey extensions to the rear of a dwelling subject to restrictions on height within 2 metres of the boundary and overall length?

Yes  No

**No specific comment offered but see response to Question 2.**

**Question 9**

Do you agree that 4 metre long single storey extensions should be permitted development on detached houses?

Yes  No

**No specific comment offered but see response to Question 2.**

**Question 10**

Do you agree that restrictions are required on the proximity of rear extensions to the boundary of the curtilage of the dwellinghouse with a road opposite the rear wall of the dwellinghouse?

Yes  No

**No comment offered.**

**Question 11**

Do you agree that finishes should be "similar in appearance" to the existing dwellinghouse?

Yes  No

**No comment offered.**

**Question 12**

Do you agree that the requirement for first floor windows in side elevations which are within 15 metres of the boundary of the curtilage of a neighbouring dwellinghouse to have obscure glazing and be non opening unless at least 1.7 metres above floor level, is reasonable to protect against overlooking?

Yes  No

**No comment offered.**

**Question 13**

Do you agree that restrictions should be imposed within conservation areas, world heritage sites, AONBs and national parks?

Yes  No

**No comment offered.**

Class B –The enlargement, improvement or other alteration of dwellinghouse consisting of an addition or alteration to its roof

**Question 14**

Do you agree that a change to a dimension based criteria for roof extensions and alterations will be easier for householders to interpret?

Yes  No

**No comment offered.**

**Question 15**

Do you agree that the 0.5 metre set backs from ridge, eaves and verge are sufficient to control adverse impacts?

Yes  No

**No comment offered.**

**Question 16**

Do you agree that where an alteration to the roof extends more than 15 centimetres beyond the plane of the roof that forms either the principal or side elevation of the dwellinghouse, that faces a road, it should require planning permission?

Yes  No

**No comment offered.**

**Question 17**

Do you agree that roof extensions or alterations should not be permitted in conservation areas?

Yes  No

**No comment offered.**

**Question 18**

Do you agree that the requirement for first floor windows in side elevations of the roof alteration which are within 15 metres of the boundary of the curtilage of a neighbouring dwellinghouse to have obscure glazing and be non opening unless at least 1.7 metres above floor level, is reasonable to protect against overlooking?

Yes  No

**No comment offered.**

Class C –The erection or construction of a porch outside any external door of a dwellinghouse

**Question 19**

Do you agree that the floor area of porches should be increased from 2 square metres to 3 square metres without adverse impact?

Yes  No

**No comment offered.**

**Question 20**

Do you agree that porches with a pitched roof should be allowed to be higher than those with a flat or mono pitched roof?

Yes  No

**No comment offered.**

**Question 21**

Do you agree that a minimum 2 metre set back from the road (as in the current GDO) should be retained?

Yes  No

**No comment offered.**

**Question 22**

Do you agree that additional controls on porches should not be introduced in conservation areas or other designated areas?

Yes  No

**No comment offered.**

### **Chapter 7: Proposals for Buildings in Curtilage**

Class D – The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse, or the maintenance, improvement or other alteration to such a building or enclosure

#### **Question 23**

Do you agree that a change to a dimension based criteria for buildings within curtilages will be easier for householders to interpret?

Yes  No

**No comment offered.**

#### **Question 24**

Do you agree that the current 5 metre link between dwellinghouses and outbuildings does not serve any useful planning purpose?

Yes  No

No comment offered.

**Question 25**

Do you agree that a maximum height of 4 metres should minimise the impact of outbuildings upon neighbouring amenity and the streetscene?

Yes  No

No comment offered.

**Question 26**

Do you agree that an eaves height of 2.5 metres within 2 metres of the boundary is reasonable?

Yes  No

**No comment offered.**

**Question 27**

Do you agree that outbuildings in areas designated for their landscape character should not exceed 10m<sup>2</sup> when situated more than 20 metres from the dwelling?

Yes  No

**No comment offered.**

**Question 28**

Do you agree that restrictions are required on the proximity of outbuildings to the boundary of the curtilage of the dwellinghouse with a road opposite the rear wall of the dwellinghouse?

Yes  No

No comment offered.

### Question 29

Do you agree that pigeon lofts should remain subject to planning control?

Yes  No

**We strongly agree that pigeon lofts should remain subject to planning control as they are a significant source of potential odour, noise and vermin. Many areas in Northern Ireland have a tradition of pigeon keeping and where this is the case in dense, urban areas significant disturbance can be caused to neighbouring dwellings. In addition, given the relatively low numbers of new loft developments, yet the significant impacts they may cause, we believe planning control can and should be retained.**

### Chapter 8: Other Issues within Part 1 of the GDO

Class E – The Provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse; or the replacement in whole or in part of such a surface

**Question 30**

Do you agree that hardstanding around a dwelling should normally be permitted (as in the current GDO)?

Yes  No

**No comment offered.**

**Question 31**

Do you agree there should be a requirement for all hard surfaces over 5m<sup>2</sup> located between a wall forming the principal elevation of the dwellinghouse and a road to be constructed in porous or permeable materials?

Yes  No

**We would support the use of planning controls to assist in reducing the risk of flooding.**

**Question 32**

Do you agree that new controls on hardstanding should not be introduced in conservation areas?

Yes  No

**No comment offered.**

Class F – The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil or liquid petroleum gas for domestic purposes

**Question 33**

Do you agree that the capacity for both oil and liquid petroleum gas containers should now be 3,500 litres?

Yes  No

**No comment offered.**

**Question 34**

Do you agree that the maximum height for both oil and liquid petroleum containers should now be 3 metres above ground level?

Yes  No

**No comment offered.**

**Question 35**

Do you agree that restrictions are required on the proximity of containers to the boundary of the curtilage of the dwelling with a road opposite the rear wall of the dwelling?

Yes  No

**No comment offered.**

Class H – The installation, alteration or replacement of a chimney, flue, soil and vent pipe on a dwellinghouse

**Question 36**

Do you agree with the introduction of a new permitted development class for chimneys, flue's or soil and vent pipes on a dwelling house?

Yes  No

**Question 37**

Do you agree that chimneys, flues etc should be permitted to extend 1 metre above the height of the roof?

Yes  No

**Question 38**

Do you agree that additional restrictions are required within conservation areas, world heritage sites, AONBs and national parks?

Yes  No

**No comment offered.**

Class I – The erection, construction or alteration of a deck, balcony, veranda or other raised platform within the curtilage of a dwellinghouse

**Question 39**

Do you agree with the introduction of a new permitted development class for decks, veranda's or balconies within the curtilage of a dwellinghouse?

Yes  No

**No comment offered.**

**Question 40**

Do you agree that a restriction of 0.3 metres in height above ground level should be imposed on any part of the deck, veranda, or balcony?

Yes  No

**No comment offered.**

**Question 41**

Do you agree that additional restrictions should be imposed within conservation areas?

Yes  No

**No comment offered.**

**Basement extensions**

**Question 42**

Do you agree that permitted development rights for basement extensions should not be included in a revised GDO?

Yes  No

**No comment offered.**

## **Environmental Assessment**

### **Question 43**

Do you agree that the criteria under Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (NI) 1999 do not require amendment in response to the proposed changes to householder PD rights?

Yes  No

**We agree that the criteria under Schedule 2 of the 1999 Regulations do not require amendment as a result of these changes.**

**Chapter 9 – Part 2: Means of enclosure, access and painting**

Class A – The erection, construction, maintenance, improvement or alteration or a gate, wall or other means of enclosure

Class B - The formation, laying out and construction or alteration of a means of access to a road which is not a special, trunk or classified road, where that access is required in connection with development permitted by any class in this Schedule (other than by Class A of this Part).

**Question A**

Do you agree that it is necessary to retain conditions in respect of accesses in sites of archaeological interest, and to impose similar controls in areas of special scientific interest?

Yes  No

**No comment offered.**

Class C – The painting of the exterior of any building or work

**Question 45**

Do you think the provisions of Part 2 should also be detailed into a Part A which will then address all householder developments for ease of reference??

Yes  No

**No comment offered.**

**Chapter 10 – Conclusions**

**Question 46**

Do you agree that a User Guide on the GDO would be useful for householders and professionals?

Yes  No

**We would support the production of such a User Guide in tandem with the development and introduction of these amendments.**

**Question 47**

Do you agree that the impacts based approach provides a good basis on which to revise the GDO?

Yes  No

**We would support the use of an impacts based approach.**

**Question 48**

Do you agree that the proposed revisions should facilitate a GDO which:

- is easy to understand;
- is proportionate to the anticipated impacts of such development;
- is simple and economic to operate for both developers and the planning authority; and controls impacts upon local amenity and environmental interests, including the built heritage?

Yes  No

**No comment offered.**

**Question 49**

Do you have any comments on the proposed definitions?

Yes  No

No comment offered.

  

**ADDITIONAL COMMENTS:**

**We note in 7.9, page 33, that the Lichfield Report recommended that the keeping of pigs, poultry and pigeons should not be permitted development. We have already supported the proposal to retain pigeon lofts within planning control. It should be noted that the keeping of poultry and pigs in domestic circumstances may give rise to noise, odour and vermin problems. Where such activities take place in close proximity to neighbouring premises a loss of amenity frequently results. We would request that Planning Service give further consideration to this particular aspect in order to ensure that any developments that may take place under permitted development rights cannot give rise to an unacceptable loss of amenity to neighbouring premises.**

**PLEASE FEEL FREE TO COMMENT ON ANY OTHER MATTER RELEVANT TO THIS REVIEW AND THE PROPOSED REVISIONS.**

**THANK YOU FOR TAKING TIME TO COMPLETE THIS QUESTIONNAIRE**