

DIRECTION TO ALL DISTRICT COUNCILS
PLANNING ACT (NORTHERN IRELAND) 2011
PLANNING (DEMOLITION – DESCRIPTION OF BUILDINGS)
DIRECTION 2015

The Department of the Environment makes the following Direction, in exercise of the powers conferred on it by section 23(3)(f) and (g) of the Planning Act (Northern Ireland) 2011¹.

1. The demolition or a structural alteration consisting of the partial demolition of any building to which paragraph 2 applies shall not be taken for the purposes of the Planning Act (Northern Ireland) 2011 to involve development of land.

2. This paragraph applies to -

(a) a building the cubic content of which, measured externally, does not exceed 115 cubic metres;

(b) subject to paragraph (c) the whole or any part of a gate, fence, wall or other means of enclosure;

(c) in the case of an area of townscape character or an area of village character, the whole or any part of a gate, wall, fence or other means of enclosure which –

(i) is adjacent to a road or open public space and is less than 1 metre high,

(ii) in any other case is less than 2 metres high.

3. In this direction -

“area of townscape character” means an area

(a) designated as such in a departmental development plan or in a local development plan prepared under Part 2 of the 2011 Act or a draft of such a plan; or

(b) listed in the Schedule attached to this Direction;

“area of village character” means an area designated as such in a departmental development plan or in a local development plan prepared under Part 2 of the 2011 Act or a draft of such a plan;

“departmental development plan” has the same meaning as in the Schedule to the Planning (Local Development Plan) Regulations (Northern Ireland) 2015².

“road” has the same meaning as in the Roads (NI) Order 1993³.

4. This Direction shall come into operation on 1st April 2015 and The Planning (Demolition—Description of Buildings) Direction 2012 is hereby cancelled with effect from that date.

¹ The Planning Act (N.I.) 2011 c.25

² S.R. 2015 No. 62

³ 1993/3160 (N.I. 15)

Sealed with the Official Seal of the Department of the Environment on **23
March 2015**

(L/S)

ANGUS KERR
A senior officer of the Department of the Environment

Schedule

Mid and East Antrim District Council Area

Galgorm Road and Old Galgorm Road Area of Townscape Character

EXPLANATORY NOTE

(This Note is not part of the Direction)

This Direction is made under section 23(3) (f) and (g) of the Planning Act (Northern Ireland) 2011 (the 2011 Act).

Section 23(2) and (3) of the 2011 Act provide that the demolition of all buildings, other than buildings specified in a direction under section 23(3) (f) or the structural alteration of a building where the alteration consists of demolishing part of the building specified in a direction under section 23(3) (g) constitutes building operations, is therefore development and thus subject to planning control.

This Direction describes buildings the complete, substantial or partial demolition of which is not to be taken as development (paragraph 2). These are buildings not exceeding 115 cubic metres (paragraph 2(a)) and the whole or part of any gate, wall, fence or other means of enclosure (paragraph 2 (b)). Paragraph 2(b) is qualified by the provisions of paragraph 2(c) in respect of gates, walls fences and other means of enclosure in Areas of Townscape and Village Character.

Anyone wishing to identify the geographical position and extent of an area of townscape or village character referred to in the Schedule to this Direction or designated by a development plan for an area should consult the relevant maps held at their Local District Council Planning Office. These maps are available for inspection on request during normal office hours.