



Prof. Gabriel Cooney BA MA PhD
Chairman

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Via Email—
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**Policy and Legislation Branch
3rd Floor
Millennium House
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Dear Sirs,

Consultation Papers:

- 1 Householder Permitted Development Rights**
- 2 Review of Non-Householder Permitted Development Rights**
- 3 Permitted Development Rights for Microgeneration Development**

The Historic Monuments Council welcomes the opportunity to comment on these proposals. The Council submitted a detailed response to the Department of the Environment's consultation paper on Reform of the Planning System in Northern Ireland: Your chance to influence change and the Council's comments on the three consultation papers here concerned with Permitted Development Rights should be seen and read in conjunction with the Council's stated concerns about the lack of statement or clarity on the vital question of who will assess the impact on the quality and sustainability of the historic environment of different categories of development under the proposed new planning hierarchy. Here the Council would like to take the opportunity to respond only to specific questions in the consultation papers that are relevant to its statutory role and responsibilities.

1 Householder Permitted Development Rights

The Council agrees with the value of the impact-based approach advocated in the paper.

The Council would support restriction of development in areas of greater sensitivity (Q.4) and would be concerned that the competent authority who would have oversight of 'some degree of flexibility' is not made clear.

The Council would agree that additional restrictions on proposals for extensions, roof alterations and porches, chimney, flues etc should be imposed in Sensitive Areas (Q.13, Q. 38).

The Council would agree that it is necessary to retain conditions in respect of access in sites of archaeological interest, and to impose similar controls in areas of special scientific interest (Q.44). The Council would recommend that similar controls should be imposed in relation to Scheduled Monuments.

Listed Building Consent is viewed as the mechanism for facilitating PD rights in Listed Buildings. That would seem like a very sensible approach but it should be stipulated in the revised GDO that the PD rights given refer ONLY to those works included in the Listed Building Consent.

In relation to Q.48 the Council would suggest that the proposed GDO needs to include a very clear and underlying statement of intent in relation to the need to control impacts upon local amenity and environmental interests, including the built heritage.

2 Review of Non-Householder Permitted Development Rights

Given the potential scale and impact of some non-householder PD rights the Council has commented in detail on some specific questions

Q2 – The Council agrees that Prior Approval provisions should not be a feature of permitted development rights in the new GPDO.

Q3 – The Council's view is that local planning authorities should NOT be enabled to extend PD rights in specific areas through LDOs.

Q.4 and 5 – The Council considers it essential that the power for local planning authorities to use Article 4 directions to restrict PD should be retained. The Council does not think that legislations should be enacted to enable Article 4 directions to be used to extend PD rights.

Q.6 – Given the historic character and significance of some of the potential Simplified Planning Zones cited (such as docks, harbours and airports) the Council would strongly disagree with the provisions relating to SPZs being retained as a further option for relaxing planning controls in specific areas.

Q.8 – Council is of the view that if PD rights are to be set differently for different types of designated areas the limitations need to be very clearly defined for each kind of area

Q.9 – The Council was surprised that Monuments in State Care and Scheduled Monuments were not listed as sensitive areas and would strongly recommend that they should be added to the list given in the paper.

Q.16 – The Council would recommend that Part 8 PD rights should be withdrawn in Sensitive Areas because of their potential significant negative impact.

Q.20 - Because of potential significant negative impact the Council recommends that the approach should be the same in all Sensitive areas, ie that waste management additions should not have PD status.

Q.22 - With respect Council would argue that 10% additional height could have a definite increase in visual impact and in this context would not agree that the new Part 17 PD rights as outlined should be permitted in Sensitive Areas.

Q.30 - Given the potential impact of new build or extensions the Council would recommend that PD rights should be removed in all Sensitive Areas.

Q.32 -Again given the large scale and potential impact of some of the permitted development rights the Council would recommend that the proposed PD rights regarding utilities should be withdrawn in all Sensitive Areas.

Q.36 - The Council is of the view that PD rights for development ancillary to mineral operations should be removed in all Sensitive Areas.

3 Permitted Development Rights for Micro-generation Development

Rather than reply to specific questions in this paper the Historic Monuments Council would like to offer a view in relation to restrictions to permitted development in sensitive areas. The key larger question is the balance between the maintenance of the character of these areas and the importance and benefits of non-domestic micro-generation technologies. The Council would be concerned that rather than making a series of detailed distinctions between what PD rights would be provided in different types or parts of Sensitive Areas that the planning process would have a continuing concern for the character of the Sensitive Areas and maintain a flexible approach in assessing whether PD rights should be withdrawn or restricted but that prime regard would be given to maintaining the character and integrity of the Sensitive Area.

Yours sincerely

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Chairman