Demolition and Planning Control

Introduction

This leaflet outlines the planning controls over demolition of buildings and other structures in Northern Ireland.

This leaflet is for guidance only and cannot be regarded as definitive or as having legal effect.

In many circumstances, the demolition of buildings and other structures may not require specific prior permission or consent from the Department of the Environment. However, demolition is often part of proposals for development of the site and will be included in the planning application for those proposals.

Types of Demolition Control

Once lost, buildings cannot easily be replaced. Proposals for demolition of buildings in areas of townscap or village character, in Conservation Areas or for certain types of buildings listed as having special architectural or historic interest are therefore subject to demolition control. These controls are outlined below.

Before you carry out works to buildings, including demolition, it is recommended that you seek advice from your local Area Planning Office. Addresses and contact details for those offices are set out in the key contacts list on the Planning Website at www.planningni.gov.uk.

If you demolish protected buildings without the required consent or permission you will be liable to enforcement action. In addition the unauthorised demolition of historic monuments, Listed Buildings or unlisted buildings in a Conservation Area is an offence. Persons found guilty of such an offence are liable on conviction to a fine. In the case of Listed Buildings or buildings in Conservation Areas, persons found guilty on indictment in a Crown Court may also be liable to imprisonment.

Listed Buildings

Listed Buildings are those listed by the Department as being of special architectural or historic interest. If you wish to demolish a Listed Building or to carry out works for its alteration or extension you will need to apply to the Department for Listed Building consent. Application forms for Listed Building consent are available from your local Area Planning Office or at the DOE Planning Website at www.planningni.gov.uk. The Built Heritage Office of the Department’s Northern Ireland Environment Agency can advise you on whether a building is listed. You can also visit the Northern Ireland Buildings database on Built Heritage Website. The website can be found at www.doeni.gov.uk/niea. The Built Heritage office can be contacted at 5-33 Hill Street, Belfast BT1 2LA.

Buildings in Conservation Areas

Conservation Areas are those areas designated by the Department as being of special architectural or historic interest and whose character or appearance the Department wishes to preserve or enhance. If you wish to demolish a building in a Conservation Area you will need to apply to the Department for Conservation Area demolition consent. Application forms for Conservation Area demolition consent are available from your local Area Planning Office. Your Planning Office will also be able to tell you whether or not the building concerned is within the boundary of a Conservation Area.
Historic Monuments

Historic Monuments are monuments that come under the protection of the Department of the Environment because of their archaeological, historical, architectural, traditional or artistic interest. If you wish to carry out any works on or near to a Historic Monument you must apply to the Built Heritage office of the Department’s Northern Ireland Environment Service. Built Heritage staff will provide you with an application form and provide you with advice on the matter. You can also visit the Sites and Monuments database of the Built Heritage Website. The website can be found at www.doeni.gov.uk/niea. They can be contacted at 5-33 Hill Street, Belfast BT1 2LA.

Buildings in Areas of Townscape or Village Character

Areas of Townscape or Village Character are areas which exhibit a distinctive character and intrinsic qualities often based on their historic built form and layout. They are worthy of designation in order to maintain or enhance their overall character and respect their built form. They are designated by the Department mainly, although not exclusively, through the Development Plan process. If you wish to demolish a building in an Area of Townscape or Village Character you will need to apply to the Department for planning permission. Application forms for planning permission are available from your local Area Planning Office or from the DOE Planning website at www.planningni.gov.uk. Your Planning Office will also be able to tell you whether or not the building concerned is within the boundary of an Area of Townscape or Village Character.

Demolition of Buildings and Environmental Impact Assessment

Most day to day demolition of a minor nature outside Areas of Townscape or Village Character is unlikely to require planning permission as it will have “permitted development rights” granted by the Planning General Development) Order 1993. However if you intend to demolish a building and that demolition is likely to have significant effects on the environment permitted development rights do not apply and you will need to submit a planning application and accompany it with an environmental statement. If you are unsure as to whether your proposed demolition requires EIA you can get a written determination on the subject from the Department. It is recommended that you consult your local Area Planning Office with the details of the particular proposal and seek their advice.

Information submitted in an environmental statement allows the Department to take into account the environmental effects of the project before it reaches a decision on whether the proposed development should be granted planning permission. Advice on how permitted development rights and Environmental Impact Assessment operate can be found in Planning Information Leaflet No.1. Advice is also available on EIA generally in Development Control Advice Note 10 (revised 2012). Both these documents are available on the Planning Website a www.planningni.gov.uk

Protected Species

Some buildings may provide a habitat for plants and wildlife protected under nature conservation legislation. Anyone proposing to demolish a building containing protected plants and wildlife should first consult the Natural Heritage office of the Northern Ireland Environment Agency. Their Website can be found at www.doeni.gov.uk/niea. They can be contacted at Klondyke Building, Cromac Avenue, Gasworks Business Park, Lower Ormeau Road, Belfast, BT7 2JA.

Gates, Walls, Fences and other means of enclosure

If you intend to demolish a gate, fence, wall or other means of enclosure 1 metre or higher
adjacent to a road or public open space or 2 metres or higher in any other case and that structure is within an Area of Townscape or Village Character you will need to apply for planning permission.

If the gate, fence, wall or other means of enclosure is within a Conservation Area and exceeds the height restrictions set out above you will need to apply to the Department for Conservation Area demolition consent.

It is recommended that you consult your local Area Planning Office with the details of the particular proposal and seek their advice.

**Planning Policy Statement 6**

Planning Policy Statement 6 (PPS6) Planning, Archaeology and the Built Environment and its addendum entitled Areas of Townscape Character, sets out the Department’s planning policies for the protection and conservation of archaeological remains and features of the built heritage. PPS6 and its addendum includes the Department’s policies on demolition control for Listed Buildings, buildings in Conservation Areas and buildings in Areas of Townscape and Village Character. These documents may be accessed via the DOE Planning website at [www.planningni.gov.uk](http://www.planningni.gov.uk) or obtained from the Planning Policy staff in Planning Policy Division, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast, BT2 7EG. Telephone 02890823498.