



**PERMITTED  
DEVELOPMENT RIGHTS  
FOR MICROGENERATION  
DEVELOPMENT  
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 Microgeneration PD  
Consultation Response') to:  
028 9041 6960

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

Northern Ireland Environment Link

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:

**5. Acknowledgment**

Individual responses will not be acknowledged unless specifically requested

# **NON DOMESTIC MICROGENERATION**

## **Introduction**

### **Question 1**

Do you agree that the GDO should be amended to provide permitted development rights for microgeneration equipment in non-domestic land uses?

Yes  No

**NIEL believes that it is essential that such PD rights are introduced in order to encourage the uptake of renewables in Northern Ireland. These PD will also help Northern Ireland to meet the Strategic Energy Framework target of generating 12% of energy from renewable sources by 2012 as well as the renewable energy target outlined within the NI Sustainable Development Strategy.**

**The need to streamline and relax the current planning requirements should be balanced with the need to uphold public confidence in the planning system and its ability to deliver quality sustainable development. It would be counterproductive if a relaxation of planning requirements resulted in a backlash against inappropriate proliferation of microgeneration technologies at a time where public support for renewable energy is more important than ever. Furthermore NIEL believes that amendments to PD rights as outlined in the consultation document cannot be allowed to endanger the quality and condition of designated areas in terms of our natural and built heritage.**

**NIEL welcomes the removal of PD rights within Areas of Special Scientific Interest (ASSIs) but further clarification is required in relation to Ramsar sites, which are not underpinned by ASSIs. Planning Policy Statement 2 (Planning and Nature Conservation) states that the same consideration be applied to Ramsar Sites as to the sites designated under the European Habitats Directive (Special Protection Areas) and Birds Directive (Special Areas of Conservation).**

**PD rights on European sites are already governed by regulation 56 of the Conservation (Natural habitats etc) Regulations (1995) (as amended), and the applicant must obtain written approval from the Department of the Environment (Northern Ireland Environment Agency (NIEA)) before commencing development.**

**It is important that this applies in practice for example within the south Lough Neagh Ramsar site, which is not underpinned by an ASSI. Without this clarity, this internationally designated site could be afforded lesser protection than nationally designated sites.**

**Within ASSIs, sections 32 (duties of owners and occupiers) and 38 (duties of public bodies) of the Environment (NI) Order 2002 still apply, so notice should be given to NIEA if the proposed development constituted an operation likely to damage the interests of an ASSI.**

**In addition to removal of PD rights within ASSIs, NIEL believes the removal of rights within Sites of Local Nature Conservation Importance (SLNCIs), designated in accordance with PPS 2, should also be considered given that they are important sites of substantive biodiversity or geological value.**

**The amendments on PD rights we suggest in this consultation response should therefore apply to this extended list of designated sites.**

**NIEL is concerned about allowing PD rights within areas of high scenic importance including AONBs and prominent elevated sites.**

**Question 2**

Should permitted development rights for non-domestic microgeneration be greater than those proposed for dwellinghouses where this can be achieved without increasing the risk of adverse impacts?

Yes  No

**NIEL is supportive of this proposal as it will increase the uptake of renewable energy. However this must be achieved without increasing the risk of adverse impacts on our natural and built environment. In order to ensure this is the case NIEL believes that an impact criteria approach should be utilised.**

**Question 3**

Should permitted development rights for microgeneration associated with non-domestic land uses be provided for in a separate part within Schedule 1 of the GDO from the existing permitted development rights for those land uses?

Yes  No

**NIEL agrees with this proposal as a separate and specific section dealing with renewables would provide increased clarity.**

**General limits and conditions to permitted development**

**Question 4**

Do you agree that permitted development in non-domestic land uses should be for microgeneration development that primarily provides heat or energy for use within the curtilage of the non-domestic building or on the agricultural unit?

Yes  No

**Question 5**

Do you agree that, subject to the maximum height and area restrictions set out in the Review, permitted development for solar panels or wind turbines erected by undertakers referred to in Part 13 of the GDO or by the Roads Service to meet the energy needs of a range of equipment, systems and other uses permitted under Part 13 of the GDO or by the Roads Service should be allowed, provided it is only to meet the needs of the equipment, systems and other uses with which it is associated?

Yes  No

**Question 6**

Do you agree that a condition of all permitted development for microgeneration devices in non-domestic land uses should be that they be removed as soon as reasonably practicable after they are no longer in use and the land or building restored to its condition before the development took place?

Yes  No

**Consideration should also be given to allowing the replacement of microgeneration equipment and devices after they have come to the end of their life-span.**

**Solar Panels**

**Question 7**

Do you agree that permitted development for solar panels fitted to a pitched roof should be limited to the existing roof area?

Yes  No

**NIEL has no specific comments to make in relation to questions 7-10 other than the importance of ensuring that permitted development does not give rise to adverse environmental impacts. Consideration should therefore be given to the likely impact of solar panels on bird and bat species in particular. Guidance should be produced and**

disseminated to those considering installing solar panels in relation to good environmental practice especially in terms of nesting and roosting sites. This guidance should also inform householders and developers of the legal protection given to nesting birds and the importance of scheduling work to avoid disturbance during the nesting season, as well as the legal protection afforded to bat colonies.

**Question 8**

Do you agree that permitted development for solar panels fitted to a pitched roof should be limited to the maximum height of the existing roof?

Yes  No

**Question 9**

Do you agree that permitted development for solar panels on a pitched roof plane that faces onto and is visible from a road should not extend more than 20cm above the plane of the existing roof slope?

Yes  No

**Question 10**

Do you agree that permitted development for solar panels on a flat roof should not exceed a height of 2m from the roof plane on which they are mounted?

Yes  No

**Question 11**

Do you agree that solar panels permitted on a flat roof should be located at least 2m from the edge of the roof of the building on which they are mounted?

Yes  No

**While aesthetics are important, especially in areas of high scenic value such as Areas of Outstanding Natural Beauty (AONBs), NIEL would suggest that some consideration is given to the proposal by Action Renewables: 2m from all edges may decrease the usable roof space by too great an extent, perhaps 2m from the side facing a road may be more appropriate.**

**Question 12**

Should permitted development rights for roof mounted solar panels be removed in AONBs and National Parks where the roof slope faces onto and is visible from that road?; or

Yes  No

**Question 13**

Should permitted development rights for roof mounted solar panels be removed in special countryside policy areas where the roof slope faces onto and is visible from that road?; or

Yes  No

**Question 14**

Should permitted development rights for roof mounted solar panels in AONBs and National Parks (including special countryside policy areas) be subject to the same limits that apply outside these areas?

Yes  No

**Stricter**

**Question 15**

Should permitted development rights for roof mounted solar panels in Conservation Areas be removed where the roof slope to which they are fitted faces onto and is visible from that road?; or

Yes  No

**Question 16**

Should permitted development rights for roof mounted solar panels in Conservation Areas be subject to the same limits that apply outside these areas?

Yes  No

**Stricter**

**Question 17**

Should permitted development rights for roof mounted solar panels in a World Heritage Site be removed where the roof slope to which they are fitted faces onto and is visible from that road?; or

Yes  No

**Question 18**

Should permitted development rights for roof mounted solar panels in a World Heritage Site be subject to the same limits that apply outside that area?

Yes  No

**Stricter**

**Question 19**

Should there be any additional restrictions to permitted development rights for roof mounted solar panels in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 20**

Should permitted development rights for roof mounted solar panels within the curtilage of a Listed Building only be removed where Listed Building Consent has not previously been granted?

Yes  No

**Question 21**

Should permitted development rights for solar panels fitted to a wall limit them to the boundaries of the existing wall area?; or

Yes  No

**Question 22**

If you do not agree that permitted development rights for solar panels fitted to a wall should be limited by the existing wall area do you think that there should be an area limit to wall mounted panels and, if so, what area should this be?

n/a

**Question 23**

Should permitted development rights for solar panels fitted to a wall within 3 metres of the boundary of the curtilage and extending above 4 metres in height be restricted to protrude no more than 20cm from the plane of the wall?

Yes  No

**Assuming these dimensions allows for maximum efficiency from solar panel technology**

**Question 24**

Should permitted development rights for wall mounted solar panels be removed in AONBs, National Parks, Conservation Areas and World Heritage Sites where they face onto and are visible from a road?

Yes  No

**Question 25**

Do you agree that permitted development rights for wall mounted solar panels in ASSIs and Sites of Archaeological Interest should not be subject to additional restrictions?

Yes  No

**Question 26**

Should permitted development rights for wall mounted solar panels within the curtilage of a Listed Building only be removed where Listed Building Consent has not previously been granted?

Yes  No

**Question 27**

Should permitted development rights for free standing solar panels restrict them to a minimum of 5m from the building curtilage and from any road bounding the curtilage?

Yes  No

**No Comment**

**Question 28**

Should permitted development rights for free standing solar panels restrict them to a maximum of 2m above ground level? If not, what height do you believe is appropriate and for what reasons?

Yes  No

**Question 29**

Should the permitted development rights for free standing solar panels allow a maximum surface area of 20m<sup>2</sup> within the curtilage of a building?

Yes  No

**NIEL believes a balanced approach is required. While a 20m<sup>2</sup> maximum surface area may limit the exploitation of suitable sites (and the potential of PV technology which requires a greater surface area), other factors need to be taken into consideration such as the possible requirement for increased hardstanding on the site. An increase in the proportion of hardstanding may have a negative impact on local wildlife as well as contributing to problems associated with surface run-off.**

**Question 30**

If you consider a greater area should be allowed, please state what area and the supporting reasons.

See previous answer

**Question 31**

Do you agree that the proposed restrictions on permitted development rights for free standing solar panels are reasonable in addressing safety issues beyond the host property?

Yes  No

**Question 32**

Should permitted development rights for free standing solar panels be removed in AONBs, National Parks, Conservation Areas and World Heritage Sites where the installation faces onto a road and is visible from that road?

Yes  No

**Question 33**

Should permitted development rights for free standing solar panels be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 34**

Should permitted development rights for free standing solar panels within the curtilage of a Listed Building only be removed where Listed Building Consent has not previously been granted?

Yes  No

## **Wind Turbines**

### **Question 35**

Should permitted development rights for building mounted wind turbines allow them to be a maximum of 3m above the highest point of the roof?

Yes  No

**While NIEL acknowledges that this proposal would improve wind turbine efficiency, further research is required on the impact on birds and other wildlife before maximum height and optimum blade dimensions can be established. If research indicates a negative impact upon wildlife the PD rights should be reviewed.**

### **Question 36**

Should permitted development rights for building mounted wind turbines be for a maximum blade diameter of 2.5m?

Yes  No

**See answer to Question 35.**

**Question 37**

Should permitted development rights for building mounted wind turbines with a vertical axis be for a maximum swept area of 5m<sup>2</sup>?

Yes  No

See answer to Question 35.

**Question 38**

Should permitted development rights allow one building mounted wind turbine within the curtilage of a non-domestic building?

Yes  No

**Question 39**

If you consider more than one should be allowed, please state how many and the supporting reasons.

No Comment

**Question 40**

If you consider that permitted development rights should allow more than two wind turbines please explain why you consider that the environmental effects are not significant and that the threshold in Schedule 2 to the EIA Regulations should be amended.

No Comment

**Question 41**

Should permitted development rights for building mounted wind turbines be deferred until noise and air safety issues can be satisfactorily addressed?

Yes  No

**NIEL is aware that the MCS certification ensures machinery and installers are of a sufficient standard so as not to create noise and air safety issues, therefore a deferment may not be necessary. However, in the interests of a simplified regulatory regime, NIEL would welcome a standardised approach across the UK to provide clarity for manufacturers, installers and users.**

**Question 42**

Do you agree that a permitted development regime for building mounted wind turbines should not entail the user having to employ a technical expert to carry out a noise survey either before such rights are exercised or to prove compliance?

Yes  No

**See previous answer.**

**Question 43**

Do you agree that it is a matter for installers and manufacturers to ensure that there is no negative impact associated with vibration that may be caused by building mounted wind turbines?

Yes  No

**See answer to Question 41.**

**Question 44**

If you do not agree that impacts associated with vibration should be addressed by installers and manufacturers how do you believe they should be addressed?

**Not applicable**

**Question 45**

Should permitted development rights for building mounted wind turbines be removed where they extend above public open space, roads and footpaths?

Yes  No

No Comment

**Question 46**

Should permitted development rights for building mounted wind turbines be deferred until a UK scheme has been developed that satisfactorily addresses the issue of radar safety?

Yes  No

No Comment

**Question 47**

Do you agree that there is currently no need to condition permitted development rights for building mounted wind turbines in terms of their potential to induce seizures?

Yes  No

**Question 48**

Should the potential impact of building mounted wind turbines on telecommunications systems be addressed through the publication of guidance material on the best way to site wind turbines to reduce the risk of electromagnetic interference?

Yes  No

**Question 49**

Should the potential impact of building mounted wind turbines on birds and bats be addressed through the publication of guidance material on the best way to site wind turbines to minimise that impact?

Yes  No

**NIEL believes that further research is required on the impact of turbines on birds and other wildlife. This research could inform the advice necessary within the guidance material. However should this research indicate a negative impact upon wildlife the PD rights should be reviewed.**

**Question 50**

Should permitted development rights for building mounted wind turbines be removed in AONBs, National Parks, Conservation Areas and World Heritage Sites where the turbine is mounted on a roof or wall that faces onto a road and is visible from that road?

Yes  No

**Question 51**

Should permitted development rights for building mounted wind turbines be removed in ASSIs as a precautionary measure to protect bats and birds?

Yes  No

**Question 52**

Should permitted development rights for building mounted wind turbines within the curtilage of a Listed Building only be removed where Listed Building Consent has not previously been granted?

Yes  No

**Question 53**

Subject to the further limits outlined later in this paper, should permitted development rights for free standing wind turbines in non-domestic land uses should be allowed up to a maximum height of 15m above ground level?

Yes  No

**While NIEL agrees with the need to find a compromise between visual impact and the efficacy of wind turbines, further consideration may be required. Advice from Action Renewables would suggest that a 15m limit on maximum height would greatly reduce the efficiency of the turbine as would limiting the blade diameter to 6m. Such a small amount of energy would be generated that it would be economically inefficient.**

**Question 54**

Should permitted development rights for free standing horizontal axis wind turbines allow a blade diameter of up to 6m?

Yes  No

**See previous answer**

**Question 55**

If you consider a different blade diameter is appropriate, what is it and please state your supporting reasons.

**See answer to question 53**

**Question 56**

Should permitted development rights for free standing wind turbines with a vertical axis allow a maximum swept area of 28m<sup>2</sup>?

Yes  No

**As per our answer to question 53, further research may be required to see if this limit is sufficient to enable a significant contribution to the energy needs of a non-domestic property.**

**Question 57**

Should permitted development rights for free standing wind turbines require that they are located a minimum of 17m from a neighbouring building curtilage or road?

Yes  No

No Comment

**Question 58**

Should permitted development rights for building mounted wind turbines be deferred until a UK scheme has been developed that satisfactorily addresses the issue of radar safety?

Yes  No

No Comment

**Question 59**

Do you agree that there is currently no need to condition permitted development rights for building mounted wind turbines in terms of their potential to induce seizures?

Yes  No

**Question 60**

Do you agree that the risk to members of the public outside the curtilage posed by wind turbines falling over is sufficiently addressed by the requirement for them to be located a minimum of 17m from a neighbouring building curtilage or road?

Yes  No

Providing they have appropriate accreditation.

**Question 61**

Should permitted development rights require that the blade tips of a free standing wind turbine must be a minimum of 5m above ground level?

Yes  No

**Question 62**

Should permitted development rights for free standing wind turbines allow only one turbine within a building curtilage or on an agricultural unit?

Yes  No

**Question 63**

Do you agree that a separation distance of 34m between free standing wind turbines on neighbouring properties is sufficient to address cumulative visual impact?

Yes  No

**No Comment**

**Question 64**

If you consider that a greater separation distance than 34m between free standing wind turbines on neighbouring properties is required, what is it and please state your supporting reasons?

**No comment**

**Question 65**

Should the potential impact of free standing wind turbines on telecommunications systems be addressed through the publication of guidance material on the best way to site wind turbines to reduce the risk of electromagnetic interference?

Yes  No

**No Comment**

**Question 66**

Should the potential impact of free standing wind turbines on birds and bats be addressed through the publication of guidance material on the best way to site wind turbines to minimise that impact?

Yes  No

**NIEL would view this as a very helpful development.**

**Question 67**

Should permitted development rights for free standing wind turbines be deferred until noise issues can be satisfactorily addressed?

Yes  No

**Providing they have appropriate accreditation.**

**Question 68**

Should permitted development rights for free standing wind turbines in AONBs and National Parks be required to be located within 50m of the nearest building which will utilise the electricity produced?

Yes  No

**No Comment**

**Question 69**

Should permitted development for free standing wind turbines be removed in Conservation Areas and World Heritage Sites?

Yes  No

**Question 70**

Should permitted development rights for free standing wind turbines be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 71**

Should permitted development rights for free standing wind turbines within the curtilage of a Listed Building be removed?

Yes  No

**Hydro**

**Question 72**

Do you agree that there should be no permitted development rights introduced for in-stream works associated with hydro microgeneration in non-domestic land uses?

Yes  No

**Question 73**

Should the provision of a new or replacement turbine house for an existing hydro microgeneration scheme be permitted development provided it is a maximum of 3m in height, has a maximum floor area of 10m<sup>2</sup> is located at least 5m from the building curtilage and not nearer to any road which bounds the curtilage than the part of the existing building nearest to that road?

Yes  No

**No Comment**

**Question 74**

Do you agree that no further restrictions on the permitted development rights for new or replacement turbine houses are necessary in AONBs and National Parks?

Yes  No

**Yes, but only for replacement turbines.**

**Question 75**

Should permitted development rights for new or replacement turbine houses be removed in Conservation Areas, World Heritage Sites, ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 76**

Should permitted development rights for new or replacement turbine houses associated with existing hydro schemes within the curtilage of a Listed Building only be removed where Listed Building Consent has not previously been granted?

Yes  No

**Biomass and combined heat and power plants**

**Question 77**

Should a new building or extension to house a biomass or CHP boiler be permitted development provided the new building or extension has a maximum floorspace of 10m<sup>2</sup> and a maximum height of 3m?

Yes  No

**NIEL is content with this proposal as long as these dimensions are sufficient to facilitate the installation of most biomass systems.**

**Question 78**

Should a new building or extension to house a biomass or CHP boiler for non-domestic buildings with a floor area of 1,000m<sup>2</sup> or more be permitted development provided the new building or extension has a maximum floorspace of 75m<sup>2</sup> and maximum height of 3m?

Yes  No

**Provided these dimensions are sufficient to facilitate the installation of most boiler systems**

**Question 79**

Should permitted development rights for a new building or extension to house a biomass or CHP boiler require that the development is a minimum distance of 5m from any boundary of the building curtilage and not nearer to any road which bounds the curtilage than the part of the existing building nearest to that road.

Yes  No

**No Comment**

**Question 80**

Should it be a condition of permitted development rights for the provision of a biomass boiler for non-domestic use that the fuel must not include products derived from animal wastes or wood containing dangerous substances?

Yes  No

**Question 81**

Do you agree that noise impacts from biomass and CHP boilers is a low risk and that this risk is minimised by other restrictions upon permitted development rights for boiler houses?

Yes  No

**Question 82**

Should a new building or extension to an existing building to house fuel for a biomass boiler be permitted development provided the new building or extension has a maximum floorspace of 10m<sup>2</sup> and maximum height of 3m?

Yes  No

**NIEL agrees that PD rights should be introduced for fuel storage but has no specific comment to make on the proposed dimensions.**

**Question 83**

Should a new building or extension to an existing building to house fuel for a biomass boiler for non-domestic buildings with a floor area of 1,000m<sup>2</sup> or more be permitted development provided the new building or extension has a maximum floorspace of 75m<sup>2</sup> and maximum height of 3m?

Yes  No

**NIEL agrees that PD rights should be introduced for fuel storage but has no specific comment to make on the proposed dimensions.**

**Question 84**

Should permitted development rights for a new building or extension to an existing building to house fuel for a biomass boiler for non-domestic buildings be restricted to those located a minimum distance of 5m from any boundary of the building curtilage and not nearer to any road which bounds the curtilage than the part of the existing building nearest to that road?

Yes  No

**See previous answer**

**Question 85**

Should permitted development rights for a new building or extension only apply to the first biomass/CHP boiler house and the first fuel biomass fuel store erected under permitted development rights within the curtilage of a building?

Yes  No

**No Comment**

**Question 86**

Should permitted development rights for the installation of a flue for a biomass or CHP system be allowed provided the height of the flue does not exceed 1m above the highest part of the existing roof?

Yes  No

**The flue height should be consistent with what is required for the system or specified by the manufacturer. NIEL has no specific comments to make in relation to flue height other than the importance of ensuring that permitted development does not give rise to adverse environmental impacts. Consideration should therefore be given to the likely impact of flue installation, alteration or replacement on bird and bat species in particular. Guidance should therefore be produced and disseminated on flues in relation to good environmental practice especially in terms of nesting and roosting sites. This guidance should also inform householders and developers of the legal protection given to nesting birds and the importance of scheduling work to avoid disturbance during the nesting season, as well as the legal protection afforded to bat colonies.**

**Question 87**

Should permitted development rights for the replacement or alteration of an existing flue to allow it to be utilised by a biomass or CHP system be allowed provided the replaced or altered flue is located in the same place as the existing flue and is of dimensions that do not exceed the existing flue?

Yes  No

**See previous answer**

**Question 88**

For biomass or CHP systems in industrial buildings do you consider the above proposals for permitted development could be replaced by permitted development rights for flues up to a maximum height of 15m above ground level without greatly increasing visual impacts?

Yes  No

**See answer to question 86**

**Question 89**

Do you agree that there should be no additional restrictions on permitted development rights for biomass and CHP boiler houses, fuel stores and flues within AONBs, National Parks, Conservation Areas and World Heritage Sites?

Yes  No

**No Comment**

**Question 90**

If you do not agree, what additional restrictions do you consider would be appropriate and please state your supporting reasons?

**Not applicable**

**Question 91**

Should permitted development rights for biomass and CHP boiler houses and fuel stores be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 92**

Should permitted development rights for a biomass or CHP boiler house, fuel store or flue only be removed where Listed Building Consent has not previously been granted?

Yes  No

**Question 93**

Should permitted development rights be provided for anaerobic digestion plants on an agricultural unit?

Yes  No

**Question 94**

If you agree that permitted development rights for anaerobic digestion plants should be provided should they be subject to similar restrictions to those for agricultural permitted development rights as outlined ?

**Yes**

**Question 95**

Should permitted development rights for anaerobic digestion plants be limited to those that use only materials generated on the agricultural unit on which the plant is located?

Yes  No

**No Comment**

**Question 96**

Do you agree that permitted development rights for anaerobic digestion plants do not need to be further restricted in AONBs, National Parks, World Heritage Sites or Conservation Areas?

Yes  No

**No Comment**

**Question 97**

Should permitted development rights for anaerobic digestion plants be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 98**

Should permitted development rights for anaerobic digestion plants within the curtilage of a Listed Building only be removed where Listed Building Consent for the development has not previously been granted?

Yes  No

## **Heat Pumps**

### **Question 99**

Should permitted development rights be provided for ground source heat pumps in non-domestic land uses, subject to appropriate restrictions?

Yes  No

### **Question 100**

Should permitted development rights for ground source heat pumps be restricted to those where the area of excavation does not exceed 0.5ha and the area of excavation is returned to its state prior to the development taking place?

Yes  No

### **Question 101**

Should permitted development rights for above ground elements necessary for the operation of a ground source heat pump within the curtilage of a building with floorspace of less than 1000m<sup>2</sup> be restricted to buildings or extensions that do not exceed 3m in height and of a maximum area of 10m<sup>2</sup>?

Yes  No

**No Comment**

**Question 102**

Should permitted development rights for above ground elements necessary for the operation of a ground source heat pump within the curtilage of a building with floorspace of 1000m<sup>2</sup> or more be restricted to buildings or extensions that do not exceed 3m in height and a maximum area of 75m<sup>2</sup>?

Yes  No

**No Comment**

**Question 103**

Should the above ground elements necessary for the operation of a ground source heat pump be required to be located a minimum of 5m from the boundary of the building curtilage and from any road, and to be located not nearer to any road that bounds the curtilage than that part of the existing building nearest to that road?

Yes  No

**No Comment**

**Question 104**

Do you agree that there should be no additional restrictions upon permitted development rights for ground source heat pumps within AONBs, National Parks, Conservation Areas and World Heritage Sites?

Yes  No

**PD rights should be stricter in these areas.**

**Question 105**

Should permitted development rights for ground source heat pumps be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 106**

Should permitted development rights for above ground elements of a ground source heat pump within the curtilage of a Listed Building be removed only where Listed Building Consent for the development has not previously been granted?

Yes  No

**Question 107**

Should permitted development rights be provided for water source heat pumps in non-domestic land uses subject to appropriate restrictions?

Yes  No

**No Comment**

**Question 108**

Should permitted development rights for water source heat pumps be restricted to those where the pipework does not exceed an area of 0.5ha?

Yes  No

No Comment

**Question 109**

Should permitted development rights for above ground elements necessary for the operation of a water source heat pump within the curtilage of a building with floorspace of less than 1000m<sup>2</sup> be restricted to buildings or extensions that do not exceed 3m in height and an area of 10m<sup>2</sup>?

Yes  No

No Comment

**Question 110**

Should permitted development rights for above ground elements necessary for the operation of a water source heat pump within the curtilage of a building with floorspace of 1000m<sup>2</sup> or more be restricted to buildings or extensions that do not exceed 3m in height and an area of 75m<sup>2</sup>?

Yes  No

No Comment

**Question 111**

Should the above ground elements necessary for the operation of a water source heat pump be required to be located a minimum of 5m from the boundary of the building curtilage and from any road, and to be located not nearer to any road that bounds the curtilage than that part of the existing building nearest to that road?

Yes  No

**No comment**

**Question 112**

Do you agree that there should be no additional restrictions on permitted development rights for water source heat pumps within AONBs, National Parks, Conservation Areas and World Heritage Sites?

Yes  No

**No Comment**

**Question 113**

Should permitted development rights for water source heat pumps be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 114**

Should permitted development rights for water source heat pumps within the curtilage of a Listed Building be removed only where Listed Building Consent for the development has not previously been granted?

Yes  No

**Question 115**

Should permitted development rights for air source heat pumps be deferred until noise issues can be satisfactorily addressed?

Yes  No

**No Comment**

**Question 116**

Do you agree that a permitted development regime for air source heat pumps should not entail the user having to employ a technical expert to carry out a noise survey either before such rights are exercised or to prove compliance?

Yes  No

**Question 117**

Should permitted development rights for air source heat pumps for buildings with a floor area of less than 1,000m<sup>2</sup> be restricted to a maximum volume of 30m<sup>3</sup> ?

Yes  No

**No comment**

**Question 118**

Should permitted development rights for air source heat pumps for buildings with a floor area of 1,000m<sup>2</sup> or more be restricted to a maximum volume of 75m<sup>3</sup> ?

Yes  No

**No comment**

**Question 119**

Should air source heat pumps be located a minimum distance of 5m from any boundary of the building curtilage and not nearer to any road which bounds the curtilage than the part of the existing building nearest to that road?

Yes  No

**No Comment**

**Question 120**

Should permitted development rights for air source heat pumps require that they do not exceed the height of the existing building?

Yes  No

**Question 121**

Do you agree that there should be no additional restrictions on permitted development rights for air source heat pumps within AONBs or National Parks?

Yes  No

**No comment**

**Question 122**

Should permitted development rights for air source heat pumps within Conservation Areas and World Heritage Sites be removed where any external element of the heat pump within the curtilage of the building is mounted on a wall that faces onto a road and is visible from that road?

Yes  No

**Question 123**

Should permitted development rights for air source heat pumps be removed in ASSIs and Sites of Archaeological Interest?

Yes  No

**Question 124**

Should permitted development rights for air source heat pumps within the curtilage of a Listed Building be removed only where Listed Building Consent for the development has not previously been granted?

Yes  No

# DOMESTIC MICROGENERATION

## Question 1

Should restriction on permitted development rights for roof mounted solar panels on a dwellinghouse in ASSIs be removed on the basis that such development would not prejudice the reason for ASSI designation?

Yes  No

Unless in the unlikely situation whereby the ASSI designation is present on or under the roof e.g. moss, lichen, nesting birds, roosting bats etc

## Question 2

Should restriction on permitted development rights for wall mounted solar panels on a dwellinghouse in ASSIs be removed on the basis that such development would not prejudice the reason for ASSI designation?

Yes  No

See previous answer

## Question 3

Should permitted development rights for free standing solar panels within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**Question 4**

Should permitted development rights for biomass fuel containers within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**Question 5**

Should permitted development rights for building mounted wind turbines on dwellinghouses in ASSIs be removed as a precautionary measure to protect bats and birds?

Yes  No

**NIEL is concerned that there may be a cumulative negative impact on species and habitats should PD rights be allowed on dwelling houses within these sensitive areas.**

**Question 6**

Should permitted development rights for free standing wind turbines within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**See previous answer**

**Question 7**

Should restrictions on permitted development rights for flues within the curtilage of a dwellinghouse in ASSIs be removed on the basis that such development would not prejudice the reason for ASSI designation?

Yes  No

**Question 8**

Should permitted development rights for ground source heat pumps within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**As excavation works and the infrastructure necessary for ground and water source heat pumps could be damaging to these designated sites.**

**Question 9**

Should permitted development rights for water source heat pumps within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**See previous answer**

**Question 10**

Should permitted development rights for air source heat pumps within the curtilage of a dwellinghouse in ASSIs and Sites of Archaeological Interest be removed?

Yes  No

**See answer to question 8**