



**PERMITTED  
DEVELOPMENT RIGHTS  
FOR NON-HOUSEHOLDER  
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 Non-householder PD  
Consultation Response') to:  
028 9041 6960

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

CRAIGAVON BOROUGH COUNCIL

Title

Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

[REDACTED]

Forename

[REDACTED]

### 2. Postal Address

[REDACTED]

[REDACTED]

Postcode:

[REDACTED]

Phone:

[REDACTED]

Email:

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**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:

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**5. Acknowledgment**

Individual responses will not be acknowledged unless specifically requested

### Question 1

Do you have any views on how the GDO could be made easier to understand and interpret and, if so, what are they?

**It is suggested that in addition to the proposed topic-based user guidance, awareness/training sessions with architects, agents, developers, appropriate Council officers and planners be introduced. The inclusion of summaries and illustrations as per Appendix 5 of the Householder Permitted Development Rights Consultation Paper could also be beneficial.**

### Question 2

Do you agree that Prior Approval provisions should not be a feature of permitted development rights in the new GPDO?

Yes  No

**The proposals for Planning under RPA would involve prior consultation with the local community, Council etc in any case.**

### Question 3

Should local planning authorities be enabled to extend permitted development rights in specific areas, perhaps through LDOs?

Yes  No

**Subject to the findings of the research being carried out in England and to the types of 'specific areas' being very clearly defined.**

### Question 4

Should the power for local planning authorities to use Article 4 directions to restrict PD rights be retained?

Yes  No

**Question 5**

Should the provision for Article 4 directions be changed to enable them to be used to also extend PD rights?

Yes  No

**Question 6**

Should the provisions relating to SPZs be retained as a further option for relaxing planning controls in specific areas?

Yes  No

**The use of SPZs could not be supported as these do not permit adequate scrutiny of the potential impacts of developments such as airports and industrial estates.**

**Question 7**

Should a new Class D as suggested to facilitate compliance with the Disability Discrimination Act be introduced into Part 2 of the GDO?

Yes  No

**As these issues are already covered within Part R of the Building Control Regulations as amended in December 2006.**

**Question 8**

Should the limitation of PD Rights be set differently in different areas depending on the nature of the designation?

Yes  No

**Question 9**

Do you agree with the proposed definition of designated areas? Are there any other types of sensitive areas which should be considered? If so please list and explain why you think they should be considered.

Yes  No

**Question 10**

Should certain types of permitted development be restricted in flood plains where they are vulnerable or most likely to be affected by flooding?

Yes  No

**Question 11**

Should the restrictions proposed above be placed upon PD rights in flood plains for development as defined?

Yes  No

**Question 12**

Should PD rights for basements located within flood plains be removed?

Yes  No

**Question 13**

Should PD rights for hardstandings over 5m<sup>2</sup> be required to be constructed of permeable (or porous) materials or require that provision is made to direct run-off water from the hardstanding to a permeable or porous area or surface?

Yes  No

**Question 14**

Should PD rights be restricted where there are likely to be significant impacts on nearby water bodies?

Yes  No

**Question 15**

Do you agree with the proposed extension of PD Rights in this sector? If you do not agree please set out what alternative PD rights you would wish to see and explain why.

Yes  No

**Subject to adequate control of potential disturbance arising from noise, odour etc. Furthermore consideration should be given to the risk of land contamination in terms of future land use together with the adequacy of the proposed 10m buffer between the permitted development and the boundary of a residential property.**

**Question 16**

Should Part 8 PD rights be restricted as indicated in AONBs, conservation areas, National Parks, and floodplains and be withdrawn in ASSIs and SAIs?

Yes  No

**Subject to the controls referred to in response to Question 15 above.**

**Question 17**

Should a new class be provided in Part 2 allowing the erection of waste storage containers subject to the limitations indicated above? If you do not agree, please set out what alternative PD rights you would wish to see and explain why.

Yes  No

**Subject to the controls referred to in response to Question 15 above in terms of potential disturbance.**

**Question 18**

Should a new part be provided for 'Landfill Sites' allowing works on existing landfill sites subject to the limitations indicated above? If you do not agree, please set out what alternative PD rights you would wish to see and explain why.

Yes  No

**It is noted that the works permitted do not include landfill gas flaring systems. Consideration should be given to the inclusion of such systems up to an agreed maximum capacity as any landfill site will already have undergone an extensive EIA to obtain Planning Permission and any noise from a flare would be much less than normal day time activities. However, there should be exclusion zones associated with landfill sites.**

**Question 19**

Should a new part be provided for 'Waste Processing Facilities' allowing works on existing facilities subject to the limitations indicated above? If you do not agree, please set out what alternative PD rights you would wish to see and explain why.

Yes  No

**Subject to controls referred to in response to Question 15 above.**

**Question 20**

Do you agree with approach set out in paragraph 5.2.3 to Waste Management PD in sensitive areas? If not please explain what differences you propose and explain why.

Yes  No

**Subject to controls referred to in response to Question 15 above.**

**Question 21**

Should PD rights allowing minor extensions and alterations to existing telecommunication masts, be added to Part 17 (Development by telecommunications code system operators) of the GDO as outlined above?

Yes  No

**Craigavon Borough Council has adopted a holding position of not approving any mobile telecommunications masts or antennae within 500 metres of a school, built up area or rural development until such times as it is proven they are safe.**

**Question 22**

Should the new Part 17 PD rights as outlined above be permitted in AONBs, National Parks, conservation areas, SAls and ASSIs?

Yes  No

**See response to Question 21 above.**

**Question 23**

Should:

- A new part be provided for retail and town centre uses permitting extensions/alterations on existing buildings as outlined above?

Yes  No

**With the exception of developments which may give rise to potential noise or odour disturbance, e.g. food retail and/or catering premises**

- A new part be provided for office premises permitting extensions/alterations on existing buildings as outlined above?

Yes  No

**Question 24**

Do you agree with the proposed approach in relation to PD Rights for Commercial and Retail uses in sensitive areas?

Yes  No

**Question 25**

Should new classes be added to Part 3 of the GDO allowing:

- The change of use of agricultural buildings to production, storage and distribution uses as outlined above;

Yes  No

- Change of use of agricultural land to recreational equestrian uses as outlined above?

Yes  No

**Question 26**

Should the change of use of agricultural buildings to production, storage and distribution uses on an agricultural unit be permitted in conservation areas, AONBs, National Parks, ASSIs and SAIs?

Yes  No

**Question 27**

Should the change of use of agricultural land to recreational equestrian uses be permitted in conservation areas, AONBs and National Parks but not permitted in ASSIs and SAIs?

Yes  No

**Question 28**

Should the site licence exemptions provided for in paragraphs 4 and 5 of the Schedule to the Caravans Act (NI) 1963 be added to the circumstances for which PD rights are given by Part 5?

Yes  No

**Question 29**

Should:

- A new part be provided for Universities and Hospitals permitting new build, extensions and alterations subject to the limitations/ conditions outlined?

Yes  No

- A new part be provided for Schools, Leisure and Community Facilities and other institutions permitting new build, extensions and alterations subject to the limitations/ conditions outlined?

Yes  No

**Provided adequate provision is made to protect residential or sensitive premises in close proximity from noise or odour disturbance.**

**Question 30**

Should the proposed PD rights for Universities, Hospitals, Schools, Leisure and Community Facilities and other institutions be permitted in AONBs and National Parks but removed in Conservation Areas, ASSIs and SAIs?

Yes  No

**Provided adequate provision is made to protect residential or sensitive premises in close proximity from noise disturbance.**

**Question 31**

Should PD rights for classes A, B, C, G and H be extended as outlined above? If not please set out what alternative PD rights you would wish to see and explain why.

Yes  No

**Question 32**

Do you agree with the approach to Part 13 reform in sensitive areas?

Yes  No

**Question 33**

Should a new Part be provided for 'Development ancillary to mining operations'?

Yes  No

**Unless sufficient safeguards can be put in place and adequately policed in respect of adverse impact on adjacent residential and other sensitive premises.**

**Question 34**

Do you agree with the proposed exclusions and conditions for 'Development ancillary to mining operations'? If not please comment and explain why not.

Yes  No

**See response to Question 33.**

**Question 35**

Do you believe a new Class B should be introduced in Northern Ireland (similar to the equivalent Class C in England and Wales) but without prior approval? If not please comment.

Yes  No

**See response to Question 33.**

**Question 36**

Do you agree that PD rights for 'Development ancillary to mineral operations' should be permitted in National Parks and AONBs but removed in ASSIs, SAIs and Conservation Areas? If not please comment

Yes  No

**See response to Question 33.**

**Question 37**

Of the options outlined above which would be your preferred approach?

Option A: "Do nothing" scenario

Option B: "All recommendations" scenario

Option C: "Phased all recommendations" scenario

**It should be made clear that Building Control approval is required whether or not Planning Permission is required and/or granted.**