



<b>Subject:</b>	Public Consultation on Review of Permitted Development Rights
<b>Date:</b>	15 November 2022
<b>Reporting Officer(s):</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer(s):</b>	Ed Baker, Planning Manager (Development Management)

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	The Department for Infrastructure (DfI) is undertaking public consultation on further expansion of permitted development rights (development that can be carried out without the need to make a planning application to the Council). The proposal is for new permitted development rights in relation to the following: <ul style="list-style-type: none"><li>• Installation of domestic microgeneration equipment (heat pumps)</li><li>• Installation of reverse vending machines</li></ul>
1.2	A copy of the public consultation is provided at <b>Appendix 1</b> and is for notation.
1.3	The purpose of this report is to formulate the Council's response to the public consultation.
<b>2.0</b>	<b>Recommendation</b>
2.1	That the Committee endorses the proposed changes to permitted development rights subject to specific comments with delegated authority given to the Director of Planning and Building Control for the final wording of the consultation response.

<b>3.0</b>	<b>Main Report</b>
3.1	<p><u>Background</u></p> <p>The Department for Infrastructure (DfI) is undertaking public consultation on further expansion of permitted development rights (development that can be carried out without the need to make a planning application to the Council). The proposal is for new permitted development rights in relation to the following:</p> <ul style="list-style-type: none"> <li>• Installation of domestic microgeneration equipment (heat pumps)</li> <li>• Installation of reverse vending machines</li> </ul>
3.2	<p>A copy of the public consultation is provided at <b>Appendix 1</b>. The closing date for the consultation is 23 December 2022.</p>
	<p><u>Microgeneration Equipment (heat pumps)</u></p> <p><i>Air Source Heat Pumps</i></p>
3.3	<p>The proposals include the relaxation of existing permitted development rights for air source heat pumps closer to other parts of the UK and ROI. The proposals are:</p> <ul style="list-style-type: none"> <li>• that the air source heat pump must comply with industry certification standards;</li> <li>• any part of the air source heat pump must be at least 1m from another dwelling;</li> <li>• to increase the height restriction from 2m to 3m.</li> </ul> <p><i>Ground or Water Source Heat Pumps</i></p>
3.4	<p>The proposal includes the relaxation of existing permitted development rights for ground and water source pumps in line with GB, removing all conditions and limitations for such development.</p> <p><i>Domestic Wind Turbine</i></p>
3.5	<p>Unlike in GB and ROI, there are no permitted development rights for domestic wind turbines in NI. DfI is <b>not</b> proposing to introduce permitted development rights for such development at this time but is seeking views on the need for such rights.</p> <p><u>Reverse Vending Machines</u></p>
3.6	<p>DAERA is planning to introduce a deposit return scheme for single-use drink containers in 2024. The scheme aims to change consumer behaviour to encourage higher levels of drinks container recycling whereby resources are kept in use for as long as possible. This will in turn reduce litter whilst projected to increase recycling by 70% to 90%. DfI observes that if a planning application is required to install reverse vending machines then it will represent additional cost to retailers and may delay their introduction.</p>
3.7	<p>The proposal is to introduce new permitted development rights for the installation, alteration or replacement of reverse vending machines in a wall of a shop or within the curtilage of a shop, subject to certain limitations and restrictions. This would be in line with existing permitted development rights in Scotland.</p> <p><u>Proposed response to the onsultation</u></p>
3.8	<p>The proposed amendments to permitted development rights set out in the public consultation are generally considered positive and are welcomed. The removal of</p>

<p>3.9</p> <p>3.10</p> <p>3.11</p>	<p>conditions and limitations for permitted development rights for ground and water source heat pumps is sensible given the limited nature of their impact below ground or water. The proposed relaxation of permitted development rights for air source heat pumps is sensible and conditions and restrictions would serve to protect the amenities of the area.</p> <p>The proposed introduction of permitted development rights for reverse vending machines would encourage recycling and reduce litter, benefiting the environment. However, there are concerns that some of the proposed limitations are not stringent enough or inappropriate as set out below.</p> <ul style="list-style-type: none"> <li>• The permitted development rights would allow reverse vending machines up to 4 metres in height – this would be excessive and a height restriction of 2 metres would seem more appropriate to human scale;</li> <li>• The permitted development rights would allow a footprint of up to 80sqm – this is a huge footprint, which could cause significant visual harm. The footprint limitation should be reduced;</li> <li>• The restriction on reverse vending machines in the wall of a shop may refer to machines installed, altered or replaced <u>inside</u> a shop – it should be made clear that works undertaken inside a building is not development.</li> </ul> <p>It is recommended that the Council relays the above comments and concerns in its response to the public consultation. It is further recommended that DfI consolidates the proposed changes, previous and future changes to the original Planning (General Development Procedure) Order (Northern Ireland) 2015 into a single Order rather than having to cross reference the original 2015 Order with separate new Orders, which can be confusing for practitioners and customers.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the consultation response.</p>
<p><b>4.0</b></p>	<p><b>Financial &amp; Resource Implications</b></p>
<p>4.1</p>	<p>The relaxation of existing permitted development rights and introduction of new permitted development rights as proposed by this public consultation will reduce the number of planning applications for minor, low impact developments submitted to the Council. This will save costs and enable the Planning Service to assign existing resources to applications and proposals that have greater impact or are more complex.</p>
<p><b>5.0</b></p>	<p><b>Equality or Good Relations Implications / Rural Needs Assessment</b></p>
<p>5.1</p>	<p>No adverse impacts identified.</p>
<p><b>6.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<p><b>Appendix 1 – Public Consultation on Review of Permitted Development Rights (DfI)</b></p>