



**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

Ulster Architectural Heritage Society

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

## 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

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#### 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

**Demolition is also another area of key concern currently not covered by the GDO. Party wall damage clearly gives rise to concern to neighbours as well as loss of a familiar backdrop for them and the local community. From a broader environmental perspective, the negative impact on the environment by wasting the embodied energy used in constructing the existing building as well as its replacement should be recognised in the Order.**

This would help give pause for consideration of sustainable re-use to give some meaning to the policy aspirations set out in the draft Addendum to PPS7.

Para 2.5 state that 'proposals for the sympathetic re-use of existing buildings, as opposed to proposals involving demolition and redevelopment will be continue to be looked at more favourably.'

### 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

### 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

Control should extend beyond listed building curtilages to Conservation Areas and ATCs. Planning Service has no track record of applying Article 4 Directions and we were assured that they would adopt a general approach in order to deal with the threat of character erosion of this nature.

Change needs to be more carefully managed in designated areas, especially in relation to details like chimneys, roof, window and door materials as well as boundary walls, fences and hedges. The gaps exposed in the 'Shimizu' case need to be plugged.

Otherwise the ongoing removal of original fabric and inappropriate alterations, a prime example being the replacement of timber sash with u-PVC casement windows, can reduce an area's interest enormously.

#### 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

**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

**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

**Not if this includes a private garden.**

**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

**Not in designated areas, including CAs and ATCs.**

**Question 9**

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

Yes  No

**Again, not in designated areas.**

**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

**Question 11**

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

Yes  No

**We would suggest using 'appropriate to' instead of 'similar in appearance to', allowing for a high quality contemporary design as well as matching extensions.**

**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

**Question 13**

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

Yes  No

**We would suggest they should extended to ATCs.**

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

**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

**Should the setback not be proportionate to the height? 0.5 setback of a wall 1 metre high might be discreet, but a 4m high wall would still be visible.**

**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

**Question 17**

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

Yes  No

**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

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

**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

**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

**Question 22**

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

Yes  No

**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

**Question 24**

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

Yes  No

**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

**A 4m high wall is likely to impact negatively on neighbours.**

**Question 26**

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

Yes  No

**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

**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

**Question 29**

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

Yes  No

**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

**The replacement of front gardens with hardstanding has a very damaging effect on visual amenity in any established residential area and should be strongly resisted in Conservation Areas and Areas of Townscape Character. This complaint is frequently raised by members of the UAHS. The associated problems of reduced porosity and increased flooding serve to reinforce the need for restrictions.**

**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

### Question 32

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

Yes  No

**This strangely worded negative question may cause confusion.**

**As mentioned before the loss of front gardens to make way for hard standing plays a key role in eroding the character of established residential areas and controls to stem this should also extend beyond Conservation Areas to ATCs.**

**We agree with the approach adopted in Scotland and suggest we should follow suit. We have no confidence that Article 4 Directions, which are regularly introduced in English Conservation Areas, will be applied here.**

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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

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**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

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**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

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

**Not in Conservation Areas and ATCs.**

**Question 38**

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

Yes  No

**ATCs should also be added to the list of designations.**

**We believe demolition should be regarded as development in general, in order to promote sustainable re-use. Demolition wastes the embodied**

energy wrapped up in existing buildings and further energy is used up in the construction of a new building. Additional control would help ensure that vacant sites are not created in the wake of demolition, which cause great distress to neighbours and blight to neighbourhoods.

Control over changes to windows, doors, roof materials etc. should be applied in Conservation Areas in the absence of Article 4 Directions. The continued loss of attractive timber windows and doors and their replacement with crude (environmentally unsound) u-PVC versions has concerned the Society for many years and should clearly be resisted in areas of special architectural interest.

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

**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

**Question 41**

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

Yes  No

**Basement extensions**

**Question 42**

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

Yes  No

**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

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

Class A – The erection, construction, maintenance, improvement or alteration of 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

Empty rectangular box for additional comments or responses.

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

**Chapter 10 – Conclusions**

**Question 46**

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

Yes  No

**This would be most welcome.**

**Question 47**

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

Yes  No

**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

**Question 49**

Do you have any comments on the proposed definitions?

Yes  No

**'Designated area' on pg 137 should include 'an area of townscape character'.**

**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**