

2015 No. 70

PLANNING

**The Planning (General Permitted
Development) Order (Northern
Ireland) 2015**

Made - - - -

25th February 2015

Coming into operation -

1st April 2015



2015 No. 70

PLANNING

**The Planning (General Permitted Development) Order
(Northern Ireland) 2015**

Made - - - - - *25th February 2015*

Coming into operation - - - - - *1st April 2015*

ARRANGEMENT OF ORDER

1. Application, citation and commencement
2. Interpretation
3. Permitted Development
4. Directions restricting permitted development
5. Notices relating to Article 4 directions
6. Cancellation of Article 4 directions
7. Directions restricting permitted development under Part 16
8. Transitional provisions

-
- SCHEDULE — Development permitted under Article 3
- Part 1 — Development within the curtilage of a dwellinghouse
 - Part 2 — Installation of domestic microgeneration equipment
 - Part 3 — Minor operations
 - Part 4 — Changes of use
 - Part 5 — Temporary buildings and uses
 - Part 6 — Caravan sites
 - Part 7 — Agricultural buildings and operations
 - Part 8 — Forestry buildings and operations
 - Part 9 — Industrial and warehouse development
 - Part 10 — Repairs to unadopted streets and private ways
 - Part 11 — Repairs to services
 - Part 12 — Development under local or private Acts or Orders
 - Part 13 — Development by councils
 - Part 14 — Development by statutory and other undertakers
 - Part 15 — Aviation development
 - Part 16 — Mineral exploration
 - Part 17 — Development ancillary to mining operations
 - Part 18 — Development by electronic communications code operators

- Part 19 — Other telecommunications development
- Part 20 — Development at amusement parks
- Part 21 — Development required under the Roads (Northern Ireland) Order 1993
- Part 22 — Closed circuit television cameras
- Part 23 — Development by the Department for Regional Development – roads undertakings
- Part 24 — Development by the Department of Agriculture and Rural Development
- Part 25 — Development by the Department of Culture, Arts and Leisure
- Part 26 — Development by the Department
- Part 27 — Development for the purposes of security at prisons, juvenile justice centres or young offenders centres
- Part 28 — Development by the Crown
- Part 29 — Aviation development by the Crown
- Part 30 — Crown railways, dockyards etc. and lighthouses
- Part 31 — Emergency development by the Crown
- Part 32 — Development for national security purposes
- Part 33 — Demolition of buildings
- Part 34 — Shops, financial and professional services establishments
- Part 35 — Office buildings
- Part 36 — Schools, colleges, universities and hospitals
- Part 37 — Installation of non domestic microgeneration equipment

The Department of the Environment makes the following Order in exercise of the powers conferred on it by sections 32 and 247(6) of the Planning Act (Northern Ireland) 2011(a).

Application, citation and commencement

1.—(1) This Order shall, subject to paragraph (2), apply to all land in Northern Ireland.

(2) Where a special development order is made as to any land this Order shall apply to that land to such an extent only and subject to such modifications as may be specified in the special order.

(3) Nothing in this Order shall apply to any permission which is deemed to be granted under section 130(6) of the 2011 Act.

(4) This Order may be cited as the Planning (General Permitted Development) Order (Northern Ireland) 2015 and shall come into operation on 1st April 2015.

Interpretation

2.—(1) In this Order unless the context otherwise requires—

“the 2011 Act” means the Planning Act (Northern Ireland) 2011;

“airport” has the meaning assigned to it in Article 2(2) of the Airports (Northern Ireland) Order 1994(b);

“area of outstanding natural beauty” means an area so designated under Article 14(1) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985(c);

“area of special scientific interest” means an area so designated under Article 28 of the Environment (Northern Ireland) Order 2002(d);

“aqueduct” does not include an underground conduit;

“betting office” means any premises in respect of which there is in force a bookmaking office licence under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985(e);

“building” does not include plant or machinery or a structure or erection of the nature of plant or machinery and for the purposes of the Schedule does not include any gate, fence, wall or other means of enclosure but includes any structure or erection and any part of a building as so defined;

“caravan” and “caravan site” have the meanings respectively assigned to them by the Caravans Act (Northern Ireland) 1963(f);

“classified road” and “trunk road” have the same meaning as in the Roads (Northern Ireland) Order 1993(g);

“conservation area” means land which is within an area designated as a conservation area under section 104 of the 2011 Act;

“council” means a district council;

“Crown land” has the meaning assigned to it by section 212 of the 2011 Act;

“cubic content” means the cubic content of a structure or building measured externally;

“the Department” means the Department of the Environment;

“designated area” means—

(a) 2011 c.25 (N.I.)

(b) S.I. 1994/426 (N.I.1)

(c) S.I. 1985/170 (N.I.1)

(d) S.I. 2002/3153 (N.I.7)

(e) S.I. 1985/1204 (N.I.11)

(f) 1963 c.17 (N.I.1) as amended by 2011 c.12 (N.I.)

(g) S.I. 1993/3160 (N.I.15)

- (a) a conservation area;
- (b) an area of outstanding natural beauty;
- (c) an area of special scientific interest;
- (d) a National Park;
- (e) a World Heritage Site;

“dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building;

“EIA development” has the meaning assigned to it by regulation 2 of the EIA Regulations;

“the EIA Regulations” means the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015(a);

“electronic communication” has the meaning assigned to it by section 4 of the Electronic Communications Act (Northern Ireland) 2001(b);

“existing” in relation to any building, plant or machinery means (except in the definition of “original”) existing immediately before the carrying out of development described in this Order;

“flat” means a separate and self-contained set of premises constructed for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally;

“floor space” means the total floor space in a building or buildings;

“hazardous substance” has the meaning assigned to that term in regulation 3(1) of the Planning (Hazardous Substances) Regulations (Northern Ireland) 2015(c);

“industrial process” means a process for or incidental to any of the following purposes—

- (a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
- (b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
- (c) the getting, dressing or treatment of minerals in the course of any trade or business other than agriculture, and other than a process carried out on land used as a mine or adjacent to and occupied together with a mine;

“liquefied petroleum gas” means commercial butane or commercial propane as defined in British Standard 4250: 1997;

“microgeneration” means the use for the generation of electricity or the production of heat of any plant—

- (a) which in generating electricity or (as the case may be) producing heat, relies wholly or mainly on biomass, biofuels, fuel cells, photovoltaics, water (including waves and tides), wind, solar power, geothermal sources, combined heat and power systems and other sources of energy or technologies for the generation of electricity or the production of heat; and
- (b) the capacity of which—
 - (i) to generate electricity, does not exceed 50 kilowatts;
 - (ii) to produce heat, does not exceed 45 kilowatts thermal;

“microwave” means that part of the radio spectrum above 1000 MHz;

“microwave antenna” means a satellite antenna or a terrestrial microwave antenna;

“mine” means any site on which mining operations are carried out;

(a) S.R. 2015 No.74
 (b) 2001 c.9 (N.I.) as amended by 2003 c.21
 (c) S.R. 2015 No.61

“mining operations” means the winning and working of minerals in, on or under land, whether by surface or underground working;

“National Park” means an area so designated under Article 12(1) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985;

“nature reserve” has the meaning assigned to it by Article 2(2) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985;

“operational Crown building” means a building which is operational Crown land;

“operational Crown land” means—

- (a) Crown land which is used for operational purposes; and
- (b) Crown land which is held for those purposes, but does not include—
 - (i) land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or held for operational purposes;
 - (ii) Crown land—
 - (aa) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate;
 - (bb) in which there is an estate belonging to Her Majesty in right of Her private estates;

“operational land” in relation to the undertakers specified in Parts 14, 15, 25 and 29 of the Schedule means—

- (a) land which is used for the purpose of carrying on their undertakings; and
- (b) land in which an interest is held for that purpose;

not being land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or in which interests are held, for the purpose of carrying on those undertakings:

Provided that where an interest in land is held by such undertakers for the purpose of carrying on their undertaking and—

- (a) the interest was acquired by them on or after 1st October 1973; or
 - (b) it was held by them immediately before that date but the circumstances at that date were such that the land did not fall to be treated as operational land had this Order applied to it,
- that land shall not be treated as operational land unless there is in force with respect to the land a planning permission granted on an application made in that behalf under Part 3 of the 2011 Act for its development and that development, if carried out, would involve the use of the land for the purpose of the carrying on of the undertaking;

“operational purposes” means the purposes of carrying out the functions of the Crown;

“original” means—

- (a) in relation to a building, other than a building which is Crown land, existing on 1st October 1973, as existing on that date; and in relation to a building built on or after 1st October 1973, as so built;
- (b) in relation to a building which is Crown land on 10th June 2006, as existing on that date; and, in relation to a building built on or after 10th June 2006 which is Crown land on the date of its completion, as so built;

“pipe line” means a pipe (together with associated apparatus and works) or system of pipes (together with associated apparatus and works), for the conveyance of anything other than air, water, water vapour or steam, not being—

- (a) a drain or sewer;
- (b) a pipe or system of pipes constituting or comprised in apparatus for heating or cooling or for domestic purposes;

- (c) a pipe or system of pipes on the site of any operations or works to which certain provisions of the Factories Act (Northern Ireland) 1965(a) apply by virtue of section 125(1) (building operations and works of engineering construction) of that Act;
- (d) a pipe or system of pipes wholly situated within the boundaries of an agricultural unit and designed for use for the purposes of agriculture;
- (e) a pipe or system of pipes wholly situated in premises used for the purposes of education or research; or
- (f) a pneumatic despatch tube.

For the purposes of this definition the following apparatus and works, and none other, shall be treated as being associated with a pipe, or system of pipes, namely—

- (a) apparatus for including or facilitating the flow of anything through the pipe or, as the case may be, through the system or any part of it;
- (b) valves, valve chambers, manholes, inspection pits and similar works, being works annexed to, or incorporated in the course of, the pipe or system;
- (c) apparatus for supplying energy for the operation of any such apparatus as is mentioned in (a) or of any such works as are mentioned in (b);
- (d) apparatus for the transmission of information for the operation of the pipe or system;
- (e) apparatus for affording cathodic protection to the pipe or system;
- (f) a structure for exclusive support of a part of the line or system;

“plant or machinery” includes any structure or erection in the nature of plant or machinery;

“private way” means a way or footpath which is not a public road or any part of that road;

“public service vehicle” means a vehicle, excluding a taxi, which has the meaning assigned to it by Article 2(2) of the Road Traffic (Northern Ireland) Order 1981(b);

“satellite antenna” means apparatus designed for transmitting microwave radio energy to satellites or receiving it from them and includes any mountings or brackets attached to such apparatus;

“sensitive area” has the meaning assigned to it in regulation 2 of the EIA Regulations;

“site of archaeological interest” means land which has been scheduled for protection or taken into care under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995(c) or which is within a site registered in the Department’s Sites and Monuments Record;

“special road” means a road designated as a special road under Article 15 of the Roads (Northern Ireland) Order 1993(d);

“terrestrial microwave antenna” means apparatus designed for transmitting or receiving terrestrial microwave radio energy between two or more fixed points;

“unadopted street” means a street other than a public road;

“the Use Classes Order” means the Planning (Use Classes) Order (Northern Ireland) 2015(e);

“World Heritage Site” means a property appearing on the World Heritage List kept under Article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage(f).

(a) 1965 c.20 (N.I.) as amended by S.R.& O. (N.I.) 1973 No.211; S.I. 1978/1039 (N.I.9) Articles 51, 56(2), Schedules 5 and 7; S.R. 1979 No.246, S.I. 1990/246 (N.I.2) Article 19(1) and Schedule 4; S.I. 1991/194 (N.I.1) Article 32; S.R. 1991 No.105; S.R. 1996 No.512; 2009 c.1 (N.I.) sections 32 and 34(3) and Schedule 6 paragraph 13(11) and S.R. 2009 No.114

(b) S.I. 1981/154 (N.I.1)

(c) S.I. 1995 No.1625 (N.I.9)

(d) S.I. 1993/3160 (N.I.15)

(e) S.R. 2015 No.40

(f) See Command Paper 9424

(2) Any reference in this Order to the height of a building or of plant or machinery shall be construed as a reference to its height when measured from ground level; and for the purposes of this paragraph “ground level” means the level of the surface of the ground immediately adjacent to the building or plant or machinery in question or, where the level of the surface of the ground on which it is situated or is to be situated is not uniform, the level of the highest part of the surface of the ground adjacent to it.

(3) In this Order and in relation to the use of electronic communications or electronic storage for any purpose of this Order which is capable of being carried out electronically—

- (a) the expression “address” includes any number or address used for the purpose of such communications or storage, except that where this Order imposes any obligation on any person to provide a name and address to any other person, the obligation shall not be fulfilled unless the person on whom it is imposed provides a postal address;
- (b) references to notices, forms, maps, plans, drawings, certificates or other documents or to copies of such things include references to such documents or copies of them in electronic form.

(4) Paragraphs (5) to (8) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in this Order to give or send any notice or other document to any other person (“the recipient”).

(5) The requirement shall not be taken to be fulfilled, or (as the case may be) the notice or other document shall not be taken to have been lodged, unless the document transmitted by the electronic communication is—

- (a) capable of being accessed by the recipient;
- (b) legible in all material respects; and
- (c) sufficiently permanent to be used for subsequent reference.

(6) In paragraph (5), “legible in all material respects” means that the information contained in the notice or document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(7) Where the electronic communication is received by the recipient outside the recipient’s business hours, it shall be taken to have been received on the next working day; and for this purpose “working day” means a day which is not a Saturday, Sunday or a public holiday.

(8) A requirement in this Order that any notice or other document should be in writing is fulfilled where the document meets the criteria in paragraph (6), and “written” and cognate expressions are to be construed accordingly.

Permitted Development

3.—(1) Subject to the provisions of this Order and regulations 55 and 56 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995(a), planning permission is hereby granted for the classes of development described as permitted development in the Schedule.

(2) Any permission granted by paragraph (1) is subject to any relevant exception, limitation or condition specified in the Schedule.

(3) References in the following provisions of this Order to permission granted by the Schedule or by any Part, Class or paragraph of that Schedule is a reference to the permission granted by this Article in relation to development described in that Schedule or that provision of that Schedule.

(4) Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 of the 2011 Act otherwise than by this Order.

(5) The permission granted by the Schedule shall not, except in relation to development permitted by Parts 10, 12 and 23, authorise any development which requires or involves the

(a) S.R. 1995 No.380

construction, formation, laying out or alteration of a means of access to an existing road which is a special, trunk or classified road or which creates an obstruction to the view of persons using any road at or near any crest, bend, corner, junction or inter-section so as to be likely to cause danger to such persons.

(6) Any development falling within Part 12 of the Schedule authorised by any Act or Order subject to the grant of any consent or approval shall not be treated for the purpose of this Order as authorised unless and until that consent or approval is obtained.

(7) The Schedule does not grant permission for the laying or construction of a pipe line which contains, or is intended to contain a hazardous substance, except in the case of laying or construction of a pipe line by a gas undertaker in accordance with Part 14 Class D which contains or is intended to contain no hazardous substance other than—

- (a) a flammable gas (as specified in items 20 and 66 of Part A of Schedule 2 to the Planning (Hazardous Substances) Regulations (Northern Ireland) 2015) at a pressure of less than 8 bars absolute; or
- (b) a liquid or mixture of liquids, not included in items 18, 19 and 67 of Part A of Schedule 2 to the Planning (Hazardous Substances) Regulations (Northern Ireland) 2015, which has a flash point of less than 21°C.

(8) Subject to paragraph (9) the Schedule does not grant planning permission for—

- (a) development within the meaning of Schedule 1 to the EIA Regulations; or
- (b) development of a description mentioned in column 1 of the table in Schedule 2 to the EIA Regulations; where—
 - (i) any part of the development is to be carried out in a sensitive area; or
 - (ii) any threshold or criterion mentioned in column 2 of the table in Schedule 2 to the EIA Regulations as applicable to development of that description is respectively exceeded or met in relation to that development,

unless the council or, as the case may be, the Department has given a determination pursuant to regulation 5 of the EIA Regulations that the proposed development is not EIA development.

(9) Paragraph (8) does not apply to development for which permission is granted by Class B of Part 23, Class A of Part 24 or Class A of Part 25.

(10) The permission granted by the Schedule shall not apply if—

- (a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;
- (b) in the case of permission granted in connection with an existing use, that use is unlawful.

Directions restricting permitted development

4.—(1) If in relation to any area the Department or, in relation to the district of a council, that council is satisfied that it is expedient that development described in any Part, Class or paragraph in the Schedule, other than development within Part 16 should not be carried out unless permission is granted for it on an application, the Department or that council may, subject to paragraph (2) give a direction that the permission granted by Article 3 shall not apply to—

- (a) all or any development of the Part, Class or paragraph in question in any particular area specified in the direction; or
- (b) any particular development, falling within that Part, Class or paragraph, which is specified in the direction.

(2) Subject to paragraph (4), a direction by a council under this Article shall require the approval of the Department who may approve the direction with or without modifications.

(3) When a council submits a direction to the Department for approval, it shall also send—

- (a) two additional copies together with a plan of the area in respect of which the direction applies, unless the direction includes such a plan; and

(b) a statement of its reasons for making the direction.

(4) The approval of the Department is not required in the case of a direction which does not affect the carrying out of such development by a statutory undertaker as is referred to in paragraph 6 and which relates only to either or both of the following—

- (a) a listed building;
- (b) development within the curtilage of a listed building.

(5) A direction under paragraph (1) shall not affect the carrying out of—

- (a) development permitted by Part 12;
- (b) development permitted by Class B of Part 23;
- (c) development permitted by Part 31 and Part 32;
- (d) any development in an emergency other than development permitted by Part 31; or
- (e) any development mentioned in Part 18, unless the direction specifically so provides.

(6) A direction given or having effect as if given under this Article shall not, unless the direction so provides, affect the carrying out by statutory or other undertakers of the following descriptions of development—

- (a) the maintenance of bridges, buildings and railway stations;
- (b) the alteration and maintenance of railway track, and the provision and maintenance of track equipment, including signal boxes, signalling apparatus and other appliances and works required in connection with the movement of traffic by rail;
- (c) the maintenance of docks, harbours, quays and wharves;
- (d) the provision and maintenance of mechanical apparatus or appliances (including signalling equipment) required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, quay, harbour, bank wharf or basin;
- (e) any development required in connection with the improvement, maintenance or repair of watercourses or drainage works;
- (f) the maintenance of buildings, runways, taxiways or aprons at an airport;
- (g) the provision, alteration and maintenance of equipment, apparatus and works at an airport, required in connection with the movement of traffic by air (other than buildings, the construction, erection, reconstruction or alteration of which is permitted by Class A of Part 15).

Notices relating to Article 4 directions

5.—(1) Subject to the provisions of paragraph (3) notice of any direction made or approved by the Department under Article 4 shall be served by the council on the owner and occupier of every part of the land affected, and such direction shall come into force in respect of any part of the land on the date on which the notice is served on the occupier of that part or if there is no occupier, on the owner.

(2) Where the Department thinks fit it may serve notice in accordance with paragraph (1) of any direction given under Article 4(1)(b) in which case the council shall not be required to serve notice.

(3) Where in the case of a direction under Article 4(1)(a) the council is of the opinion that having regard to the number of persons interested in the land as owners or occupiers, or the difficulty of identifying and locating such persons, individual service in accordance with the provisions of paragraph (1) is impracticable, it shall publish notice of such direction in at least one newspaper circulating in the locality in which the land is situated and, where the council maintains a website for the purpose of advertisement, by publication of the notice on the website.

(4) Where the Department thinks fit it may publish notice in accordance with paragraph (3) of any direction given under Article 4(1)(a) in which case the council shall not be required to publish such notice.

(5) A notice published pursuant to paragraph (3) shall contain a concise statement of the effect of the direction and name a place where a copy of that statement and of a map defining the area to which it relates may be seen at all reasonable hours.

(6) Where a notice of a direction has been published in accordance with paragraph (3), the direction shall come into force on the date on which the notice is first published.

Cancellation of Article 4 directions

6.—(1) Any direction made by the Department under Article 4 may be cancelled by a subsequent direction made by the Department.

(2) Any direction made by a council in accordance with Article 4 may be cancelled by a subsequent direction made by that council or by a direction made by the Department. A direction given by a council which contains only provisions cancelling a previous direction shall not require the approval of the Department.

(3) Article 5 shall apply to the making of any cancelling direction in the same way as it would apply to the making of the direction being revoked.

Directions restricting permitted development under Part 16

7.—(1) If, on receipt of a notification from any person that they propose to carry out development within Part 16 of the Schedule, a council is satisfied as mentioned in paragraph (2), it may, within a period of 21 days beginning with the receipt of the notification, direct that the permission granted by Article 3 shall not apply to the development, or to such part of the development as is specified in the direction.

(2) The council may make a direction under this Article if it is satisfied that it is expedient that the development, or any part of it, should not be carried out unless permission for it is granted on an application because—

- (a) the development is to be carried out on land which is within or affects—
 - (i) a conservation area;
 - (ii) a National Park;
 - (iii) a nature reserve;
 - (iv) an area of outstanding natural beauty;
 - (v) an area of special scientific interest; or
 - (vi) a site of archaeological interest;
- (b) the development, either taken by itself or taken in conjunction with other development which is already being carried out in the area or in respect of which notification has been given in pursuance of the provisions of Part 16, would cause serious detriment to the amenity of the area in which it is to be carried out or would adversely affect the setting of a listed building;
- (c) the development would constitute a serious nuisance to the inhabitants of a nearby residential building, hospital or school; or
- (d) the development would endanger aircraft using a nearby airport.

(3) As soon as reasonably practicable a copy of a direction under this Article shall be sent by the council to the Department and to the person who gave notice of the proposal to carry out development.

(4) A direction made under this Article shall contain a statement as to the date on which, if it is not disallowed under paragraph (5), it will come into force, which shall be 29 days from the date on which notice of it is sent to the Department in accordance with paragraph (3).

(5) The Department may, at any time within a period of 28 days beginning on the day on which the direction is made, disallow the direction; and immediately upon receipt of notice in writing from the Department that they have disallowed the direction, the council shall give notice in

writing to the person who gave notice of the proposal that the person is authorised to proceed with the development.

(6) Any direction made by a council in accordance with this Article may be cancelled by a subsequent direction made by the council and the foregoing Article shall apply to the making of such cancelling direction in the same way as it would apply to the making of the direction being revoked.

Transitional provisions

8.—(1) In this Article “appropriate council” means the council for the district in which any land is situated.

(2) Anything done by, to or in relation to the Department in connection with its functions under Schedule 1 to the Planning (General Development) Order (Northern Ireland) 1993^(a) shall be treated as if it had been done by, to or in relation to the appropriate council under the Schedule to this Order.

Sealed with the Official Seal of the Department of the Environment on 25th February 2015.



Angus Kerr

A senior officer of the Department of the Environment

(a) S.R.1993 No.278

SCHEDULE

Article 3

DEVELOPMENT PERMITTED UNDER ARTICLE 3

PART 1

DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class A

Permitted development	A.	The enlargement, improvement or other alteration of a dwellinghouse.
Development not permitted	A.1	Development is not permitted by Class A if— <ul style="list-style-type: none">(a) as a result of the works the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;(d) the enlarged part of the dwellinghouse would extend beyond a wall which—<ul style="list-style-type: none">(i) faces onto a road; and(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;(e) the enlarged part of the dwellinghouse would have a single storey and—<ul style="list-style-type: none">(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse;(ii) exceed 4 metres in height; or(iii) be within 3.5 metres of the boundary of the curtilage of the dwellinghouse with a road opposite the rear wall of the dwellinghouse;(f) the enlarged part of the dwellinghouse would have more than one storey and—<ul style="list-style-type: none">(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres; or(ii) be within 7 metres of the boundary of

the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

- (g) the enlarged part of the dwellinghouse would be within 2 metres of any boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height; or
 - (ii) have a width greater than half the width of the original dwellinghouse;
- (i) it would consist of or include—
 - (i) an alteration to any part of the roof of the dwellinghouse;
 - (ii) the construction or provision of a deck, balcony, veranda or other raised platform;
 - (iii) the provision of a basement;
 - (iv) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;
 - (v) the installation, alteration or replacement of a microwave antenna; or
- (j) the dwellinghouse is within the curtilage of a listed building unless listed building consent for the development has previously been granted.

A.2 In the case of a dwellinghouse which is within a conservation area, World Heritage Site, area of outstanding natural beauty or National Park, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would have more than one storey or would exceed 4 metres in height; or
- (c) the enlarged part of the dwellinghouse would extend beyond a wall forming the principal or a side elevation of the original dwellinghouse.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

- (b) any upper floor window located in a wall or roof slope forming a side elevation of the dwellinghouse, which is within 15 metres of any boundary of the curtilage of a neighbouring dwellinghouse, shall be—
 - (i) obscure glazed; and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; or
- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, as far as practicable, be the same as the roof pitch of the original dwellinghouse.

Class B

Permitted development B.

The enlargement, improvement or other alteration of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1

Development is not permitted by Class B if—

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwellinghouse would, as a result of the works, extend more than 15 centimetres beyond the plane of any existing roof slope which—
 - (i) faces a road; and
 - (ii) forms either the principal or a side elevation of the dwellinghouse;
- (c) any part of the alteration or addition would, as a result of the works, be closer than 0.5 metres to the ridge of the existing roof, closer than 0.5 metres to the eaves of the existing roof (measured along the plane of the roof), or closer than 0.5 metres to any party wall or verge;
- (d) it would consist of or include—
 - (i) the construction or provision of a deck, balcony, veranda or other raised platform;
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
 - (iii) the installation, alteration or replacement of a microwave antenna;
- (e) the dwellinghouse is within a conservation area; or
- (f) the dwellinghouse is within the curtilage of a listed building unless listed building consent for the development has previously been

		granted.
Conditions	B.2	Development is permitted by Class B subject to the following conditions— <ul style="list-style-type: none"> (a) the materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse; (b) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse, which is within 15 metres of any boundary of the curtilage of a neighbouring dwellinghouse, shall be— <ul style="list-style-type: none"> (i) obscure glazed; and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
Class C		
Permitted development	C.	The erection or construction of a porch outside any external door of a dwellinghouse.
Development not permitted	C.1	Development is not permitted by Class C if— <ul style="list-style-type: none"> (a) the ground area (measured externally) of the structure would exceed 3 square metres; (b) any part of the structure would exceed 3 metres above ground level with a flat or mono pitched roof, or 3.5 metres with a dual pitched roof; (c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a road; or (d) the dwellinghouse is within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Condition	C.2	Development is permitted by Class C subject to the condition that the materials used shall be of similar appearance to those used in the construction of the existing dwellinghouse.
Class D		
Permitted development	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.
Development not permitted	D.1	Development is not permitted by Class D if— <ul style="list-style-type: none"> (a) the total area of ground covered by buildings or enclosures within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); (b) any part of the building, enclosure or pool

would be situated on land forward of a wall which—

- (i) faces onto a road; and
- (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- (c) the building or enclosure would exceed 4 metres in height;
- (d) within 2 metres of the boundary of the curtilage of the dwellinghouse the eaves height would exceed 2.5 metres;
- (e) any part of the building or enclosure would be within 3.5 metres of the boundary of the curtilage of the dwellinghouse with a road opposite the rear wall of the dwellinghouse;
- (f) it would consist of or include the construction or provision of a deck, balcony, veranda or other raised platform;
- (g) it would involve the installation, alteration or replacement of a microwave antenna;
- (h) it would involve development for use as a dwellinghouse; or
- (i) it is within the curtilage of a listed building unless listed building consent for the development has previously been granted.

D.2 In the case of any land within the curtilage of the dwellinghouse which is within—

- (a) a World Heritage Site;
- (b) a National Park; or
- (c) an area of outstanding natural beauty;

development is not permitted by Class D if the total area of ground covered by buildings, enclosures and pools situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

D.3 In the case of any land within the curtilage of a dwellinghouse within a conservation area, World Heritage Site, National Park or area of outstanding natural beauty, development is not permitted by Class D if any part of the building, enclosure or pool would be situated on land between a wall forming either the principal or a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Interpretation of Class D D.4

For the purposes of Class D “purpose incidental to the enjoyment of the dwellinghouse” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse, but excludes the keeping of pigeons.

Class E

Permitted development E.

Development consisting of—

- (a) **the provision within the curtilage of a dwellinghouse of a hard surface for any**

purpose incidental to the enjoyment of the dwellinghouse; or

(b) the replacement in whole or in part of such a surface.

Development not permitted	E.1	Development is not permitted by Class E within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Conditions	E.2	Development is permitted by Class E subject to the condition that where— <ul style="list-style-type: none">(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a road; and(b) the area of ground covered by the hard surface, or the hard surface to be replaced would exceed 5 square metres;

either the hard surface shall be made of porous or permeable materials, or provision shall be made to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse.

Class F

Permitted development F.

The erection or provision, within the curtilage of a dwellinghouse, of a container for the storage of oil or liquefied petroleum gas for domestic purposes.

Development not permitted	F.1	Development is not permitted by Class F if— <ul style="list-style-type: none">(a) the capacity of the container would exceed 3,500 litres;(b) any part of the container would be more than 3 metres above ground level;(c) any part of the container would be situated on land beyond a wall which—<ul style="list-style-type: none">(i) faces onto a road; and(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;(d) any part of the container would be within 2 metres of the boundary of the curtilage of the dwellinghouse with a road opposite the rear wall of the dwellinghouse;(e) in the case of a dwellinghouse which is within a conservation area, any part of the container would be situated on land between a wall forming the principal or a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse; or(f) it is within the curtilage of a listed building unless listed building consent for the development has previously been granted.
---------------------------	-----	--

Class G

Permitted development	G.	The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.
Development not permitted	G.1	Development is not permitted by Class G if— <ul style="list-style-type: none">(a) it would result in the presence on the dwellinghouse or within its curtilage of—<ul style="list-style-type: none">(i) more than two antennas;(ii) a single antenna exceeding 100 centimetres in length;(iii) two antennas which do not meet the relevant size criteria;(iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;(v) an antenna installed on a chimney, where the antenna would protrude above the chimney;(vi) an antenna with a cubic capacity in excess of 35 litres;(b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;(c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower;(d) in the case of a dwellinghouse situated within a designated area, it would consist of the installation of an antenna—<ul style="list-style-type: none">(i) on a chimney, wall or roof slope which faces onto and is visible from a road;(ii) on a building which exceeds 15 metres in height.
Conditions	G.2	Development is permitted by Class G subject to the following conditions— <ul style="list-style-type: none">(a) an antenna shall so far as is practicable be sited so as to minimise its effect on the external appearance of the building; and(b) an antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable.
	G.3	The relevant size criteria for the purpose of paragraph G.1(a)(iii) are that— <ul style="list-style-type: none">(a) only one of the antennas may exceed 60 centimetres in length; and(b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in

			length.
	G.4		The length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.
Class H			
Permitted development	H.		The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.
Development not permitted	H.1		Development is not permitted by Class H if— <ul style="list-style-type: none"> (a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; (b) in the case of a dwellinghouse which is within a conservation area, World Heritage Site, area of outstanding natural beauty or National Park the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which— <ul style="list-style-type: none"> (i) faces a road; and (ii) forms either the principal elevation or a side elevation of the dwellinghouse; or (c) the dwellinghouse is within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Class I			
Permitted development	I.		The erection, construction or alteration of a deck or other raised platform within the curtilage of a dwellinghouse.
Development not permitted	I.1		Development is not permitted by Class I if— <ul style="list-style-type: none"> (a) any part of the deck or other raised platform would exceed 0.3 metres above ground level; (b) the deck or raised platform would be on land which— <ul style="list-style-type: none"> (i) faces onto a road; and (ii) would be forward of a wall forming the principal elevation or a side elevation of the dwellinghouse; (c) in the case of any land within a conservation area any part of the deck or raised platform would be situated on land between a wall forming either the principal or a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse; or (d) it is within the curtilage of a listed building unless listed building consent for the development has previously been granted.

PART 2

INSTALLATION OF DOMESTIC MICROGENERATION EQUIPMENT

Class A

Permitted development A. **The installation, alteration or replacement of solar PV or solar thermal equipment on the roof of—**

- (a) **a dwellinghouse; or**
- (b) **any building within the curtilage of a dwellinghouse.**

Development not permitted A.1 Development is not permitted by Class A if—

- (a) any part of the solar PV or solar thermal equipment would protrude more than 20 centimetres beyond the plane of any existing roof slope which faces onto and is visible from a road;
- (b) any part of the solar PV or solar thermal equipment would exceed—
 - (i) the height of the highest part of any existing ridged roof; or
 - (ii) 1.5 metres above the plane of any flat roof;
- (c) in the case of solar PV or solar thermal equipment installed in a World Heritage Site or conservation area—
 - (i) the roof slope to which they would be fitted faces onto and is visible from a road; or
 - (ii) any part of the solar PV or solar thermal equipment fitted to a flat roof would be visible from a road;
- (d) any part of the solar PV or solar thermal equipment would extend beyond the edge of the existing roof; or
- (e) the solar PV or solar thermal equipment would be installed within the curtilage of a listed building unless listed building consent for the development has previously been granted.

Conditions A.2 Development is permitted by Class A subject to the following conditions—

- (a) the primary purpose of the solar PV or solar thermal equipment would be to provide heat or energy for use within the curtilage of the dwellinghouse; and
- (b) any solar PV or solar thermal equipment no longer used to provide heat or energy shall be removed as soon as reasonably practicable.

Class B

Permitted development B. **The installation, alteration or replacement of solar PV or solar thermal equipment on—**

- (a) **the wall of a dwellinghouse;**
- (b) **the wall of any building within the**

curtilage of a dwellinghouse; or

(c) any wall within the curtilage of a dwellinghouse.

Development not permitted	B.1	Development is not permitted by Class B if— <ul style="list-style-type: none">(a) any part of the solar PV or solar thermal equipment installed within 3 metres of the boundary of the curtilage of the dwellinghouse and exceeding 4 metres in height extends more than 20 centimetres beyond the plane of the wall;(b) any part of the solar PV or solar thermal equipment when installed would extend beyond the boundary of the wall;(c) for Class B(a) or (b) development, any part of the solar PV or solar thermal equipment installed on the wall of a chimney would exceed the height of the highest part of the roof;(d) in the case of solar PV or solar thermal equipment installed on a wall within a World Heritage Site or conservation area the wall would face onto and be visible from a road; or(e) the solar PV or solar thermal equipment would be installed within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Conditions	B.2	Development is permitted by Class B subject to the following conditions— <ul style="list-style-type: none">(a) the primary purpose of the solar PV or solar thermal equipment would be to provide heat or energy for use within the curtilage of the dwellinghouse; and(b) any solar PV or solar thermal equipment no longer used to provide heat or energy shall be removed as soon as reasonably practicable.

Class C

Permitted development C. The installation, alteration or replacement of stand alone solar within the curtilage of a dwellinghouse.

Development not permitted	C.1	Development is not permitted by Class C if— <ul style="list-style-type: none">(a) it would result in the presence within the curtilage of more than one stand alone solar;(b) the area of the stand alone solar would exceed 14 square metres;(c) any part of the stand alone solar would exceed 2 metres in height;(d) any part of the stand alone solar would be nearer to a road which bounds the curtilage than the part of the dwellinghouse nearest to that road; or(e) the stand alone solar would be situated within the curtilage of a listed building unless listed
---------------------------	-----	---

		building consent for the development has previously been granted.
Conditions	C.2	Development is permitted by Class C subject to the following conditions— <ul style="list-style-type: none"> (a) the primary purpose of the stand alone solar would be to provide heat or energy for use within the curtilage of the dwellinghouse; and (b) any stand alone solar no longer used to provide heat or energy shall be removed as soon as reasonably practicable.
Class D		
Permitted development	D.	The erection or provision, within the curtilage of a dwellinghouse, of a container for the storage of solid biomass fuel.
Development not permitted	D.1	Development is not permitted by Class D if— <ul style="list-style-type: none"> (a) in the case of the erection or provision of an above ground container— <ul style="list-style-type: none"> (i) the capacity of that container would exceed 6,500 litres; or (ii) any part of that container would be more than 3 metres above ground level; (b) any part of the container would be nearer to a road which bounds the curtilage than the part of the dwellinghouse nearest to that road; (c) it would involve the erection or provision of a below ground container within a site of archaeological interest or an area of special scientific interest; or (d) the container would be situated within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Conditions	D.2	Development is permitted by Class D subject to the following conditions— <ul style="list-style-type: none"> (a) the biomass fuel stored would be used to provide heat for use within the curtilage of the dwellinghouse; and (b) any container provided under this class, no longer used for the storage of biomass fuel shall be removed as soon as reasonably practicable.
Class E		
Permitted development	E.	The installation, alteration or replacement of a flue, forming part of a biomass heating system, or a combined heat and power system on a dwellinghouse.
Development not permitted	E.1	Development is not permitted by Class E if— <ul style="list-style-type: none"> (a) the height of the flue would exceed the highest part of the roof by more than one metre; (b) in the case of a flue installed in a World Heritage Site or a conservation area the flue would be installed on a wall or roof slope

		forming the principal or a side elevation of the dwellinghouse and would be visible from a road; or
		(c) the dwellinghouse is within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Condition	E.2	Development is permitted by Class E subject to the condition that the flue no longer used as part of a biomass heating system or a combined heat and power system shall be removed as soon as reasonably practicable.
Class F		
Permitted development	F.	The provision of a ground or water source heat pump within the curtilage of a dwellinghouse.
Development not permitted	F.1	Development is not permitted by Class F if— <ul style="list-style-type: none"> (a) any part of the heat pump or its housing would be within 3 metres of the boundary of the curtilage of the dwellinghouse and would exceed 4 metres in height; (b) any part of the heat pump or its housing would be nearer to a road which bounds the curtilage than the part of the dwellinghouse nearest to that road; (c) it would involve the provision of any heat pump within an area of special scientific interest or a site of archaeological interest; or (d) the heat pump would be situated within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Conditions	F.2	Development is permitted by Class F subject to the following conditions— <ul style="list-style-type: none"> (a) the heat pump would be used to provide heat for use within the curtilage of the dwellinghouse; and (b) when no longer used to provide heat it shall be removed as soon as reasonably practicable.
Class G		
Permitted development	G.	The installation, alteration or replacement of an air source heat pump within the curtilage of a dwellinghouse.
Development not permitted	G.1	Development is not permitted by Class G if— <ul style="list-style-type: none"> (a) it would result in the presence within the curtilage of more than one air source heat pump; (b) any part of the air source heat pump would be less than 30 metres from a dwellinghouse (other than the dwellinghouse on which the air source heat pump is being installed, altered or replaced); (c) any part of the air source heat pump would be

situated on land forward of a wall which—

- (i) faces onto a road; and
- (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- (d) in the case of a dwellinghouse within a World Heritage Site or conservation area any part of the air source heat pump faces onto and is visible from a road;
- (e) the external unit of the air source heat pump would exceed 2 metres in height;
- (f) the air source heat pump would be installed on a roof;
- (g) the air source heat pump would be situated within the curtilage of a listed building unless listed building consent for the development has previously been granted.

Conditions	G.2	Development is permitted by Class G subject to the following conditions— <ul style="list-style-type: none">(a) the air source heat pump would be used to provide heat for use within the curtilage of the dwellinghouse; and(b) when no longer used to provide heat it shall be removed as soon as reasonably practicable.
Interpretation of Part 2	H.	For the purposes of Part 2— “solar PV” means solar photovoltaics; “stand alone solar” means solar PV or solar thermal equipment which is not installed on a building.

PART 3

MINOR OPERATIONS

Class A		
Permitted development	A.	The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
Development not permitted	A.1	Development is not permitted by Class A if— <ul style="list-style-type: none">(a) the height of any gate, fence, wall or other means of enclosure erected or constructed adjacent to a road used or designed to be used by vehicular traffic exceeds 1 metre above ground level;(b) the height of any other gate, fence, wall or means of enclosure erected or constructed exceeds 2 metres above ground level;(c) the height of any gate, fence, wall or means of enclosure maintained, improved or altered exceeds its former height or the height referred to in sub-paragraph (a) or (b) as the height appropriate to it if erected or

constructed, whichever is the greater;

- (d) it involves development within the curtilage of, or to a gate, fence, wall or other means of enclosure, surrounding a listed building unless listed building consent for the development has previously been granted; or
- (e) it involves development on land determined by the Department for Regional Development as a private street in accordance with Article 3(1) of the Private Streets (Northern Ireland) Order 1980(a).

Class B

Permitted development	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).
Development not permitted	B.1	Development is not permitted by Class B if it is within an area of special scientific interest, or a site of archaeological interest.

Class C

Permitted development	C.	The painting of the exterior of any building or work.
Development not permitted	C.1	Development is not permitted by Class C— <ul style="list-style-type: none">(a) where the painting is for the purpose of advertisement, announcement or direction; or(b) within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Interpretation of Class C	C.2	In Class C “painting” includes any application of colour.

PART 4

CHANGES OF USE

Class A

Permitted development	A.	Development consisting of a change of use of a building to a use falling within Class A1 (Shops) or Class A2 (Financial, professional and other services) of the Schedule to the Use Classes Order from a use as a betting office or from a use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises.
------------------------------	-----------	---

Class B

Permitted development	B.	Development consisting of a change of the use of a building— <ul style="list-style-type: none">(a) to a use falling within Class B2 (Light Industrial) of the Schedule to the Use Classes Order from a use falling within
------------------------------	-----------	---

(a) S.I. 1980/1086 (N.I.12)

		Class B3 (General Industrial);
		(b) to a use falling within Class B2 (Light Industrial) of that Schedule from a use falling within Class B4 (Storage or distribution);
		(c) to a use falling within Class B4 (Storage or distribution) of that Schedule from a use falling within Class B2 (Light Industrial) or Class B3 (General Industrial).
Development not permitted	B.1	Development is not permitted by Class B where the change is to or from a use falling within Class B4 of the Schedule to the Use Classes Order if the change of use relates to more than 235 square metres of floor space in the building.
Class C		
Permitted development	C.	Development consisting of a change of use of any building with a display window at ground floor level to a use falling within Class A1 (Shops) of the Schedule to the Use Classes Order from a use falling within Class A2 (Financial, professional and other services).
Class D		
Permitted development	D.	Development consisting of a change of use of a building falling within Class C1 (Dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class C2 (Guest houses) or Class C3 (Residential institutions).
Class E		
Permitted development	E.	Development consisting of a change of use of a building—
		(a) to a mixed use for any purpose within Class A1 (Shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A1 of that Schedule;
		(b) to a mixed use for any purpose within Class A2 (Financial, professional and other services) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A2 of that Schedule;
		(c) where that building has a display window at ground floor level, to a mixed use for any purpose within Class A1 (Shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A2 (Financial, professional and other services) of that Schedule.
Conditions	E.1	Development is permitted by Class E subject to the following conditions—
		(a) some or all of the parts of the building used for any purposes within Class A1 or Class A2, as the case may be, of the Schedule to the Use Classes Order shall be situated on a floor below the part of the building used as a single

		flat;
		(b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor shall not be used in whole or in part as the single flat;
		(c) the single flat shall not be used otherwise than as a dwelling (whether or not as a sole or main residence)—
		(i) by a single person or by people living together as a family; or
		(ii) by not more than six residents living together as a single household (where care is provided for residents).
Interpretation of Class E	E.2	For the purposes of Class E the expression “care” means “personal care” as defined in the Registered Homes (Northern Ireland) Order 1992(a).
Class F		
Permitted development	F.	Development consisting of a change of the use of a building—
		(a) to a use for any purpose within Class A1 (Shops) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A1 of that Schedule and as a single flat;
		(b) to a use for any purpose within Class A2 (Financial, professional and other services) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A2 of that Schedule and as a single flat;
		(c) where that building has a display window at ground floor level, to a use for any purpose within Class A1 (Shops) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A2 (Financial, professional and other services) of that Schedule and as a single flat.
Development not permitted	F.1	Development is not permitted by Class F unless the part of the building used as a single flat was immediately prior to being so used, used for any purpose within Class A1 or Class A2 of the Schedule to the Use Classes Order.

(a) S.I. 1992/3204 (N.I.20)

PART 5

TEMPORARY BUILDINGS AND USES

Class A

Permitted development	A.	The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.
Development not permitted	A.1	Development is not permitted by Class A if— (a) the operations referred to are mining operations; (b) planning permission is required for those operations but is not granted; or (c) it is within a site of archaeological interest.
Conditions	A.2	Development is permitted by Class A subject to the conditions that, when the operations have been carried out— (a) any building, structure, works, plant or machinery permitted by this Class shall be removed; and (b) any adjoining land on which development permitted by this Class is carried out shall as soon and so far as practicable, be reinstated to its condition before that development was carried out.

Class B

Permitted development	B.	The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for any purpose referred to in paragraph B.2, and the provision on the land of any moveable structure for the purposes of the permitted use.
Development not permitted	B.1	Development is not permitted by Class B if— (a) the land in question is a building or is within the curtilage of a building; (b) the use of land is for a caravan site; or (c) the land is within a site of archaeological interest.
Interpretation of Class B	B.2	The purposes mentioned in Class B are— (a) the holding of a market; (b) motor car and motorcycle racing, including trials of speed, and practising for these activities.

Class C

Permitted development	C.	The use of land for street trading not exceeding the period of time specified in a street trading licence.
Interpretation of Class C	C.1	For the purposes of Class C— “street trading” has the meaning assigned to it by section 1(2) of the Street Trading Act (Northern

Ireland) 2001(a);

“street trading licence” means a licence granted under the Street Trading Act (Northern Ireland) 2001.

PART 6

CARAVAN SITES

Class A

Permitted development	A.	The use of land, other than a building, as a caravan site in any circumstances referred to in paragraph A.2.
Conditions	A.1	The use permitted by Class A shall be discontinued when the circumstances specified in paragraph A.2 cease to exist and all caravans on the site shall then be removed.
Interpretation of Part 6	A.2	The circumstances mentioned in this Part are those specified in paragraphs 2 to 10 of the Schedule to the Caravans Act (Northern Ireland) 1963(b), but in relation to those mentioned in paragraph 10 do not include use for winter quarters.

PART 7

AGRICULTURAL BUILDINGS AND OPERATIONS

Class A

Permitted development	A.	The carrying out on agricultural land comprised in an agricultural unit of— (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operation; reasonably necessary for the purposes of agriculture within that unit.
Development not permitted	A.1	Development is not permitted by Class A if— (a) the development is on agricultural land less than 0.5 hectares in area; (b) it consists of or includes the erection, extension or alteration of a dwelling; (c) a building, structure or works not designed for the purposes of agriculture is provided on the land; (d) the building or structure to be erected is the first agricultural building on the unit; (e) the nearest part of any building or structure so erected or extended is more than 75 metres from the nearest part of a group of principal farm buildings;

(a) 2001 c.8 (N.I.)

(b) 1963 c.17 (N.I.) as amended by 2011 c.12 (N.I.)

- (f) the nearest part of any building or structure so erected or extended is less than 75 metres from a dwellinghouse (other than a dwellinghouse of any person engaged in agricultural operations on that unit);
- (g) the ground area to be covered by—
 - (i) any works or structure (other than a fence) for the purposes of accommodating livestock or any plant or machinery arising from engineering operations; or
 - (ii) any building erected or any building as extended or altered;

exceeds 500 square metres, calculated as described in paragraph A.2(b);
- (h) the height of any part of the building, structure or works within 3 kilometres of the perimeter of an airport exceeds 3 metres, or 12 metres in any other case;
- (i) any part of the development is within 24 metres from the nearest part of a special road, or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the middle of other classes of road.

Interpretation of Class A

A.2

For the purposes of Class A—

- (a) the area of 0.5 hectares shall be calculated without taking into account any separate parcels of land;
- (b) the ground area referred to in A.1(g) is the ground area which the proposed development covers together with the ground area of any building (other than a dwellinghouse) or any works, structure, plant or machinery within the same unit which is being provided by Class A or has been provided within the preceding two years and any part of which is within 75 metres of the proposed development;
- (c) “agricultural land” has the meaning assigned to it by the Agriculture Act (Northern Ireland) 1949^(a);
- (d) “agricultural unit” means land which is occupied as a unit for the purposes of agriculture other than fish farming but includes any dwellinghouse or other building occupied by the same person for the purpose of farming the land by the person who occupies the same unit;
- (e) “building” does not include anything resulting from engineering operations;

(a) 1949 c.2 (N.I.)

Class B		
Permitted development	B.	The winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.
Development not permitted	B.1	Development is not permitted by Class B if any excavation is within 24 metres of the nearest part of a special road or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the middle of other classes of road.
Conditions	B.2	Development is permitted by Class B subject to the conditions— <ul style="list-style-type: none"> (a) that no mineral extracted during the course of the operation shall be moved to any place outside the land from which it is extracted, except to land which is held or occupied with that land and is used for the purposes of agriculture; (b) the surface of the land shall be levelled and any topsoil replaced as the uppermost layer; (c) the land shall so far as practicable be restored to its former condition before the extraction took place.
Interpretation of Class B	B.3	For the purposes of Class B the expression “purposes of agriculture” includes fertilizing the land used for the purposes of agriculture, and the maintenance, improvement or alteration of any buildings, structures or works occupied or used for such purposes on land so used.
Class C		
Permitted development	C.	The construction, formation, laying out or alteration of a means of access to a road.
Development not permitted	C.1	Development is not permitted in Class C if— <ul style="list-style-type: none"> (a) it is required in connection with development for which a planning application is necessary under Part 3 of the 2011 Act; or (b) the land is within a site of archaeological interest.
Class D		
Permitted development	D.	The carrying out on agricultural land comprised in an agricultural unit of works for the erection, extension or alteration of a building or structure for the purpose of— <ul style="list-style-type: none"> (a) the generation (including the co-generation) of energy from anaerobic digestion of biomass; or (b) the storing of digestate; including works for the installation, alteration or replacement of a flue forming part of the anaerobic digestion system.
Development not permitted	D.1	Development is not permitted by Class D if— <ul style="list-style-type: none"> (a) the development is on agricultural land less

than 0.5 hectares in area;

- (b) it consists of or includes the erection, extension or alteration of a dwelling;
- (c) a building, structure or works not designed for the purposes of anaerobic digestion is provided on the land;
- (d) the nearest part of any building or structure so erected or extended is more than 75 metres from the nearest part of a group of principal farm buildings;
- (e) the nearest part of any building or structure so erected or extended is less than 75 metres from a dwellinghouse (other than a dwellinghouse of any person engaged in agricultural operations on that unit);
- (f) the ground area to be covered by any building or structure erected or any building or structure as extended or altered, would exceed 500 square metres, calculated as described in paragraph D.2(a);
- (g) the height of any part of the building, structure or works within 3 kilometres of the perimeter of an airport exceeds 3 metres, or 12 metres in any other case;
- (h) any part of the development is within 24 metres from the nearest part of a special road, or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the middle of other classes of road;
- (i) the total capacity of the anaerobic digestion system exceeds—
 - (i) 200 kilowatts in relation to the generation of electricity; and
 - (ii) 285 kilowatts thermal in relation to the production of heat;
- (j) feedstock not produced on land within the agricultural unit is used in the anaerobic digestion system;
- (k) feedstock not produced on land within the agricultural unit is stored within that unit;
- (l) it would result in more than one anaerobic digestion system within the agricultural unit.

Interpretation of Class D

D.2

For the purposes of Class D—

- (a) the ground area referred to in D.1(f) is the ground area which the proposed development covers together with the ground area of any building or structure previously provided for the purposes of anaerobic digestion;
- (b) “agricultural land” has the meaning assigned to it by the Agriculture Act (Northern Ireland) 1949;
- (c) “agricultural unit” means land which is

occupied as a unit for the purposes of agriculture other than fish farming but includes any dwellinghouse or other building occupied by the same person for the purpose of farming the land by the person who occupies the same unit.

PART 8

FORESTRY BUILDINGS AND OPERATIONS

Class A

- | | | |
|------------------------------|-----------|--|
| Permitted development | A. | The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of— <ul style="list-style-type: none">(a) works for the erection, extension or alteration of a building;(b) the formation, alteration or maintenance of private ways;(c) operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways;(d) other operations (not including engineering or mining operations). |
| Development not permitted | A.1 | Development is not permitted by Class A if— <ul style="list-style-type: none">(a) it consists of or includes the provision or alteration of a dwelling;(b) the height of any building or works within 3 kilometres of the perimeter of an airport exceeds 3 metres in height; or(c) any part of the development is within 24 metres of the nearest part of a special road or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the middle of other classes of road. |
| Conditions | A.2 | Development is permitted in Class A(c) subject to the following conditions— <ul style="list-style-type: none">(a) the surface of the land shall be levelled and any topsoil replaced as the uppermost layer; and(b) the land shall, so far as practicable, be restored to its condition before the development took place. |

PART 9

INDUSTRIAL AND WAREHOUSE DEVELOPMENT

Class A

Permitted development

Development not permitted

- A. The erection, extension or alteration of an industrial building or a warehouse.**
- A.1 Development is not permitted by Class A if—
- (a) the height of any part of the new building erected would exceed—
 - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 - (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;
 - (b) the height of the building as extended or altered would exceed—
 - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 - (ii) in all other cases, the height of the building being extended or altered;
 - (c) the floor space of the original building would be exceeded by more than—
 - (i) 10% in respect of development in an area of outstanding natural beauty, a National Park, a World Heritage Site or a conservation area or 25% in any other case; or
 - (ii) 500 square metres in respect of development in an area of outstanding natural beauty, a National Park, a World Heritage Site or a conservation area or 1000 square metres in any other case;whichever is the lesser;
 - (d) the floor space of any new building erected would exceed 100 square metres;
 - (e) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;
 - (f) any part of the development would be within 10 metres of any boundary of the curtilage of the premises which adjoins the curtilage of any dwellinghouse or flat;
 - (g) any part of the development would face onto a road;
 - (h) as a result of the works the total area of ground covered by buildings within the curtilage of the premises would exceed 50% of the total area of the curtilage;
 - (i) the development would lead to a reduction in

of the curtilage of the premises” relates to the boundary of the curtilage of the premises of the undertaking concerned and not the boundary of the curtilage of the industrial estate as a whole;

- (b) “original building” does not include any building erected at any time under Class A;
- (c) where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement;
- (d) “employee facilities” means social care or recreational facilities provided for employees of the undertaking, including crèche facilities provided for the children of such employees;
- (e) “raised platform” means a platform with a height greater than 0.3 metres above ground level.

Class B

Permitted development

B. Development carried out on industrial land for the purposes of an industrial process consisting of—

- (a) **the installation of additional or replacement plant or machinery or structures or erections of the nature of plant or machinery;**
- (b) **the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus; or**
- (c) **the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.**

Development not permitted

B.1 Development is not permitted in Class B if—

- (a) it materially affects the external appearance of the premises of the undertaking concerned; or
- (b) any plant or machinery exceeds a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.

Interpretation of Class B

B.2 In Class B “industrial land” means land used for the carrying out of an industrial process, including land used for the purpose of an industrial undertaking as a dock, harbour or quay, but does not include land in or adjacent to and occupied together with a mine.

Class C

Permitted development

C. Development consisting of—

- (a) **the provision of a hard surface within the curtilage of an industrial building or warehouse to be used for the purpose of the undertaking concerned; or**
- (b) **the replacement in whole or in part of such a surface.**

Development not permitted	C.1	Development is not permitted in Class C if— <ul style="list-style-type: none"> (a) it would involve the removal of trees; or (b) the development would be within the curtilage of a listed building unless listed building consent has previously been granted.
Conditions	C.2	Development is permitted in Class C subject to the following conditions— <ul style="list-style-type: none"> (a) where there is a risk of groundwater contamination the hard surface shall not be made of porous materials; (b) in all other cases, either— <ul style="list-style-type: none"> (i) the hard surface shall be made of porous materials; or (ii) provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the industrial building or warehouse.
Interpretation of Part 9	D.	In Classes A and C of this Part— <p>“industrial building” means a building used for the carrying out of an industrial process and includes a building used for the carrying out of such a process on land used as a dock, harbour or quay for the purpose of an industrial undertaking but does not include a building on land in or adjacent to and occupied together with a mine;</p> <p>“warehouse” means a building used for any purpose within Class B4 (Storage or Distribution) of the Schedule to the Use Classes Order but does not include a building on land in or adjacent to and occupied together with a mine.</p>

PART 10

REPAIRS TO UNADOPTED STREETS AND PRIVATE WAYS

Class A

- Permitted development A. The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way.**

PART 11

REPAIRS TO SERVICES

Class A

- Permitted development A. The carrying out of any works for the purposes of inspecting, repairing or renewing any sewer, main, pipe, cable or other apparatus, including breaking open any land for that purpose.**

PART 12

DEVELOPMENT UNDER LOCAL OR PRIVATE ACTS OR ORDERS

Class A

Permitted development	A.	Development authorised by— (a) any local or private Act of Parliament; or (b) by any order approved by both Houses of Parliament; which designates specifically the nature of the development authorised and the land upon which it may be carried out.
Conditions	A.1	Development is not permitted by Class A if it consists of or includes— (a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam; or (b) the construction, formation, laying out or alteration of a means of access to any road used by vehicular traffic; unless the prior approval of the detailed plans and specifications is first obtained from the council.

PART 13

DEVELOPMENT BY COUNCILS

Class A

Permitted development	A.	The erection or construction and the maintenance, improvement or other alteration by a council of— (a) any small ancillary building, works or equipment on land belonging to or maintained by it required for the purposes of any function exercised by it on that land; (b) lamp standards, information kiosks, public shelters and seats, electric car charging points, public drinking fountains, refuse bins or baskets, and similar structures or works required in connection with the operation of any public service administered by it.
Interpretation of Part 13	A.1	For the purposes of this Part a reference to any small building, works or equipment is a reference to any building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

PART 14

DEVELOPMENT BY STATUTORY AND OTHER UNDERTAKERS

Class A		Railway undertakings
Permitted development	A.	Development by or on behalf of railway undertakers on their operational land required— <ul style="list-style-type: none">(a) in connection with the movement of traffic by rail; or(b) for the installation, alteration or replacement of electronic communications apparatus for rail safety systems.
Development not permitted	A.1	Development is not permitted by Class A if— <ul style="list-style-type: none">(a) it consists of or includes the construction of a railway;(b) it consists of or includes the construction or erection of a hotel, railway station or bridge;(c) it consists of or includes the construction or erection otherwise than wholly within a railway station of a residential building, an office, or a building used for manufacturing or repair work;(d) the land is within an area of special scientific interest or a site of archaeological interest;(e) in the case of any Class A(b) development, the installation of any apparatus (other than on a building or other structure), excluding any antenna, would exceed 15 metres in height above ground level;(f) in the case of any Class A(b) development, the replacement or alteration of any apparatus (other than on a building or structure), excluding any antenna, would when altered or replaced exceed 15 metres in height above ground level or the height of any apparatus it replaces, whichever is the greater;(g) in the case of any Class A(b) development it would consist of the installation of a mast on a building or other structure and would—<ul style="list-style-type: none">(i) exceed 15 metres in height above ground level; or(ii) be within 20 metres of the boundary of a road;(h) in the case of the installation, replacement or alteration of any apparatus under Class A(b) other than—<ul style="list-style-type: none">(i) a mast;(ii) an antenna;(iii) a public call box;(iv) any apparatus which does not project above the surface of the ground; or

		(v) equipment housing; the ground or base area of the structure would exceed 1.5 square metres; or
		(i) in the case of any Class A(b) development it would consist of the installation, alteration or replacement of ground based equipment housing exceeding 90 cubic metres or, if located on a roof of a building, it would exceed 30 cubic metres.
Conditions	A.2	(1) Class A(b) development consisting of the installation, alteration or replacement of one or more antennas is permitted subject to the condition that the developer shall— (a) except in a case of emergency give appropriate notice in writing to the council no fewer than 28 days before development is begun of the developer’s intention to carry out such development; or (b) in a case of emergency give appropriate notice of such development as soon as possible after the emergency begins. (2) The notice referred to in sub-paragraphs 1(a) and (b) shall be accompanied by a declaration that the proposed equipment and installation is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-ionising Radiation Protection, as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (1999/519/EC) (0Hz to 300 GHz).
Interpretation of Class A	A.3	For the purposes of Class A— references to the construction or erection of any building or erection of any building or structure includes references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected; “appropriate notice” means a notice signed and dated by or on behalf of the developer and containing— (i) the name of the developer; (ii) the address or location of the proposed development; and (iii) a description of the proposed development (including its siting and appearance and the height of any mast); “electronic communications apparatus” has the same meaning as in the electronic communications code;

“electronic communications code” has the meaning assigned to it by section 106(1) of the Communications Act 2003(a);

“ground level” means the level of the surface of the ground immediately adjacent to the supporting structure or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it;

“mast” means a structure erected by or on behalf of the developer for the support or housing of one or more antennas including a mast, pole, tower or other structure.

Class B

Dock, pier, harbour or water transport undertakings

Permitted development

B. Development on operational land by statutory undertakers or their lessees in respect of dock, pier, harbour or water transport undertakings, required—

- (a) **for the purposes of shipping;**
- (b) **in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier, harbour, or the movement of traffic by any railway forming part of the undertaking;**
- (c) **for the installation, alteration or replacement (other than on a building) of a closed circuit television camera, including its supporting structure, for the purposes of security; or**
- (d) **the erection, alteration or replacement of a fence for the purposes of security.**

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) it consists of or includes the construction or erection of a bridge or other building not required in connection with the handling of traffic;
- (b) the land is within a site of archaeological interest;
- (c) the installation, alteration or replacement of a closed circuit television camera is to be carried out in a conservation area unless it involves the installation, alteration or replacement of a camera on an existing structure;
- (d) the dimensions of the camera including its housing exceed 75 centimetres by 25 centimetres by 25 centimetres;
- (e) any part of the camera would, when installed,

(a) 2003 c.21

		<p>altered or replaced, be less than 250 centimetres above ground level;</p> <p>(f) the development would result in the presence of more than four cameras on the structure;</p> <p>(g) any part of a fence erected, altered or replaced would exceed 2.9 metres in height;</p> <p>(h) any part of a fence erected, altered or replaced would be adjacent to the curtilage of any dwellinghouse or flat; or</p> <p>(i) in the case of any Class B(c) or Class B(d) development the development is within an area of special scientific interest.</p>
Interpretation of Class B	B.2	<p>For the purposes of Class B—</p> <p>references to the construction or erection of any building or structure includes references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected;</p> <p>“camera” except in paragraph B.1(d) includes its housing, pan and tilt mechanism, infra red illuminator, receiver, mountings and brackets;</p> <p>“ground level” means the level of the surface of the ground immediately adjacent to the supporting structure or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it;</p> <p>“structure” and “supporting structure” means any pole, mast or tower including a street lighting column.</p>
Class C Permitted development	C.	<p>Electricity undertakings</p> <p>Development by electricity undertakers for the generation, transmission, distribution and supply of electricity for the purposes of the undertaking consisting of—</p> <p>(a) the laying underground of pipes, cables or any other apparatus, and the construction of shafts and tunnels reasonably necessary in connection with such pipes, cables or apparatus;</p> <p>(b) the installation in an electric line of—</p> <p style="padding-left: 20px;">(i) feeder or service pillars; or</p> <p style="padding-left: 20px;">(ii) sub-stations enclosed in a chamber not exceeding 40 cubic metres in capacity; or</p> <p style="padding-left: 20px;">(iii) sub-stations enclosed in an underground chamber;</p> <p>(c) the installation of service lines for individual consumers from an electric line;</p> <p>(d) the addition or replacement of a single fibre optic telecommunications cable to an existing overhead line;</p>

- (e) **the sinking of boreholes to ascertain the nature of the subsoil and the installation of any plant or machinery reasonably necessary in connection with such boreholes;**
- (f) **the extension or alteration of buildings on operational land;**
- (g) **the erection on operational land of the undertaking of a building solely for the protection of plant and machinery;**
- (h) **any other development carried out in, on, over or under the operational land of the undertaking.**

Development not permitted

C.1 Development is not permitted by Class C if—

- (a) in the case of any Class C(b) development involving the installation of a chamber for housing apparatus exceeding 40 cubic metres in capacity, that installation is carried out at or above ground level, or under a road used by vehicular traffic;
- (b) in the case of Class C(c) development, the length of line exceeds 400 metres;
- (c) in the case of any Class C(f) development—
 - (i) the height of the original building is exceeded;
 - (ii) the cubic content of the original building is exceeded by more than 20%;
 - (iii) the floor space of the original building is exceeded by more than 750 square metres;
 - (iv) it materially affects the external appearance of the buildings concerned;
 - (v) the development is in a conservation area, an area of outstanding natural beauty or a National Park;
- (d) in the case of any Class C(g) development, the building exceeds 15 metres in height;
- (e) in the case of any Class C(h) development it consists of or includes—
 - (i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected; or
 - (ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 18 metres in height or the height of any plant or machinery replaced, whichever is the greater; or
- (f) the land is within a site of archaeological interest.

Conditions	<p>C.2 Development is permitted by Class C subject to the following conditions—</p> <ul style="list-style-type: none"> (a) in the case of any Class C(e) development, on completion of that development, or at the end of a period of 6 months from the beginning of that development (whichever is the sooner) any such plant or machinery shall be removed and the land shall be restored as soon and so far as practicable to its condition before the development took place; (b) in the case of any Class C(g) development, approval from the council of details of the design and external appearance of the building shall be obtained before development is begun.
<p>Class D Permitted development</p>	<p>D. Gas undertakings</p> <p>D. Development by a gas undertaker required for the purposes of its undertaking consisting of—</p> <ul style="list-style-type: none"> (a) the laying underground of mains, pipes or other apparatus; (b) the installation in a gas distribution system of apparatus for measuring, recording, controlling, or varying the pressure, flow or volume of gas, and structures for housing such apparatus; (c) any other development carried out in, on, over, or under the operational land of the gas undertaking.
Development not permitted	<p>D.1 Development is not permitted by Class D if—</p> <ul style="list-style-type: none"> (a) in the case of Class D(b) development involving the installation of a structure for housing apparatus exceeding 29 cubic metres in capacity, that installation is carried out at or above ground level, or under any road used by vehicular traffic; (b) in the case of Class D(c) development— <ul style="list-style-type: none"> (i) it consists of or includes the erection of a building, or the reconstruction or alteration of a building where its design or external appearance is materially affected; (ii) it involves the installation of any plant or machinery or structures or erections of the nature of plant or machinery, exceeding 15 metres in height, or capable without addition of being extended to a height exceeding 15 metres; or (iii) it consists of or includes the replacement of any plant or machinery, by plant or machinery exceeding 15 metres in height or exceeding the height of the plant or

			<p>machinery replaced, whichever is the greater;</p> <p>(c) the land is within a site of archaeological interest.</p>
Conditions	D.2		Development is permitted by Class D(c) subject to the condition that approval from the council of details of the design and external appearance of any building shall be obtained before the development is begun.
Interpretation of Class D	D.3		For the purposes of Class D— “gas undertaker” means a holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996(a).
Class E Permitted development	E.	Road passenger transport undertakings	Development required for the purposes of the undertaking consisting of—
			<p>(a) the installation of telephone cables and apparatus, huts, stop posts and signs required in connection with the operation of public service vehicles;</p> <p>(b) the erection or construction and the maintenance, improvement or other alteration of passenger shelters and barriers for the control of people waiting to enter public service vehicles;</p> <p>(c) any other development on operational land of the undertaking.</p>
Development not permitted	E.1		Development is not permitted by Class E(c) if it consists of—
			<p>(a) the erection of a building or the reconstruction or alteration of a building where the design or external appearance would be materially altered;</p> <p>(b) the installation or erection by way of addition or replacement of any plant or machinery which exceeds 15 metres in height or the height of any plant or machinery it replaces, whichever is the greater; or</p> <p>(c) the land is within a site of archaeological interest.</p>
Class F Permitted development	F.	Lighthouse undertakings	Development required for the purposes of the functions of a general or local lighthouse authority under the Merchant Shipping Act 1995(b) and any other statutory provision made with respect to a local lighthouse authority, or in the exercise by a local lighthouse authority of rights, powers or duties acquired by usage prior to that Act.

(a) S.I. 1996/275 (N.I.2) as amended by S.R. 2011 No.155 and S.R. 2013 No.92
(b) 1995 c.21

Development not permitted	F.1	Development is not permitted by Class F if— <ul style="list-style-type: none"> (a) it consists of or includes the erection of offices, or the reconstruction or alteration of offices where their design or external appearance would be materially affected; or (b) the land is within a site of archaeological interest.
Class G Permitted development	G.	Universal Service Provider Development required for the purposes of the universal service provider in connection with the provision of a universal postal service (within the meaning of the Postal Services Act 2000(a)) consisting of— <ul style="list-style-type: none"> (a) the installation of posting boxes or self service machines; (b) the installation of universal postal service pouch-boxes; or (c) any other development carried out in, on, over or under the operational land of the undertaking.
Development not permitted	G.1	Development is not permitted by Class G if— <ul style="list-style-type: none"> (a) it consists of or includes the erection of a building, or the reconstruction or alteration of a building where its design or external appearance is materially affected; (b) it consists of or includes the installation or erection by way of addition or replacement of any plant or machinery which exceeds 15 metres in height or the height of any existing plant or machinery, whichever is the greater; (c) the land is within an area of special scientific interest or a site of archaeological interest; or (d) in the case of any Class G(b) development the universal postal service pouch-box is situated within a conservation area.
Conditions	G.2	Development is permitted by Class G(b) subject to the condition that the universal postal service pouch-box is sited to minimise its effect on pedestrian flow and visual amenity.
Interpretation of Class G	G.3	For the purposes of Class G— <p>“universal postal service pouch-box” has the meaning assigned to it by paragraph 10 of Schedule 6 to the Postal Services Act 2000;</p> <p>“universal service provider” has the meaning assigned to it by section 65 of the Postal Services Act 2011(b).</p>

(a) 2000 c.26
(b) 2011 c.5

<p>Class H Permitted development</p>	<p>H.</p>	<p>Water and sewerage undertakings Development by water or sewerage undertakers consisting of—</p> <ul style="list-style-type: none"> (a) development not above ground level required in connection with the provision, improvement, maintenance or repair of a sewer, outfall pipe, sludge main or associated apparatus; (b) development not above ground level required in connection with the supply and distribution of water or for conserving, redistributing or augmenting water resources, or for the conveyance of water treatment sludge; (c) development in, on or under any watercourse and required in connection with the improvement or maintenance of that watercourse; (d) the provision of a building, plant, machinery or apparatus in, on, over or under land for the purpose of survey or investigation; (e) for maintenance, improvement or repair of works for measuring the flow in any watercourse or channel; (f) the installation in a water distribution system of a booster station, valve house, control kiosk, meter or switch-gear house; (g) any works authorised under Article 141 (works under drought orders) or Articles 219 and 220 (pipe laying) of the Water and Sewerage Services (Northern Ireland) Order 2006(a); (h) any other development in, on, over or under operational land, other than the provision of a building but including the extension or alteration of a building; (i) the strapping of pipelines to bridges; or (j) the erection, alteration or replacement in, on, over or under operational land of a building for the housing of equipment.
<p>Development not permitted</p>	<p>H.1</p>	<p>Development is not permitted by Class H if—</p> <ul style="list-style-type: none"> (a) in the case of any Class H(b) development, it would include the construction of a reservoir; (b) in the case of any Class H(f) development involving the installation of a station or house exceeding 29 cubic metres in capacity, that installation is carried out at or above ground level or under a highway used by vehicular traffic;

(a) S.I. 2006/3336 (N.I.21)

- (c) in the case of any Class H(h) development, it would consist of or include the extension or alteration of a building so that—
 - (i) its design or external appearance would be materially affected;
 - (ii) the height of the original building would be exceeded, or the cubic content of the original building would be exceeded by more than 25%; or
 - (iii) the floor space of the original building would be exceeded by more than 1000 square metres;
- (d) in the case of any Class H(h) development, it would consist of the installation or erection of any plant or machinery exceeding 15 metres in height or the height of anything it replaces, whichever is the greater;
- (e) the land is within a site of archaeological interest; or
- (f) in the case of any Class H (j) development—
 - (i) the total floor space of any new building erected exceeds 30 square metres;
 - (ii) any part of the development would be within 5 metres of the boundary of the curtilage of a dwellinghouse or flat;
 - (iii) any part of the development would face onto a road;
 - (iv) the development would lead to a reduction in the space available for the turning or manoeuvring of vehicles;
 - (v) any part of the development would exceed 4 metres in height;
 - (vi) any part of the development is within an area of special scientific interest; or
 - (vii) the development would be within the curtilage of a listed building unless listed building consent for the development has previously been granted.

Condition

H.2

Development is permitted by Class H(d) subject to the condition that, on completion of the survey or investigation, or at the expiration of six months from the commencement of the development, whichever is the sooner, all such operations shall cease and all such buildings, plant, machinery and apparatus shall be removed and the land restored as soon as reasonably practicable to its former condition or to any other condition which may be agreed between the council and the developer.

Interpretation of Class H

H.3

For the purposes of Class H—

“associated apparatus” in relation to any sewer, main or pipe, means pumps, machinery or apparatus associated with the relevant sewer, main

or pipe;

“sludge main” means a pipe or system of pipes (together with any pumps or other machinery or apparatus associated with it) for the conveyance of the residue of water or sewage treated in a water or sewage treatment works as the case may be, including final effluent or the products of the dewatering or incineration of such residue, or partly for any of those purposes and partly for the conveyance of trade effluent or its residue.

PART 15

AVIATION DEVELOPMENT

Class A		Development at an airport
Permitted development	A.	The carrying out on operational land by an airport operator or its agent of development (including the erection or alteration of an operational building) in connection with the provision of services and facilities at an airport.
Development not permitted	A.1	Development is not permitted by Class A if it consists of or includes— <ul style="list-style-type: none">(a) the construction or extension of a runway;(b) the construction of a passenger terminal;(c) the extension or alteration of a passenger terminal, where the floor space of the building as existing on 1st August 1993 or, if built after that date, of the building as built, is exceeded by more than 15%;(d) the erection of a building other than an operational building;(e) the alteration or reconstruction of a building other than an operational building, where its design or external appearance is materially affected; or(f) development within a conservation area, an area of outstanding natural beauty, a National Park or a site of archaeological interest.
Condition	A.2	Development is permitted by Class A subject to the condition that the airport operator consults the council before carrying out any development unless the development— <ul style="list-style-type: none">(a) is urgently required for the efficient running of the airport; and(b) consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.

Interpretation of Class A	A.3	<p>For the purposes of Class A—</p> <p>(a) floor space shall be calculated by external measurement and without taking account of the floor space in any pier or satellite;</p> <p>(b) “operational building” means a building, other than a hotel, required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods at an airport.</p>
Class B Permitted development	B.	<p>Air traffic services development at an airport</p> <p>The carrying out on operational land within the perimeter of an airport by an airport operator or its agent of development in connection with the provision of air traffic services.</p>
Class C Permitted development	C.	<p>Air traffic services development near an airport</p> <p>The carrying out on operational land outside but within 8 kilometres of the perimeter of an airport, by an airport operator or its agent, of development in connection with the provision of air traffic services.</p>
Development not permitted	C.1	<p>Development is not permitted by Class C if—</p> <p>(a) any building erected is used for a purpose other than housing equipment used in connection with the provision of air traffic services;</p> <p>(b) any building erected exceeds a height of 4 metres;</p> <p>(c) it consists of the installation or erection of any radar or radio mast or antenna or other apparatus which exceeds 15 metres in height, or, where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater;</p> <p>(d) the development is within a conservation area, an area of outstanding natural beauty, a National Park or a site of archaeological interest.</p>
Class D Permitted development	D.	<p>Use of airport buildings managed by an airport operator</p> <p>The use of buildings within the perimeter of an airport managed by an airport operator for purposes connected with air transport services or other flying activities at that airport.</p>

Class E		Development by an air traffic services licence holder within an airport
Permitted development	E.	The carrying out by an air traffic services licence holder or its agents, within the perimeter of an airport, of development in connection with the provision of air traffic services.
Class F		Development by an air traffic services licence holder on operational land
Permitted development	F.	The carrying out on operational land of an air traffic services licence holder by that licence holder or its agents of development in connection with the provision of air traffic services.
Development not permitted	F.1	Development is not permitted by Class F if— <ul style="list-style-type: none"> (a) any building erected is used for a purpose other than housing equipment used in connection with the provision of air traffic services; (b) any building erected exceeds a height of 4 metres; (c) it consists of the installation or erection of any radar or radio mast, antenna or other apparatus which exceeds 15 metres in height, or, where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater; (d) the development is within a conservation area, an area of outstanding natural beauty, a National Park or a site of archaeological interest.
Class G		Development by an air traffic services licence holder in an emergency
Permitted development	G.	The use of land by or on behalf of an air traffic services licence holder in an emergency to station moveable apparatus replacing unserviceable apparatus.
Condition	G.1	Development is permitted by Class G subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored so far as practicable to its condition before the development took place.
Class H		Development by an air traffic services licence holder involving moveable structures etc.
Permitted development	H.	The use of land by or on behalf of an air traffic services licence holder to provide services and facilities in connection with the provision of air traffic services and the erection or placing of moveable structures on land for the purposes of that use.
Development not permitted	H.1	Development is not permitted by Class H if the land is within a site of archaeological interest.

Condition	H.2	Development is permitted by Class H subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any structure shall be removed, and the land shall be restored to its condition before the development took place.
Class I		Development by the Civil Aviation Authority for surveys etc.
Permitted development	I.	The use of land by or on behalf of the Civil Aviation Authority for the stationing and operation of apparatus in connection with the carrying out of surveys or investigations.
Condition	I.1	Development is permitted by Class I subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored to its condition before the development took place.
Interpretation of Part 15	J.	For the purposes of Part 15— “air traffic services” has the same meaning as in section 98 of the Transport Act 2000(a); “air traffic services licence holder” means a person who holds a licence under Chapter 1 of Part 1 of the Transport Act 2000; “airport operator” has the same meaning as in Part 1 of the Airports (Northern Ireland) Order 1994(b).

PART 16

MINERAL EXPLORATION

Class A		
Permitted development	A.	Development on any land during a period not exceeding 4 months consisting of— (a) the drilling of boreholes; (b) the carrying out of seismic surveys; or (c) the making of other excavations; for the purpose of mineral exploration, and the provision or assembly on that land or adjoining land of any structure required in connection with any of those operations.
Development not permitted	A.1	Development is not permitted by Class A if— (a) the developer has not previously notified the council in writing giving details of the location of the proposed development, target minerals, details of plant and operations and anticipated timescale; (b) any operation is within an area of special

(a) 2000 c.38
(b) S.I. 1994/426 (N.I.1)

		scientific interest or site of archaeological interest;
		(c) any explosive charge of more than 1 kilogram is used;
		(d) any structure assembled or provided would exceed 3 metres in height where such structure would be within 3 kilometres of an airport.
Conditions	A.2	Development is permitted by Class A subject to the following conditions—
		(a) the development shall be carried out in accordance with the details contained in the developer’s written notification to the council referred to in paragraph A.1(a), unless the council otherwise agrees in writing;
		(b) no trees on the land shall be removed, felled, lopped or topped and no other thing shall be done on the land likely to harm or damage any trees, unless the council so agrees in writing;
		(c) before any excavation (other than a borehole) is made, any topsoil and any subsoil shall be separately removed from the land to be excavated and stored separately from other excavated material and from each other;
		(d) within a period of 28 days from the cessation of operations unless the council, in a particular case, agrees otherwise in writing—
		(i) any borehole shall be adequately sealed;
		(ii) any excavation shall be filled from material from the site;
		(iii) any structure permitted by Class A and any waste material arising from development permitted by Class A shall be removed from the land;
		(iv) the surface of the land on which any operations have been carried out shall be levelled and any topsoil replaced as the uppermost layer; and
		(v) the land shall, so far as is practicable, be restored to its condition before the development took place.
Interpretation of Part 16	A.3	For the purposes of Part 16—
		“mineral exploration” means ascertaining the presence, extent or quality of any deposit of a mineral with a view to exploiting that mineral;
		“structure” means a building, plant or machinery or other structure.

PART 17

DEVELOPMENT ANCILLARY TO MINING OPERATIONS

Class A

- Permitted development A.** **The carrying out of operations for the erection, extension, installation, rearrangement, replacement, repair or other alteration of any—**
- (a) **plant or machinery;**
 - (b) **buildings;**
 - (c) **private ways or private railways or sidings; or**
 - (d) **sewers, mains, pipes, cables or other similar apparatus;**
- on land used as a mine.**
- Development not permitted A.1 Development is not permitted by Class A if—
- (a) the principal purpose of the development would be any purpose other than—
 - (i) purposes in connection with the winning and working of minerals at that mine or of minerals brought to the surface at that mine; or
 - (ii) the treatment, storage or removal from the mine of such minerals or waste materials derived from them;
 - (b) the external appearance of the mine would be materially affected;
 - (c) the height of any building, plant or machinery which is not in an excavation would exceed—
 - (i) 15 metres above ground level; or
 - (ii) the height of the building, plant or machinery being rearranged, replaced, repaired or otherwise altered;whichever is the greater;
 - (d) the height of any building, plant or machinery which is in an excavation would exceed—
 - (i) 15 metres above the excavated ground level; or
 - (ii) 15 metres above the lowest point of the unexcavated ground immediately adjacent to the excavation; or
 - (iii) the height of the building, plant or machinery being rearranged, replaced, repaired or otherwise altered;whichever is the greater;
 - (e) the floor space of any building erected (other than a replacement building) would exceed 1000 square metres;
 - (f) in the case of extension, rearrangement, replacement, repair or other alteration the

		<p>floor space of the original building would be exceeded by more than—</p> <p>(i) 25%; or</p> <p>(ii) 1000 square metres;</p> <p>whichever is the greater;</p> <p>(g) in the case of Class A(a) development any part of the development would be within 250 metres of a sensitive receptor;</p> <p>(h) the development is within an area of special scientific interest, a site of archaeological interest or a conservation area.</p>
Conditions	A.2	<p>Development is permitted by Class A subject to the condition that before the end of the period of 24 months from the date when mining operations ceased, or any longer period which the council agrees in writing—</p> <p>(a) all buildings, plant and machinery permitted by Class A shall be removed from the land unless the council has otherwise agreed in writing; and</p> <p>(b) the land shall be restored, so far as practicable, to its condition before the development took place, or restored to such a condition as may have been agreed in writing between the council and the developer.</p>
Interpretation of Class A	A.3	<p>For the purposes of Class A “sensitive receptor” means a building, or part of a building, used for any purposes within Classes C1, C2, C3 or D1 of the Schedule to the Use Classes Order.</p>
Class B		
Permitted development	B.	Development required for the maintenance or safety of a mine or a disused mine or for the purposes of ensuring the safety of the surface of the land at or adjacent to a mine or disused mine.
Development not permitted	B.1	<p>Development is not permitted by Class B if—</p> <p>(a) the external appearance of the mine or disused mine at or adjacent to which the development is to be carried out would be materially affected;</p> <p>(b) the height of any building, plant, machinery, structure or erection would exceed—</p> <p>(i) 15 metres above ground level; or</p> <p>(ii) the height of the building, plant, machinery, structure or erection being rearranged, replaced, repaired or otherwise altered;</p> <p>whichever is the greater;</p> <p>(c) in the case of extension, rearrangement, replacement, repair or other alteration the floor space of the original building would be exceeded by more than—</p> <p>(i) 25%; or</p>

- (ii) 1000 square metres;
whichever is the lesser;
- (d) the development is within an area of special scientific interest, a site of archaeological interest or a conservation area.

PART 18

DEVELOPMENT BY ELECTRONIC COMMUNICATIONS CODE OPERATORS

Class A

- | | | |
|------------------------------|-----------|--|
| Permitted development | A. | <p>Development by or on behalf of an electronic communications code operator for the purpose of the operator’s electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—</p> <ul style="list-style-type: none"> (a) the installation, alteration or replacement of electronic communications apparatus consisting of a mast or an antenna and any associated hard standing or supporting structure; (b) the installation, alteration or replacement of any other electronic communications apparatus; (c) the use of land in an emergency for a period not exceeding six months to station and operate moveable electronic communications apparatus, required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use; or (d) development ancillary to equipment housing. |
| Development not permitted | A.1 | <p>Development is not permitted by Class A if—</p> <ul style="list-style-type: none"> (a) it is to be carried out in a conservation area, an area of outstanding natural beauty, an area of special scientific interest, a World Heritage Site, a National Park or on a listed building— <ul style="list-style-type: none"> (i) unless it involves the installation, alteration or replacement of any underground apparatus; (ii) unless it involves the installation of new overhead lines supported by existing poles; (iii) unless it involves the alteration or replacement of an existing mast or the installation, alteration or replacement of apparatus on an existing mast; or (iv) unless it is an emergency; (b) the land is within a site of archaeological |

interest unless it involves the installation of new overhead lines supported by existing poles;

- (c) it involves the installation of a mast which is not a replacement of an existing mast;
- (d) in the case of Class A(a) development it involves the installation, alteration or replacement of an antenna on a building;
- (e) the installation, alteration or replacement of an antenna on a mast would exceed 10% of the existing mast's original permitted height;
- (f) any replacement, alteration or extension of an existing mast would exceed 10% of the existing mast's original permitted height;
- (g) in the case of the installation, alteration or replacement of equipment housing—
 - (i) the development is not ancillary to the use of any other electronic communications apparatus; or
 - (ii) the development would exceed 90 cubic metres or, if located on a roof of a building, the development would exceed 30 cubic metres; or
- (h) in the case of the installation, alteration or replacement of any apparatus other than—
 - (i) a mast;
 - (ii) an antenna;
 - (iii) a public call box;
 - (iv) any apparatus which does not project above the surface of the ground; or
 - (v) equipment housing;the ground or base area of the structure would exceed the ground or base area of the existing structure or 1.5 square metres, whichever is the greater.

A.2

(1) Subject to paragraph (2), development is not permitted by Class A(a) if it will result in the installation of more than one item of apparatus (“the original apparatus”) on a site in addition to any item of apparatus already on that site on the relevant day.

(2) In addition to the original apparatus which may be installed on a site by virtue of Class A(a) for every four items of apparatus which existed on that site on the relevant day, one additional item of small apparatus may be installed.

(3) In paragraph (2), “small apparatus” means—

- (a) a dish antenna not exceeding 5 metres in diameter and 7 metres in height;
- (b) an antenna, other than a dish antenna, not exceeding 7 metres in height;
- (c) a hard standing or other base for any

- apparatus described in sub-paragraphs (a) and (b), not exceeding 7 metres in diameter.
- Conditions
- A.3 (1) Class A(a), A(b) and A(d) development is permitted subject to the condition that any apparatus constructed, installed, altered or replaced on a building in accordance with that permission shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building.
- (2) Class A(a) development consisting of the replacement of an existing mast is permitted subject to the condition that the mast shall be installed as close as reasonably practicable to the mast which it is replacing.
- (3) Class A(a) and A(b) development consisting of the installation of any additional apparatus in a conservation area, an area of outstanding natural beauty, a World Heritage Site, a National Park or within the curtilage of a listed building is permitted subject to the condition that the apparatus shall be installed as close as reasonably practicable to any existing apparatus.
- (4) Class A development is permitted subject to the condition that any apparatus or structure provided in accordance with that permission shall be removed from the land, building or structure on which it is situated as soon as reasonably practicable after it is no longer required for electronic communication purposes.
- (5) Class A(c) development is permitted subject to the condition that any apparatus or structure provided in accordance with that permission shall be removed from the land at the expiry of the relevant period and the land restored to its condition before the development took place.
- A.4 (1) In the case of Class A(a) and A.2 development the developer shall, before commencing development consisting of the installation, alteration or replacement of a mast or antenna, give notice of the proposed development to any other person (other than the developer) who is an owner or occupier of the land to which the development relates—
- (a) by serving the appropriate notice to every such person whose name and address is known to the developer; or
- (b) where the developer has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so, by local advertisement.
- A.5 (1) Class A(a), A(c) and A.2 development consisting of the installation, alteration or replacement of one or more antennas is permitted subject to the condition that the developer shall—
- (a) except in a case of emergency give appropriate notice in writing to the council no

fewer than 28 days before development is begun of the developer's intention to carry out such development; or

- (b) in a case of emergency give appropriate notice of such development as soon as possible after the emergency begins.

(2) The notice referred to in sub-paragraphs 1(a) and (b) shall be accompanied by a declaration that the proposed equipment and installation is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-ionising Radiation Protection, as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (1999/519/EC) (0Hz to 300 GHz).

Interpretation of Part 18

A.6

For the purposes of Part 18—

“appropriate notice” means a notice signed and dated by or on behalf of the developer and containing—

- (i) the name of the developer;
- (ii) the address or location of the proposed development; and
- (iii) a description of the proposed development (including its siting and appearance and the height of any mast);

“development ancillary to equipment housing” means the construction, installation, alteration or replacement of structures, equipment or means of access which are ancillary to and reasonably required for the purposes of equipment housing;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“electronic communications code” has the meaning assigned to it by section 106(1) of the Communications Act 2003(a);

“local advertisement” means by publication of the notice in a newspaper circulating in the locality in which the land to which the proposed development is situated;

“mast” means a structure erected by or on behalf of the developer for the support or housing of one or more antennas including a radio mast, radio tower, pole or other structure;

“relevant day” means—

- (i) 30th April 2013; or
- (ii) where existing apparatus is installed pursuant to a planning permission granted on application, the date when

(a) 2003 c.21

that apparatus is installed pursuant to that permission;

whichever is later;

“relevant period” means a period which expires—

- (i) 6 months from the commencement of the construction, installation, alteration or replacement of any apparatus permitted by Class A(a), A(b) or Class A(d) or from the commencement of the use permitted by Class A(c), as the case may be; or
- (ii) when the need for such apparatus, structure or use ceases, whichever occurs first.

PART 19

OTHER TELECOMMUNICATIONS DEVELOPMENT

Class A

Permitted development

A. The installation, alteration or replacement on any building or other structure of a height of 15 metres or more of a microwave antenna and any structure intended for the support of a microwave antenna.

Development not permitted

A.1

Development is not permitted by Class A if—

- (a) the building is a dwellinghouse or the building or other structure is within the curtilage of a dwellinghouse;
- (b) it would consist of development of a kind described in paragraph A of Part 18;
- (c) it would result in the presence on the building or structure of more than four antennas;
- (d) in the case of an antenna installed on a chimney, the length of the antenna would exceed 60 centimetres;
- (e) in all other cases, the length of the antenna would exceed 130 centimetres;
- (f) it would consist of the installation of an antenna with a cubic capacity in excess of 35 litres;
- (g) the highest part of the antenna or its supporting structure would be more than 3 metres higher than the highest part of the building or structure on which it is installed or is to be installed;
- (h) in the case of a building or structure situated within a designated area it would consist of the installation of an antenna on a chimney, wall or roof slope which faces onto and is visible from a road.

Conditions

A.2

Development is permitted by Class A subject to the following conditions—

- (a) an antenna shall, so far as is practicable, be

sited so as to minimise its effect on the external appearance of the building or structure on which it is to be installed;

- (b) an antenna no longer needed for reception or transmission purposes shall be removed from the building or structure as soon as is reasonably practicable;
- (c) the length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

Class B

Permitted development

B. The installation, alteration or replacement on any building or other structure of a height of less than 15 metres of a microwave antenna.

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) the building is a dwellinghouse or the building or other structure is within the curtilage of a dwellinghouse;
- (b) it would consist of development of a kind described in paragraph A of Part 18;
- (c) it would result in the presence on the building or structure of—
 - (i) more than two antennas;
 - (ii) a single antenna exceeding 100 centimetres in length;
 - (iii) two antennas which do not meet the relevant size criteria;
 - (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;
 - (v) an antenna installed on a chimney, where the antenna would protrude over the chimney;
 - (vi) an antenna with a cubic capacity in excess of 35 litres;
- (d) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;
- (e) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney stack, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower;
- (f) in the case of a building or structure situated in a designated area, it would consist of the installation of an antenna on a chimney, wall or roof slope which faces onto and is visible from a road.

Conditions

B.2 Development is permitted by Class B subject to the

following conditions—

- (a) an antenna shall, so far as practicable, be sited so as to minimise its effect on the external appearance of the building or structure on which it is to be installed;
 - (b) an antenna no longer needed for reception or transmission purposes shall be removed from the building or structure as soon as reasonably practicable.
- B.3 The relevant size criteria for the purposes of paragraph B.1(c)(iii) are that—
- (a) only one of the antennas may exceed 60 centimetres in length; and
 - (b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.
- B.4 The length of an antenna is to be measured in any linear direction and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

PART 20

DEVELOPMENT AT AMUSEMENT PARKS

Class A

- Permitted development A. Development on land used as an amusement park consisting of—**
- (a) **the erection of booths or stalls or the installation of plant or machinery to be used for or in connection with the entertainment of the public within the amusement park; or**
 - (b) **the extension, alteration or replacement of any existing booths or stalls, plant or machinery so used.**
- Development not permitted
- A.1 Development is not permitted by Class A if—
- (a) in the case of any plant or machinery installed, extended, altered or replaced pursuant to this permission, that plant or machinery exceeds a height of 15 metres or the height of the highest existing structure (whichever is the lesser);
 - (b) the land is within 3 kilometres of the perimeter of an airport;
 - (c) in the case of an extension to an existing building or structure, that building or structure as a result of the extension exceeds 5 metres above ground level or the height of the roof of the existing building or structure, whichever is the greater; or
 - (d) in any other case, the height of the building or structure erected, extended, altered or replaced would exceed 5 metres above ground level.

Interpretation of Part 20	A.2	For the purposes of Part 20— “amusement park” means an enclosed area of open land, or any part of a seaside pier, which is principally used (other than by way of a temporary use) as a funfair or otherwise for the purpose of providing public entertainment by means of mechanical amusements and side-shows; but, where part only of an enclosed area is commonly so used as a funfair or for such public entertainment, only the part so used shall be regarded as an amusement park; “booths or stalls” includes buildings or structures similar to booths or stalls.
---------------------------	-----	---

PART 21

DEVELOPMENT REQUIRED UNDER THE ROADS (NORTHERN IRELAND) ORDER 1993

Class A	
Permitted development	A. Development required by a notice served under the following provisions of the Roads (Northern Ireland) Order 1993(a)— <ul style="list-style-type: none"> (a) Article 49 and Schedule 4; and (b) Article 86(1).

PART 22

CLOSED CIRCUIT TELEVISION CAMERAS

Class A	
Permitted development	A. The installation, alteration or replacement on a building of a closed circuit television camera to be used for security purposes.
Development not permitted	A.1 Development is not permitted by Class A if— <ul style="list-style-type: none"> (a) the building on which the camera would be installed, altered or replaced is a listed building, in a conservation area, or on a site of archaeological interest; (b) the dimensions of the camera, including its housing exceed 75 centimetres by 25 centimetres by 25 centimetres; (c) any part of the camera would, when installed, altered or replaced, be less than 250 centimetres above ground level; (d) any part of the camera would, when installed, altered or replaced, protrude from the surface of the building by more than 1 metre when measured from the surface of the building; (e) any part of the camera would, when installed, altered or replaced, be in contact with the

(a) S.I. 1993/3160 (N.I.15)

		<p>surface of the building at a point which is more than 1 metre from any other point of contact;</p> <p>(f) any part of the camera would be less than 10 metres from any part of another camera installed on a building;</p> <p>(g) the development would result in the presence of more than four cameras on the same side of the building; or</p> <p>(h) the development would result in the presence of more than 16 cameras on the building.</p>
Conditions	A.2	<p>Development is permitted by Class A subject to the following conditions—</p> <p>(a) the camera shall, so far as practicable, be sited so as to minimise its effect on the external appearance of the building on which it is situated;</p> <p>(b) the camera shall be removed as soon as reasonably practicable after it is no longer required for security purposes.</p>
Interpretation of Part 22	A.3	<p>For the purposes of Part 22—</p> <p>“camera” except in paragraph A.1(b), includes its housing, pan and tilt mechanism, infra red illuminator, receiver, mountings and brackets; and</p> <p>“ground level” means the level of the surface of the ground immediately adjacent to the building or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it.</p>

PART 23

DEVELOPMENT BY THE DEPARTMENT FOR REGIONAL DEVELOPMENT – ROADS UNDERTAKINGS

Class A		
Permitted development	A.	<p>The carrying out by or on behalf of the Department for Regional Development—</p> <p>(a) on land within the boundaries of a road, of any works required for the maintenance or improvement of the road; or</p> <p>(b) on land outside but adjoining the boundary of an existing road, of works required for or incidental to the maintenance or improvement of the road.</p>

Interpretation of Class A	A.1	For the purposes of Class A— “improvement” means the improvement and safety of roads under Part IV of the Roads (Northern Ireland) Order 1993(a); “maintenance” means the maintenance of roads under Articles 8 to 12 of that Order.
Class B Permitted development	B.	The carrying out by or on behalf of the Department for Regional Development of works in exercise of its functions under Articles 4(1), 5(1), 6, 14(1), 15(1), 18(1) and 68(1) of the Roads (Northern Ireland) Order 1993, or works in connection with, or incidental to, the exercise of those functions.
Class C Permitted development	C.	The installation, alteration or replacement (other than on a building) by or on behalf of the Department for Regional Development of a closed circuit television camera, including its supporting structure, for the purposes of traffic management or road safety.
Development not permitted	C.1	Development is not permitted by Class C if— (a) it is to be carried out in a conservation area or on a site of archaeological interest unless it involves the installation, alteration or replacement of a camera on an existing structure; (b) the dimensions of the camera including its housing exceed 75 centimetres by 25 centimetres by 25 centimetres; (c) any part of the camera would, when installed, altered or replaced, be less than 250 centimetres above ground level; or (d) the development would result in the presence of more than four cameras on the structure.
Interpretation of Class C	C.2	For the purposes of Class C— “camera” except in paragraph C.1(b), includes its housing, pan and tilt mechanism, infra red illuminator, receiver, mountings and brackets; “ground level” means the level of the surface of the ground immediately adjacent to the supporting structure or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it. “structure” and “supporting structure” means any pole, mast or tower including a street lighting column.

(a) S.I. 1993/3160 (N.I.15) as amended by S.I. 1997/276 (N.I.2) and 2003 c.21

PART 24

DEVELOPMENT BY THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Class A

- | | | |
|------------------------------|-----------|---|
| Permitted development | A. | Development by or on behalf of the Department of Agriculture and Rural Development consisting of drainage works. |
| Development not permitted | A.1 | Development is not permitted by Class A if it would consist of or include— <ul style="list-style-type: none">(a) the erection, construction, extension or alteration of a building and that building so constructed or altered would exceed 5 metres in height or 50 cubic metres in capacity; or(b) the installation, erection, improvement or other alteration of any plant or machinery and that plant or machinery so installed or altered would exceed 15 metres in height or the height of anything it replaces, whichever is the greater. |
| Interpretation of Class A | A.2 | For the purposes of Class A—
“drainage works” has the meaning assigned to it by Schedule 2 of the Drainage (Northern Ireland) Order 1973(a). |

Class B

- | | | |
|------------------------------|-----------|---|
| Permitted development | B. | Development requiring the preparation of an environmental statement for the purposes of the Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2006(b). |
|------------------------------|-----------|---|

PART 25

DEVELOPMENT BY THE DEPARTMENT OF CULTURE, ARTS AND LEISURE

Class A

- | | | |
|------------------------------|-----------|--|
| Permitted development | A. | Development by or on behalf of the Department of Culture, Arts and Leisure consisting of— <ul style="list-style-type: none">(a) development in, on or under any waterway or canal works and required in connection with the improvement, maintenance or repair of that waterway or those works;(b) the provision of a building, plant, machinery or apparatus in, on, under or over land for the purpose of survey or investigation;(c) the use of any land in respect of waterways or canal works for the spreading of any dredged material; or(d) any other development in, on, over or under operational land, other than the |
|------------------------------|-----------|--|

(a) S.I. 1973/69 (N.I.1)

(b) S.R. 2006 No.34

Development not permitted	A.1	<p>provision of a building but including the extension or alteration of a building.</p> <p>Development is not permitted by Class A if—</p> <p>(a) in the case of Class A(d) development, it would consist of or include the extension or alteration of a building so that—</p> <p>(i) its design or external appearance would be materially affected;</p> <p>(ii) the height of the original building would be exceeded, or the cubic content of the original building would be exceeded by more than 25%; or</p> <p>(iii) the floor space of the original building would be exceeded by more than 1000 square metres; or</p> <p>(b) in the case of any Class A(d) development, it would consist of the installation or erection of any plant or machinery exceeding 15 metres in height or the height of anything it replaces, whichever is the greater.</p>
Condition	A.2	<p>Development is permitted by Class A(b) subject to the condition that, on completion of the survey or investigation, or at the expiration of six months from the commencement of the development concerned, whichever is the sooner, all such operations shall cease and all such buildings, plant, machinery and apparatus shall be removed and the land restored as soon as reasonably practicable to its former condition or to any other condition which may be agreed between the council and the developer.</p>
Interpretation of Class A	A.3	<p>For the purposes of Class A—</p> <p>“canal works” has the meaning assigned to it by Schedule 4 (description of canal works, etc.) of the Water (Northern Ireland) Order 1999(a);</p> <p>“waterway” has the meaning assigned to it by Article 2 (interpretation) of that Order(b).</p>
Class B Permitted development	B.	<p>Development requiring the preparation of an environmental statement for the purposes of the Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2006.</p>
Class C Permitted development	C.	<p>Development by or on behalf of the Department of Culture, Arts and Leisure consisting of development in, on or under any inland waters for the purposes of its functions under the Fisheries (Northern Ireland) Act 1966(c) and required in connection with—</p> <p>(a) the improvement, maintenance or repair of that inland water; or</p>

(a) S.I. 1999/662 (N.I.6)

(b) the definition of “waterway” was amended by S.I. 2006/3336 (N.I.21) Art. 291(5)

(c) 1966 c.17 (N.I.) as amended by S.I. 1991/1466 (N.I.13)

		(b) the development and improvement of facilities for angling.
Development not permitted	C.1	Development is not permitted by Class C(a) if it consists of— (a) the erection or construction of a pier, jetty or quay; or (b) the erection or construction of a building.
Interpretation of Class C	C.2	For the purposes of Class C— “inland waters” has the meaning assigned to it by section 206 (interpretation) of the Fisheries (Northern Ireland) Act 1966.

PART 26

DEVELOPMENT BY THE DEPARTMENT

Class A

Permitted development	A.	Development by or on behalf of the Department consisting of— (a) the maintenance, repair or restoration of any historic monument; (b) the erection of screens, fences or covers designed or intended to protect or safeguard any historic monument; or (c) the carrying out of works to stabilise ground conditions by any cliff, watercourse or the coastline, where such works are required for the purposes of securing the preservation of any historic monument.
Development not permitted	A.1	Development is not permitted by Class A(a) if the works involve an extension of the historic monument.
Condition	A.2	Except for development also falling within Class A(a), Class A(b) development is permitted subject to the condition that any structure erected in accordance with that permission shall be removed at the expiry of a period of six months (or such longer period as may be agreed in writing between the council and the Department) from the date on which work to erect the structure was begun.
Interpretation of Class A	A.3	For the purposes of Class A— “historic monument” has the meaning assigned to it by Article 2(2) of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995(a); “monument” has the meaning assigned to it by Article 2(6) of that Order.
Class B		
Permitted development	B.	The installation, alteration or replacement (other than on a building) by or on behalf of the Department of a closed circuit television camera,

(a) S.I. 1995/1625 (N.I.9)

Development not permitted	B.1	<p>including its supporting structure, for security purposes.</p> <p>Development is not permitted by Class B if—</p> <ul style="list-style-type: none"> (a) it is to be carried out in a conservation area or a site of archaeological interest unless it involves the installation, alteration or replacement of a camera on an existing structure; (b) the dimensions of the camera including its housing exceed 75 centimetres by 25 centimetres by 25 centimetres; (c) any part of the camera would, when installed, altered or replaced, be less than 250 centimetres above ground level; (d) any part of the camera would, when installed, altered or replaced, exceed the height of any existing camera or a height of 15 metres above ground level, whichever is the greater; or (e) the development would result in the presence of more than four cameras on the structure.
Interpretation of Class B	B.2	<p>For the purposes of Class B—</p> <p>“camera”, except in paragraph B.1(b), includes its housing, pan and tilt mechanism, infra red illuminator, receiver, mountings and brackets;</p> <p>“ground level” means the level of the surface of the ground immediately adjacent to the supporting structure or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it.</p> <p>“structure” and “supporting structure” means any pole, mast, tower or lamp standard.</p>

PART 27

DEVELOPMENT FOR THE PURPOSES OF SECURITY AT PRISONS, JUVENILE JUSTICE CENTRES OR YOUNG OFFENDERS CENTRES

Class A

Permitted development A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure for the purposes of security at any prison, juvenile justice centre or young offenders centre.

Development not permitted A.1 Development is not permitted by Class A if the height of any gate, fence, wall or other means of enclosure erected or constructed would exceed 5.2 metres above ground level.

Class B

Permitted development B. The installation, alteration or replacement of a closed circuit television camera and associated lighting on a building or any other structure for the purposes of security at any prison, juvenile justice centre or young offenders centre.

Development not permitted	B.1	Development is not permitted by Class B if— <ul style="list-style-type: none"> (a) the dimensions of the camera including its housing exceed 75 centimetres by 25 centimetres by 25 centimetres; or (b) the uniform level of lighting provided exceeds 10 lux measured at ground level.
Conditions	B.2	Development is permitted by Class B subject to the following conditions— <ul style="list-style-type: none"> (a) the camera shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of any building to which it is fixed; (b) the camera shall be removed as soon as reasonably practicable after it is no longer required for the purposes of security.
Interpretation of Part 27	C.	For the purposes of Part 27— <p>“camera”, except in paragraph B.1(a), includes its housing, pan and tilt mechanism, infra red illuminator, receiver, mountings and brackets;</p> <p>“ground level” means the level of the surface of the ground immediately adjacent to the building or structure to which the camera is attached or, where the level of the surface of the ground is not uniform, the level of the lowest part of the surface of the ground adjacent to it.</p> <p>“juvenile justice centre” has the meaning assigned to it by Article 51 of the Criminal Justice (Children) (Northern Ireland) Order 1998(a);</p> <p>“prison” has the meaning assigned to it by section 47 of the Prison Act (Northern Ireland) 1953(b);</p> <p>“structure” means any pole, mast, tower or lamp standard;</p> <p>“young offenders centre” has the meaning assigned to it by section 2(a) of the Treatment of Offenders Act (Northern Ireland) 1968(c).</p>

PART 28

DEVELOPMENT BY THE CROWN

Class A

Permitted development

- A. The erection or construction and the maintenance, improvement or other alteration by or on behalf of the Crown of—**
- (a) any small ancillary building, works or equipment on Crown land and required for operational purposes; or**
 - (b) lamp standards, information kiosks, public**

(a) S.I. 1998/1504 (N.I.9)

(b) 1953 c.18 (N.I.) as amended by S.I. 1989/1344 (N.I.15) and S.I. 1998/1504 (N.I.9)

(c) 1968 c.29 (N.I.) as amended by S.I. 1989/1344 (N.I.15)

		shelters and seats, telephone boxes, fire alarms, electric car charging points, drinking fountains, refuse bins or baskets, barriers for the control of people and vehicles, and similar structures or works required in connection with the operational purposes of the Crown.
Interpretation of Class A	A.1	The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.
Class B		
Permitted development	B.	The extension or alteration by or on behalf of the Crown of an operational Crown building.
Development not permitted	B.1	Development is not permitted by Class B if— <ul style="list-style-type: none"> (a) the building as extended or altered is to be used for purposes other than those of— <ul style="list-style-type: none"> (i) the Crown; or (ii) the provision of employee facilities; (b) the height of the building as extended or altered would exceed the height of the original building; (c) the cubic content of the original building would be exceeded by more than— <ul style="list-style-type: none"> (i) 10% in respect of development in a conservation area, an area of outstanding natural beauty or a National Park; or (ii) 25% in any other case; (d) the floor space of the original building would be exceeded by more than— <ul style="list-style-type: none"> (i) 500 square metres in respect of development in a conservation area, an area of outstanding natural beauty or a National Park; or (ii) 1000 square metres in any other case; (e) the external appearance of the original building would be materially affected; (f) any part of the development would be carried out within 5 metres of any boundary of the curtilage of the original building; (g) any part of the development would be carried out within any boundary of the curtilage of the original building which adjoins the curtilage of any dwellinghouse or flat; or (h) the development would lead to a reduction in the space available for the parking or turning of vehicles.
Interpretation of Class B	B.2	For the purposes of Class B— <ul style="list-style-type: none"> (a) the erection of any additional building within the curtilage of another building (whether by virtue of Class B or otherwise) and used in connection with it is to be treated as the

extension of that building, and the additional building is not to be treated as an original building;

(b) where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement;

(c) “employee facilities” means social, care or recreational facilities provided for employees of the Crown, including crèche facilities provided for the children of such employees.

Class C

Permitted development

C. Development carried out on operational Crown land for operational purposes consisting of—

(a) **the installation of additional or replacement plant or machinery;**

(b) **the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus; or**

(c) **the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.**

Development not permitted

C.1 Development described in Class C(a) is not permitted if—

(a) it would materially affect the external appearance of the premises of the undertaking concerned; or

(b) any plant or machinery would exceed a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.

Interpretation of Class C

C.2 In Class C, “Crown land” does not include land in or adjacent to and occupied together with a mine.

Class D

Permitted development

D. The creation by or on behalf of the Crown of a hard surface within the curtilage of an operational Crown building.

PART 29

AVIATION DEVELOPMENT BY THE CROWN

Class A

Permitted development

A. The carrying out on operational Crown land by or on behalf of the Crown of development (including the erection or alteration of an operational building) in connection with the provision of services and facilities at an airbase.

Development not permitted

A.1 Development is not permitted by Class A if it consists of or includes—

(a) the construction or extension of a runway;

(b) the construction of a passenger terminal;

		<ul style="list-style-type: none"> (c) the extension or alteration of a passenger terminal, where the floor space of a building as existing at 10th June 2006 or, if built after that date, of the building as built, is exceeded by more than 15%; (d) the erection of a building other than an operational building; or (e) the alteration or reconstruction of a building other than an operational building, where its design or external appearance is materially affected.
Condition	A.2	<p>Development is permitted by Class A subject to the condition that the relevant airbase operator consults the council before carrying out any development unless the development—</p> <ul style="list-style-type: none"> (a) is urgently required for the efficient running of the airbase; and (b) consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.
Interpretation of Class A	A.3	<p>For the purposes of Class A—</p> <ul style="list-style-type: none"> (a) floor space shall be calculated by external measurement and without taking account of the floor space of any pier or satellite; (b) “operational building” means an operational Crown building, other than a hotel, required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, military or civilian personnel, goods, military equipment, munitions and other items.
Class B		
Permitted development	B.	The carrying out on operational land within the perimeter of an airbase, by or on behalf of the Crown, of development in connection with the provision of air traffic services.
Class C		
Permitted development	C.	The carrying out on operational land outside but within 8 kilometres of the perimeter of an airbase, by or on behalf of the Crown, of development in connection with the provision of air traffic services.
Development not permitted	C.1	<p>Development is not permitted by Class C if—</p> <ul style="list-style-type: none"> (a) any building erected is used for a purpose other than housing equipment used in connection with the provision of air traffic services; (b) any building erected exceeds a height of 4 metres; or (c) it consists of the installation or erection of

any radar or radio mast or antenna or other apparatus which exceeds 15 metres in height, or, where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater.

Class D		
Permitted development	D.	The carrying out on operational land, by or on behalf of the Crown, of development in connection with the provision of air traffic services.
Development not permitted	D.1	Development is not permitted by Class D if— <ul style="list-style-type: none"> (a) any building erected is used for a purpose other than housing equipment used in connection with the provision of air traffic services; (b) any building erected exceeds a height of 4 metres; or (c) it consists of the installation or erection of any radar or radio mast or antenna or other apparatus which exceeds 15 metres in height, or, where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater.
Class E		
Permitted development	E.	The use of land by or on behalf of the Crown in an emergency to station moveable apparatus replacing unserviceable apparatus in connection with the provision of air traffic services.
Condition	E.1	Development is permitted by Class E subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored to its condition before the development took place, or to such other state as may be agreed in writing between the council and the developer.
Class F		
Permitted development	F.	The use of land by or on behalf of the Crown to provide services and facilities in connection with the provision of air traffic services and the erection or placing of moveable structures on land for the purpose of that use.
Condition	F.1	Development is permitted by Class F subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any structure shall be removed, and the land shall be restored to its condition before the development took place, or to such other state as may be agreed in writing between the council and the developer.
Class G		
Permitted development	G.	The use of land by or on behalf of the Crown for the stationing and operation of apparatus in connection with the carrying out of surveys or investigations.

Condition	G.1	Development is permitted by Class G subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored to its condition before the development took place, or to such other state as may be agreed in writing between the council and the developer.
Class H		
Permitted development	H.	The use of buildings by or on behalf of the Crown within the perimeter of an airbase undertaking for purposes connected with air transport services or other flying activities at that airbase.
Interpretation of Part 29	I.	For the purposes of Part 29— “airbase” means the aggregate of the land, buildings and works comprised in a Government aerodrome within the meaning of Article 255 of the Air Navigation Order 2009(a); “air traffic services” has the same meaning as in section 98 of the Transport Act 2000(b).

PART 30

CROWN RAILWAYS, DOCKYARDS ETC. AND LIGHTHOUSES

Class A		
Permitted development	A.	Development by or on behalf of the Crown on operational Crown land, required in connection with the movement of traffic by rail.
Development not permitted	A.1	Development is not permitted by Class A if it consists of or includes— (a) the construction of a railway; (b) the construction or erection of a hotel, railway station or bridge; (c) the construction or erection otherwise than wholly within a railway station of a residential building, an office, or a building used for manufacturing or repair work; or (d) the land is within a site of archaeological interest.
Interpretation of Class A	A.2	For the purposes of Class A references to the construction or erection of any building or structure includes references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected.
Class B		
Permitted development	B.	Development on operational Crown land by or on behalf of the Crown or its lessees, required— (a) for the purposes of shipping; or (b) in connection with the embarking.

(a) S.I. 2009/3015
(b) 2000 c.38

			disembarking, loading, discharge or transport of military personnel, military equipment, munitions, and other items at a dock, pier, pontoon or harbour.
Development not permitted	B.1	Development is not permitted by Class B if—	<ul style="list-style-type: none"> (a) it consists of or includes the construction or erection of a bridge or other building not required in connection with the handling of traffic; or (b) the land is within a site of archaeological interest.
Interpretation of Class B	B.2	For the purposes of Class B references to the construction or erection of any building or structure include references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected.	
Class C Permitted development	C.	The use of any land by or on behalf of the Crown for the spreading of any dredged material resulting from a dock, pier, harbour, water transport, canal or inland navigation undertaking.	
Class D Permitted development	D.	Development by or on behalf of the Crown on operational Crown land, or for operational purposes, consisting of—	
			<ul style="list-style-type: none"> (a) the use of land as a lighthouse, with all the requisite works, roads and appurtenances; (b) the extension of, alteration or removal of a lighthouse; or (c) the erection, placing, alteration or removal of a buoy or beacon.
Development not permitted	D.1	Development is not permitted by Class D if—	<ul style="list-style-type: none"> (a) it consists of or includes the erection of offices, or the reconstruction or alteration of offices where their design or external appearance would be materially affected; or (b) the land is within a site of archaeological interest.
Interpretation of Class D	D.2	For the purposes of Class D—	<p>“buoys and beacons” include all other marks and signs of the sea;</p> <p>“lighthouse” includes any floating and other light exhibited for the guidance of ships, and also any sirens and any other description of fog signal.</p>

PART 31

EMERGENCY DEVELOPMENT BY THE CROWN

Class A Permitted development	A.	Development on Crown land by or on behalf of the Crown for the purposes of—
		(a) preventing an emergency;

- (b) **reducing, controlling or mitigating the effects of an emergency; or**
 - (c) **taking other action in connection with an emergency.**
- Conditions
- A.1 Development is permitted by Class A subject to the following conditions—
- (a) the developer shall, as soon as is practicable after commencing development permitted by Class A, notify the council of that development; and
 - (b) on or before the expiry of six months beginning with the date on which the development began—
 - (i) the use shall cease and any buildings, plant, machinery, structures and erections permitted by Class A shall be removed; and
 - (ii) the land shall be restored so far as is practicable to its condition before the development took place or to such other state as may be agreed in writing between the council and the developer.
- Interpretation of Part 31
- A.2
- (1) For the purposes of Part 31 “emergency” means an event or situation which threatens serious damage to—
- (a) human welfare in a place in the United Kingdom;
 - (b) the environment of a place in the United Kingdom; or
 - (c) the security of the United Kingdom.
- (2) For the purposes of paragraph 1(a) an event or situation threatens damage to human welfare only if it involves, causes or may cause—
- (a) loss of human life;
 - (b) human illness or injury;
 - (c) homelessness;
 - (d) damage to property;
 - (e) disruption of a supply of money, food, water, energy or fuel;
 - (f) disruption of a system of communication;
 - (g) disruption of facilities for transport; or
 - (h) disruption of services relating to health.
- (3) For the purposes of paragraph 1(b) an event or situation threatens damage to the environment only if it involves, causes or may cause—
- (a) contamination of land, water or air with biological, chemical or radio-active matter; or
 - (b) disruption or destruction of plant life or animal life.

period not exceeding six months to station and operate moveable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use; or

(c) development ancillary to radio equipment housing.

Development not permitted

- C.1 Development is not permitted by Class C(a) if—
- (a) it involves the installation of a mast which is not a replacement of an existing mast;
 - (b) it involves the installation of an antenna which is not a replacement antenna, other than as provided for by C.3;
 - (c) in the case of the alteration or replacement of apparatus already installed (other than on a building), the apparatus, excluding any antenna, would, when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
 - (d) in the case of the alteration or replacement of apparatus on a building, the height of the apparatus (taken by itself) would exceed the height of the existing apparatus or—
 - (i) 15 metres, where it is installed or is to be installed, on a building which is 30 metres or more in height; or
 - (ii) 10 metres in any other case;whichever is the greater;
 - (e) in the case of the alteration or replacement of apparatus on a building, the highest part of the apparatus, when altered or replaced would exceed the height of the highest part of the building by more than the height of the existing apparatus or—
 - (i) 10 metres, where it is installed or is to be installed, on a building which is 30 metres or more in height;
 - (ii) 8 metres in the case of a building which is more than 15 metres but less than 30 metres in height; or
 - (iii) 6 metres in any other case;whichever is the greater;
 - (f) in the case of the alteration or replacement of apparatus (other than an antenna) on a mast and the apparatus supported by it would, when the apparatus was altered or replaced, exceed any relevant height limit specified in respect of apparatus in paragraphs C.1(c), (d) or (e), and for the purposes of applying the limit specified in sub-paragraph (d), the words “(taken by itself)” shall be disregarded;

- (g) in the case of the installation, alteration or replacement of any apparatus other than—
 - (i) a mast;
 - (ii) an antenna;
 - (iii) any apparatus which does not project above the surface of the ground; or
 - (iv) equipment housing;

the ground or base area of the structure would exceed the ground or base area of the existing structure or 1.5 metres, whichever is the greater;
- (h) in the case of the alteration or replacement of an antenna on a building (other than a mast) which is less than 15 metres in height; on a mast located on such a building; or, where the antenna is to be located below a height of 15 metres above ground level, on a building (other than a mast) which is 15 metres or more in height—
 - (i) the antenna is to be located on a wall or roof slope facing a road which is within 20 metres of the building on which the antenna is to be located, unless it is essential for operational purposes that the antenna is located in that position; or
 - (ii) in the case of dish antennas, the size of any dish would exceed the size of the existing dish when measured in any dimension or 1.3 metres when measured in any dimension, whichever is the greater;
- (i) in the case of the alteration or replacement of a dish antenna on a building (other than a mast) which is 15 metres or more in height, or on a mast located on such a building, where the antenna is located at a height of 15 metres or above, measured from ground level the size of any dish would exceed the size of the existing dish when measured in any dimension or 1.3 metres when measured in any dimension, whichever is the greater;
- (j) in the case of the installation, alteration or replacement of equipment housing—
 - (i) the development is not ancillary to the use of any other electronic communications apparatus; or
 - (ii) the development would exceed 90 cubic metres or, if located on the roof of a building, the development would exceed 30 cubic metres.

C.2 Development consisting of the installation of apparatus is not permitted by Class C(a) in a conservation area, an area of outstanding natural

beauty or a National Park unless—

- (a) the land on which the apparatus is to be installed is, or forms part of, a site on which there is existing electronic communications apparatus;
- (b) the existing apparatus was installed on the site on or before the relevant day; and
- (c) the site was Crown land on the relevant day.

C.3

(1) Subject to paragraph (2), development is not permitted by Class C(a) if it will result in the installation of more than one item of apparatus (“the original apparatus”) on a site in addition to any item of apparatus already on that site on the relevant day.

(2) In addition to the original apparatus which may be installed on a site by virtue of Class C(a), for every four items of apparatus which existed on that site on the relevant day, one additional item of small apparatus may be installed.

(3) In paragraph (2), “small apparatus” means—

- (a) a dish antenna, other than on a building, not exceeding 5 metres in diameter and 7 metres in height;
- (b) an antenna, other than a dish antenna and other than on a building, not exceeding 7 metres in height;
- (c) a hard standing or other base for any apparatus described in sub-paragraphs (a) and (b), not exceeding 7 metres in diameter;
- (d) a dish antenna on a building, not exceeding 1.3 metres in diameter and 3 metres in height;
- (e) an antenna, other than a dish antenna, on a building, not exceeding 3 metres in height;
- (f) equipment housing not exceeding 3 metres in height and of which the area, when measured at ground level, does not exceed 9 square metres.

Conditions

C.4

(1) Class C(a) and Class C(c) development is permitted subject to the condition that any antenna or supporting apparatus, equipment housing or development ancillary to equipment housing constructed, installed, altered or replaced on a building in accordance with that permission shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building.

(2) Class C(a) development consisting of the installation of any additional apparatus in a conservation area, an area of outstanding natural beauty or a National Park is permitted subject to the condition that the apparatus shall be installed as close as reasonably practicable to any existing apparatus.

(3) Class C(b) development is permitted subject to the condition that any apparatus or structure provided

in accordance with that permission shall be removed from the land at the expiry of the relevant period and the land restored to its condition before the development took place.

(4) Class C development—

- (a) in a conservation area, an area of outstanding natural beauty, a National Park, or Area of Special Scientific Interest; or
- (b) on any other land and consisting of the alteration or replacement of a mast; or the installation, alteration or replacement of an antenna on a building or structure (other than a mast) where the antenna (including any supporting structure) would exceed the height of the building or structure at the point where it is installed or to be installed by 4 metres or more; or of equipment housing with a volume in excess of 2.5 cubic metres; or of development ancillary to equipment housing,

is permitted subject, except in an emergency, to the conditions set out in C.5.

C.5

(1) The developer shall, before commencing development, give notice of the proposed development to any person (other than the developer) who is an owner or occupier of the land to which the development relates—

- (a) by serving the appropriate notice to every such person whose name and address is known to the developer;
- (b) where the developer has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so, by local advertisement.

C.6

(1) Class C(b) or Class C.3 development consisting of the installation of one or more antennas is permitted subject to the condition that the developer shall—

- (a) except in a case of emergency give appropriate notice in writing to the council no fewer than 28 days before development is begun of the developer's intention to carry out such development; or
- (b) in a case of emergency give appropriate notice of such development as soon as possible after the emergency begins.

(2) The notice referred to in sub-paragraphs 1(a) and (b) shall be accompanied by a declaration that the proposed equipment and installation is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-ionising Radiation Protection, as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (1999/519/EC) (0Hz TO 300GHz).

“appropriate notice” means a notice signed and dated by or on behalf of the developer and containing—

- (a) the name of the developer;
- (b) the address or location of the proposed development; and
- (c) a description of the proposed development (including its siting and appearance and the height of any mast);

“development ancillary to equipment housing” means the construction, installation, alteration or replacement of structures, equipment or other means of access which are ancillary to and reasonably required for the purposes of the equipment housing;

“electronic communications apparatus” has the same meaning as in the electronic communications code;

“electronic communications code” has the meaning assigned to it by section 106(1) of the Communications Act 2003(a)

“local advertisement” means by publication of the notice in a newspaper circulating in the locality in which the land to which the proposed development is situated;

“mast” means a structure erected by or on behalf of the developer for the support or housing of one or more antennas including a radio mast, radio tower, pole or other structure;

“relevant day” means—

- (a) 10th June 2006; or
- (b) where existing apparatus is installed pursuant to planning permission granted on or after 10th June 2006, the date when that apparatus is finally installed pursuant to that permission;

whichever is later;

“relevant period” means a period which expires—

- (a) 6 months from the commencement of the construction, installation, alteration or replacement of any apparatus permitted by Class C(a) or Class C(c) or from the commencement of the use permitted by Class C(b), as the case may be; or
- (b) when the need for such apparatus, structure or use ceases;

whichever occurs first.

(a) 2003 c.21

PART 33

DEMOLITION OF BUILDINGS

Class A

Permitted development

A. Any building operation consisting of the demolition of a building.

Development not permitted

- A.1 Development is not permitted by Class A if the building is in an area of townscape character or an area of village character except any such building—
- (a) the demolition of which is required or permitted to be carried out under any statutory provision;
 - (b) the demolition of which is required to be carried out by virtue of an obligation arising under an agreement made under section 76 of the 2011 Act; or
 - (c) included in a vesting order under Article 48 or 87 of the Housing (Northern Ireland) Order 1981^(a).

Interpretation of Part 33

- A.2 For the purposes of Part 33—
- “area of townscape character” means—
- (a) 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; or
 - (b) any other area described as such in a direction under section 23(3)(f) and (g) of that Act;
- “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) 2015^(b).

PART 34

SHOPS, FINANCIAL AND PROFESSIONAL SERVICES ESTABLISHMENTS

Class A

Permitted development

A. The extension or alteration of a shop or financial or professional services establishment.

Development not permitted

- A.1 Development is not permitted by Class A if—
- (a) the floor space of the original building would be exceeded by more than—
 - (i) 25%; or

(a) S.I. 1981/156 (N.I.3)

(b) S.R. 2015 No.62

			(ii) 50 square metres; whichever is the lesser;
			(b) the height of the building as extended would exceed 5 metres;
			(c) any part of the development, other than an alteration, would be within 2 metres of any boundary of the curtilage of the premises;
			(d) the development would consist of or include the construction or provision of a veranda, balcony or raised platform;
			(e) the development would lead to a reduction in the space available for the parking or turning of vehicles;
			(f) the development would be within the curtilage of a listed building unless listed building consent has previously been granted;
			(g) any extension or alteration would be in a conservation area, a World Heritage Site, an area of special scientific interest or a site of archaeological interest;
			(h) any part of the development would extend beyond an existing shop front; or
			(i) the development would involve the insertion or creation of a new shop front or the alteration or replacement of an existing shop front.
Conditions	A.2	Development is permitted by Class A subject to the following conditions—	
		(a) any alteration shall be at ground floor level only;	
		(b) any extension shall be constructed using materials which have a similar external appearance to those used for the building being extended; and	
		(c) any extension or alteration shall only be used as part of, or for a purpose incidental to the use of the shop or financial or professional services establishment.	
Interpretation of Class A	A.3	For the purposes of Class A—	
		(a) where two or more original buildings are within the same curtilage and are used for the same undertaking they are to be treated as a single original building in making any measurement;	
		(b) “raised platform” means a platform with a height greater than 0.3 metres above ground level;	
		(c) “shop or financial or professional services establishment” means a building, or part of a building, used for any purposes within Classes A1 or A2 of the Schedule to the Use Classes Order and includes buildings with	

other uses in other parts as long as the other uses are not within the parts being altered or extended.

<p>Class B Permitted development Development not permitted</p>	<p>B.</p> <p>The erection or construction of a trolley store within the curtilage of a shop.</p>	<p>B.1 Development is not permitted by Class B if—</p> <ul style="list-style-type: none"> (a) the floor space of the building or enclosure erected would exceed 20 square metres; (b) any part of the development would be within 20 metres of any curtilage of any dwellinghouse or flat; (c) the height of the building or enclosure would exceed 2.5 metres; (d) the development would be within the curtilage of a listed building unless listed building consent has previously been granted; (e) the development would be in a conservation area, a World Heritage Site, an area of special scientific interest or a site of archaeological interest; or (f) the development would be between a shop front and a road where the distance between the shop front and the boundary of the curtilage of the premises is less than 5 metres.
<p>Conditions</p>	<p>B.2</p>	<p>Development is permitted by Class B subject to the condition that the building or enclosure is only used for the storage of shopping trolleys.</p>
<p>Interpretation of Class B</p>	<p>B.3</p>	<p>For the purposes of Class B—</p> <p>“shop” means a building used for any purpose within Class A1 of the Schedule to the Use Classes Order; and</p> <p>“trolley store” means a building or enclosure designed to be used for the storage of shopping trolleys.</p>
<p>Class C Permitted development</p>	<p>C.</p> <p>Development consisting of—</p>	<ul style="list-style-type: none"> (a) the provision of a hard surface within the curtilage of a shop, financial or professional services establishment; or (b) the replacement in whole or in part of such a surface.
<p>Development not permitted</p>	<p>C.1</p>	<p>Development is not permitted by Class C if—</p> <ul style="list-style-type: none"> (a) the cumulative area of ground covered by a hard surface within the curtilage of the premises (other than hard surfaces already existing on 19th September 2012) would exceed 50 square metres; or (b) the development would be within the curtilage of a listed building unless listed building consent has previously been granted.
<p>Conditions</p>	<p>C.2</p>	<p>Development is permitted by Class C subject to the following conditions—</p>

- Interpretation of Class C
- C.3
- (a) where there is a risk of groundwater contamination the hard surface shall not be made of porous materials;
- (b) in all other cases, either—
- (i) the hard surface shall be made of porous materials; or
- (ii) provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the undertaking.
- For the purposes of Class C “shop or financial or professional services establishment” means a building, or part of a building, used for any purposes within Classes A1 or A2 of the Schedule to the Use Classes Order.

PART 35

OFFICE BUILDINGS

**Class A
Permitted
development**

Development not permitted

- A. The extension or alteration of an office building.**
- A.1 Development is not permitted by Class A if—
- (a) the floor space of the original building would be exceeded by more than—
- (i) 25%; or
- (ii) 50 square metres;
- whichever is the lesser;
- (b) the height of the building as extended or altered would exceed—
- (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
- (ii) in all other cases, the height of the building being extended or altered;
- (c) any part of the development, other than an alteration, would be within 5 metres of any boundary of the curtilage of the premises;
- (d) any part of the development would face onto a road;
- (e) the development would consist of or include the construction or provision of a veranda, balcony or raised platform;
- (f) the development would lead to a reduction in the space available for the parking or turning of vehicles;
- (g) the development would be within the curtilage of a listed building unless listed building consent has previously been granted; or
- (h) any extension or alteration would be in a

		conservation area, a World Heritage Site, an area of special scientific interest or a site of archaeological interest.
Conditions	A.2	Development is permitted by Class A subject to the following conditions— <ul style="list-style-type: none"> (a) any alteration shall be at ground floor level only; (b) any extension shall be constructed using materials which have a similar external appearance to those used for the building being extended; and (c) any office building as extended or altered shall only be used as part of, or for a purpose incidental to the use of that office building.
Interpretation of Class A	A.3	For the purposes of Class A— <ul style="list-style-type: none"> (a) where two or more original buildings are within the same curtilage and are used for the same undertaking they are to be treated as a single original building in making any measurement; (b) “office building” means a building used for any purpose within Class B1 of the Schedule to the Use Classes Order; (c) “raised platform” means a platform with a height greater than 0.3 metres above ground level.
Class B Permitted development	B.	Development consisting of— <ul style="list-style-type: none"> (a) the provision of a hard surface within the curtilage of an office building to be used for the purposes of the office concerned; or (b) the replacement in whole or in part of such a surface.
Development not permitted	B.1	Development is not permitted by Class B if— <ul style="list-style-type: none"> (a) the cumulative area of ground covered by a hard surface within the curtilage of the site (other than hard surfaces already existing on 19th September 2012) would exceed 50 square metres; (b) the development would be within the curtilage of a listed building unless listed building consent has previously been granted.
Conditions	B.2	Development is permitted by Class B subject to the following conditions— <ul style="list-style-type: none"> (a) where there is a risk of groundwater contamination the hard surface shall not be made of porous materials; (b) in all other cases, either— <ul style="list-style-type: none"> (i) the hard surface shall be made of porous materials; or (ii) provision shall be made to direct run-off water from the hard surface to a

Interpretation of Class B	B.3	<p style="text-align: center;">permeable or porous area or surface within the curtilage of that office building.</p> <p>For the purposes of Class B “office building” means a building used for any purpose within Class B1 of the Schedule to the Use Classes Order.</p>
---------------------------	-----	---

PART 36

SCHOOLS, COLLEGES, UNIVERSITIES AND HOSPITALS

Class A	A.	The erection, extension or alteration of a school, college, university or hospital building.
Permitted development	A.1	Development is not permitted by Class A if—
Development not permitted		<ul style="list-style-type: none"> (a) the cumulative floor space of any buildings erected, extended or altered would exceed— <ul style="list-style-type: none"> (i) 25% of the floor space of the original school, college, university or hospital buildings; or (ii) 100 square metres; whichever is the lesser; (b) any part of the development would be within 5 metres of any boundary of the curtilage of the premises; (c) any part of the development would be within 10 metres of any boundary of the curtilage of the premises which adjoins the curtilage of any dwellinghouse or flat; (d) as a result of the development any land used as a playing field at any time in the five years before the development commenced and remaining in use could no longer be so used; (e) the height of any new building erected would exceed 5 metres; (f) any part of the development would face onto a road; (g) the height of the building as extended or altered would exceed— <ul style="list-style-type: none"> (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; (ii) in all other cases, the height of the building being extended or altered; (h) the development would be within the curtilage of a listed building unless listed building consent has previously been granted; (i) as a result of the works the total area of ground covered by buildings within the curtilage of the premises would exceed 50% of the total area of the curtilage; (j) the development would lead to a reduction in

the space available for the parking or turning of vehicles;

- (k) the development would consist of or include the construction or provision of a veranda, balcony or raised platform;
- (l) any part of the development would be in a conservation area, a World Heritage Site, an area of special scientific interest or a site of archaeological interest; or
- (m) unless—
 - (i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education;
 - (ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services.

Conditions

- A.2 Development is permitted by Class A subject to the following conditions—
 - (a) the development must be within the curtilage of an existing school, college, university or hospital;
 - (b) the development shall only be used as part of, or for a purpose incidental to, the use of that school, college, university or hospital;
 - (c) any new building erected shall be constructed using materials which have a similar external appearance to those used for the existing school, college, university or hospital; and
 - (d) any extension or alteration shall be constructed using materials which have a similar external appearance to those used for the building being extended or altered.

Interpretation of Class A

- A.3 For the purposes of Class A—
 - (a) where two or more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurement;
 - (b) “original school, college, university or hospital building” means any original building which is a school, college, university or hospital building, as the case may be, other than any building erected at any time under Class A;
 - (c) “raised platform” means a platform with a height greater than 0.3 metres above ground level.

Class B Permitted development	B. Development consisting of—
	<ul style="list-style-type: none"> (a) the provision of a hard surface within the curtilage of any school, college, university or hospital to be used for the purposes of that school, college, university or hospital; or (b) the replacement in whole or in part of such a surface.
Development not permitted	B.1 Development is not permitted by Class B if— <ul style="list-style-type: none"> (a) the cumulative area of ground covered by a hard surface within the curtilage of the site (other than hard surfaces already existing on 19th September 2012) would exceed 50 square metres; (b) as a result of the development, any land used as a playing field at any time in the five years before the development commenced and remaining in use could no longer be so used; or (c) the development would be within the curtilage of a listed building unless listed building consent has previously been granted.
Conditions	B.2 Development is permitted by Class B subject to the following conditions— <ul style="list-style-type: none"> (a) where there is a risk of groundwater contamination the hard surface shall not be made of porous materials; (b) in all other cases, either— <ul style="list-style-type: none"> (i) the hard surface shall be made of porous materials; or (ii) provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the institution.

PART 37

INSTALLATION OF NON DOMESTIC MICROGENERATION EQUIPMENT

Class A

Permitted development	A. The installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or block of flats.
Development not permitted	A.1 Development is not permitted by Class A if— <ul style="list-style-type: none"> (a) any part of the solar PV or solar thermal equipment would protrude more than 20 centimetres beyond the plane of any existing roof slope which faces onto and is visible from a road; (b) any part of the solar PV or solar thermal equipment would be installed on a wall within 3 metres of the boundary of the

		<p>curtilage of the building and exceeding 4 metres in height extends more than 20 centimetres beyond the wall;</p> <p>(c) any part of the solar PV or solar thermal equipment would be installed on a flat roof where the highest part of the solar PV or solar thermal equipment would be higher than 2 metres above the highest part of the roof (excluding any chimney);</p> <p>(d) any part of the solar PV or solar thermal equipment would be installed on a flat roof and be within 2 metres of the external edge of that roof;</p> <p>(e) any part of the solar PV or solar thermal equipment would extend beyond the edge of the existing roof slope or wall;</p> <p>(f) any part of the solar PV or solar thermal equipment would exceed the height of the existing ridged roof;</p> <p>(g) in the case of a conservation area or World Heritage Site the solar PV or solar thermal equipment would be installed on a wall or roof slope which faces onto and is visible from a road; or</p> <p>(h) the solar PV or solar thermal equipment would be installed within the curtilage of a listed building unless listed building consent for the development has previously been granted.</p>
Conditions	A.2	<p>Development is permitted by Class A subject to the following conditions—</p> <p>(a) solar PV or solar thermal equipment must so far as practicable be sited so as to minimise its effect on the external appearance of the building;</p> <p>(b) solar PV or solar thermal equipment must so far as practicable be sited so as to minimise its effect on the amenity of the area; and</p> <p>(c) solar PV or solar thermal equipment no longer needed for microgeneration must be removed as soon as reasonably practicable.</p>
Class B Permitted development	B.	The installation, alteration or replacement of stand alone solar within the curtilage of a building other than a dwellinghouse or block of flats.
Development not permitted	B.1	<p>Development is not permitted by Class B if—</p> <p>(a) any part of the stand alone solar—</p> <p>(i) would exceed 2 metres in height;</p> <p>(ii) would be installed within 5 metres of the boundary of the curtilage of the building; or</p> <p>(iii) would be installed in an area of special scientific interest or a site of</p>

		archaeological interest;
		(b) the area of the stand alone solar would exceed 30 square metres;
		(c) in the case of a conservation area or World Heritage Site the stand alone solar would face onto and be visible from a road; or
		(d) the stand alone solar would be within the curtilage of a listed building unless listed building consent for the development has previously been granted.
Conditions	B.2	Development is permitted by Class B subject to the following conditions—
		(a) stand alone solar must so far as practicable be sited so as to minimise its effect on the amenity of the area; and
		(b) stand alone solar which is no longer needed for microgeneration must be removed as soon as reasonably practicable.
Class C Permitted development	C.	The installation, alteration or replacement of a ground or water source heat pump within the curtilage of a building other than a dwellinghouse or block of flats.
Development not permitted	C.1	Development is not permitted by Class C if—
		(a) the surface area of land under which the installation, alteration or replacement of any underground pipes (together with any other such pipes) is to be carried out would exceed 0.5 hectares;
		(b) any above ground element of the heat pump or its housing would be within 5 metres of the boundary of the curtilage of the building;
		(c) any above ground element of the heat pump or its housing would be nearer to a road which bounds the curtilage than the part of the building nearest to that road;
		(d) any above ground element of the heat pump or its housing would exceed 3 metres in height;
		(e) the floor space of any above ground element of the heat pump or its housing would exceed—
		(i) 10 square metres for buildings with an existing maximum floor space of 1000 square metres; or
		(ii) 75 square metres in all other cases;
		(f) it would involve the provision of any heat pump within an area of special scientific interest or a site of archaeological interest; or
		(g) the heat pump would be within the curtilage of a listed building unless listed building consent for the development has previously

Conditions	<p style="text-align: center;">been granted.</p> <p>C.2 Development is permitted by Class C subject to the following conditions—</p> <ul style="list-style-type: none"> (a) the surface of the land on which any works have been carried out to install, alter or replace the underground pipes required in connection with a ground or water source heat pump must be restored as soon as practicable after the development is completed; and (b) a ground or water source heat pump which is no longer needed for microgeneration must be removed as soon as reasonably practicable and the land shall as far as reasonably practicable be restored to its previous condition.
<p>Class D Permitted development</p>	<p>D. The erection, extension or alteration of a boiler house forming part of a biomass heating system, or a combined heat and power system within the curtilage of a building other than a dwellinghouse or block of flats.</p>
Development not permitted	<p>D.1 Development is not permitted by Class D if—</p> <ul style="list-style-type: none"> (a) the development would result in the presence within the curtilage of more than one extension or new building containing a biomass or combined heat and power boiler; (b) the ground area to be covered by any building or structure erected or any building or structure as extended or altered would exceed— <ul style="list-style-type: none"> (i) 15 square metres for buildings with an existing maximum floor space of 1000 square metres; or (ii) 75 square metres in all other cases; (c) any part of the development would be within 5 metres of the boundary of the curtilage of the building; (d) any part of the development would be nearer to a road which bounds the curtilage than the part of the building nearest to that road; (e) the height of any part of the building or structure (excluding any flue) would exceed 3.6 metres; (f) the height of any flue associated with the erection, extension or alteration of a boiler house would exceed the highest part of the roof by more than 1 metre; (g) the development would lead to a reduction in the space available for the parking or turning of vehicles; (h) any part of the development would be within 75 metres of any curtilage of a dwellinghouse

or flat (other than a dwellinghouse or flat of any person engaged in operations associated with the use of the boiler house);

- (i) the development would be within an area of special scientific interest or a site of archaeological interest; or
- (j) the development would be within the curtilage of a listed building unless listed building consent for the development has previously been granted.

**Class E
Permitted
development**

Development not
permitted

E. The erection or provision of a container for the storage of biomass fuel within the curtilage of a building other than a dwellinghouse or block of flats.

E.1 Development is not permitted by Class E if—

- (a) the development would result in the presence within the curtilage of the building of more than one extension or new building containing a biomass fuel store;
- (b) the ground area to be covered by any building or structure erected or any building or structure as extended or altered would exceed—
 - (i) 15 square metres for buildings with an existing maximum floor space of 1000 square metres; or
 - (ii) 75 square metres in all other cases;
- (c) any part of the development would be within 5 metres of the boundary of the curtilage of the building;
- (d) any part of the development would be nearer to a road which bounds the curtilage of the building than the part of the building nearest to that road;
- (e) the height of any part of the building or structure would exceed 3.6 metres;
- (f) the development would lead to a reduction in the space available for the parking or turning of vehicles;
- (g) the development would be within an area of special scientific interest or a site of archaeological interest; or
- (h) the development would be within the curtilage of a listed building unless listed building consent for the development has previously been granted.

Interpretation of Part 37

F.

For the purposes of Part 37—

“block of flats” means a building which consists wholly of flats;

“solar PV” means solar photovoltaics;

“stand alone solar” means solar PV or solar

thermal equipment which is not installed on a building.

EXPLANATORY NOTE

(This note is not part of the Order)

The main purpose of this Order is to grant planning permission for certain classes of development under Part 3 of the Planning Act (Northern Ireland) 2011, subject to Articles 3 to 7.

Permission granted by this Order is described in the Parts and Classes set out in the Schedule, qualified by relevant exceptions, limitations and conditions.

A regulatory impact assessment has been prepared in relation to this Order. A copy may be obtained from the Department of the Environment, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast BT2 7EG or accessed at www.doeni.gov.uk.

The Explanatory Memorandum is available alongside the Order on the government's website www.legislation.gov.uk.

© Crown copyright 2015

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.



Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

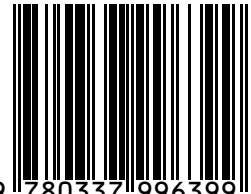
Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone: 0870 240 3701

TSO@Blackwell and other Accredited Agents

ISBN 978-0-337-99639-9



9 780337 996399