



**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





## 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

**Belfast City Council**

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

The Council agrees that an impact based approach is appropriate but only where suitable consideration is given to the potential impact developments can have on the amenity of the area.

Some of the proposed changes have not taken enough consideration of the potential impacts upon adjacent properties (see later comments).

### 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

The Council agrees that these are some of the main concerns for householder developments. The cumulative impact of permitted developments will be an impact that goes unconsidered in the absence of a planning application. Therefore it is important that the dimension based criteria offer suitable protection. It is not clear that this will always be the case under the proposed changes.

**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

The Council agree in principle with this proposal, however, the term 'principle elevation' is open to interpretation in some instances and this could prove problematic. The Council recommends that further clarification is given. It is essential that the rules can be interpreted clearly

**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

The Council agrees with this proposed restriction but acknowledges that some flexibility is acceptable.

**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

The Council agrees that permitted development should be restricted to the situation where the proposed installation has been approved as part of a listed building consent.

## 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

The Council would support the move towards a less complex and easier to understand permitted development rights system but have major concerns on the relaxation of these polices

The dimension based criteria will be easier to calculate without detailed drawings than a volume based test. It is essential that the user-guide makes the information as comprehensible as possible.

#### 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

The Council agrees with this retained restriction but recommends that a restriction in maximum dimensions are clearly understood within this 50% of curtilage allowance. Consideration must be also given to ensure bin storage is adequate.

### 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

The Council believes that, whilst measures are in place to help reduce the potential for impacts on surrounding properties, the proposed PD rights to build a two storey extension up to the same height as the original eaves is excessive. A development of this scale has the potential to impact significantly on adjacent properties particularly in terms of overshadowing.

In some cases, depending on the orientation and topography, a development of this size could have significant impacts that should be subject of consideration in a planning application.

### Question 9

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

Yes  No

The Council considers that a development of this depth (4 metres) which could potentially be 3 metres in height and just 2 metres from the boundary could cause an unacceptable degree of impact upon an adjacent property even in the example of a detached dwelling.

**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

**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

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

The measures will not address all the impacts, size is also an issue.

**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

The Council considers that porches may have adverse impacts on the streetscape and the size should be restricted.

**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

The Council considers that porches may have adverse impacts on the streetscape and the height should be restricted

**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

The Council considers that a height of 4 metres can impact significantly on adjacent properties and should be subject to further professional consideration in the form of a planning application

**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

The Council agree that pigeon lofts can be contentious in a residential area and should remain subject of planning control.

## 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

A percentage should be considered.

### 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

The Council considers that the amount of hard surfacing should be monitored and controlled.

**Question 32**

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

Yes  No

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

**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

**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

**Question 38**

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

Yes  No

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

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

The Council consider that a concise and easy to understand user guide is essential.

### 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

The Council agrees that revisions to the GDO are necessary. Some elements of the GDO remain slightly complicated however this is in order to reduce impact on adjacent properties and the overall local amenity.  
The Council would request that the finalised GDO is consolidated into a user-friendly document so that the aims of de-regulation and a reduction in applications for planning permission are achieved.

#### Question 49

Do you have any comments on the proposed definitions?

Yes  No

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