

SCHEDULE

Article 6

Commencement Information

II Sch. in operation at 10.6.2006, see [art. 1](#)

“PART 22

DEVELOPMENT BY THE DEPARTMENT FOR
REGIONAL DEVELOPMENT—ROADS UNDERTAKINGS

Class A

Permitted development	A.	The carrying out by or on behalf of the Department for Regional Development— (a) on land within the boundaries of a road, of any works required for the maintenance or improvement of the road; or (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.
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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(1); “maintenance” means the maintenance of roads under Articles 8 to 12 of that Order.
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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),
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(1) S.I.1993/3160 (N.I. 15) as amended by S.I. 1997/276 (N.I. 2) and 2003 c. 21

Status: Point in time view as at 10/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

		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.
<i>Development not permitted</i>	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.

PART 23

DEVELOPMENT BY THE DEPARTMENT FOR REGIONAL DEVELOPMENT—WATER AND SEWERAGE UNDERTAKINGS

Class A

Permitted development

A.

Development by or on behalf of the Department for Regional Development consisting of—

- (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 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**

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- (d) 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) the 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, meter or switch-gear house;**
- (g) any works authorised by or required in connection with a notice issued under Article 13 or an order made under Article 36 of the Water and Sewerage Services (Northern Ireland) Order 1973(2);**
- (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; or**
- (i) the strapping of pipelines to bridges.**

Development not permitted A.1

Development is not permitted by Class A if—

- (a) in the case of any Class A(b) development, it would include the construction of a reservoir;
- (b) in the case of any Class A(f) development involving the installation

(2) S.I. 1973/70 (N.I. 2). Article 13 was amended by S.I. 1978/1049 (N.I. 19)

- 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;
- (c) in the case of any Class A(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 A(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; or
 - (e) the land is within a site of archaeological interest.

Condition

A.2

Development is permitted by Class A(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

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Interpretation of Part 23	A.3	<p>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 Department and the developer.</p> <p>For the purposes of Part 23— “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.</p>
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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.
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<i>Development not permitted</i>	A.1	Development is not permitted by Class A if it would consist of or include— (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.3	For the purposes of Class A— “drainage works” has the meaning assigned to it by Schedule 2 of the Drainage (Northern Ireland) Order 1973(3).
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(4).

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—
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(3) S.I. 1973/69 (N.I. 1)

(4) S.R. 2006 No. 34

Status: Point in time view as at 10/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

- (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 provision of a building but including the extension or alteration of a building.**

Development not permitted A.1

Development is not permitted by Class A if—

- (a) in the case of Class A(d) 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; or

		(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.
Condition	A.2	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 Department and the developer.
Interpretation of Class A	A.3	For the purposes of Class A— “canal works” has the meaning assigned to it by Schedule 4 (description of canal works, etc.) of the Water (Northern Ireland) Order 1999(5); “waterway” has the meaning assigned to it by Article 2 (interpretation) of that Order.
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.
Class C		

(5) [S.I. 1999/662 \(N.I. 6\)](#)

Status: Point in time view as at 10/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

Permitted development	C.	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(6) and required in connection with— (a) the improvement, maintenance or repair of that inland water; or (b) the development and improvement of facilities for angling.
<i>Development not permitted</i>	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
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(6) 1966 c. 17 (N.I.) as amended by S.I. 1991/1466 (N.I.13)

Status: Point in time view as at 10/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

		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.
<i>Development not permitted</i>	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 the Department may agree in writing) 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(7); “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, including its supporting

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

Status: Point in time view as at 10/06/2006.

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<i>Development not permitted</i>	B.1	<p>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 exceeds 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 the ground;(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 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 ground is not uniform, the level of the highest</p>

part of the surface of the ground adjacent to it; “structure” and “supporting structure” means any pole, mast, tower or lamp standard.

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.
<i>Development not permitted</i>	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.
<i>Development not permitted</i>	B.1	Development is not permitted by Class B if— (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

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Conditions	B.2	10 lux measured at ground level. Development is permitted by Class B subject to the following conditions— (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— “camera”, except in paragraph B.1(a), 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 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 ground adjacent to it; “juvenile justice centre” has the meaning assigned to it by Article 51 of the Criminal Justice (Children) (Northern Ireland) Order 1998 ⁽⁸⁾ ; “prison” has the meaning assigned to it by section 47 of the Prison Act (Northern Ireland) 1953 ⁽⁹⁾ ;

⁽⁸⁾ S.I. 1998/1504 (N.I. 9)

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

Status: Point in time view as at 10/06/2006.

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“structure” means any pole, mast, tower or lamp standard;
“young offenders centre” has the meaning assigned to it by section 2(a) of the Treatment of Offenders Act (Northern Ireland) 1968(10).

PART 28

DEVELOPMENT BY THE CROWN

Class A

Permitted development	A.	<p>The erection or construction and the maintenance, improvement or other alteration by or on behalf of the Crown of—</p> <p>(a) any small ancillary building, works or equipment on Crown land and required for operational purposes;</p> <p>or</p> <p>(b) lamp standards, information kiosks, public shelters and seats, telephone boxes, fire alarms, 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.</p>
Interpretation of Class A	A.1	<p>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.</p>

Status: Point in time view as at 10/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

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—

- (a) the building as extended or altered is to be used for purposes other than those of—
 - (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—
 - (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—
 - (i) 500 square metres in respect of development in a conservation area, an area of outstanding natural beauty or a National Park; or
 - (ii) 1,000 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

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			<p>metres of any boundary of the curtilage of the original building;</p> <p>(g) any part of the development is carried out within any boundary of the curtilage of the original building which adjoins the curtilage of any dwellinghouse or flat; or</p> <p>(h) the development would lead to a reduction in the space available for the parking or turning of vehicles.</p>
Interpretation of Class B	B.2		<p>For the purposes of Class B—</p> <p>(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;</p> <p>(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;</p> <p>(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.</p>
Class C			
Permitted development	C.		Development carried out on operational Crown land

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		<p>for operational purposes consisting of—</p> <p>(a) the installation of additional or replacement plant or machinery;</p> <p>(b) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus; or</p> <p>(c) the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.</p>
<i>Development not permitted</i>	C.1	<p>Development described in Class C(a) is not permitted if—</p> <p>(a) it would materially affect the external appearance of the premises of the undertaking concerned;</p> <p>or</p> <p>(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.</p>
Interpretation of Class C	C.2	<p>In Class C, “Crown land” does not include land in or adjacent to and occupied together with a mine.</p>
Class D		
Permitted development	D.	<p>The creation by or on behalf of the Crown of a hard surface within the curtilage of an operational Crown building.</p>

PART 29

AVIATION DEVELOPMENT BY THE CROWN

Class A

Permitted development	A.	<p>The carrying out on operational Crown land by or on behalf of the Crown</p>
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Status: Point in time view as at 10/06/2006.

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<i>Development not permitted</i>	A.1	<p>of development (including the erection or alteration of an operational building) in connection with the provision of services and facilities at an airbase.</p> <p>Development is not permitted by Class A if it consists of or includes—</p> <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 floorspace of the 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 Department 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

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		or 200 cubic metres in capacity.
Interpretation of Class A	A.3	For the purposes of Class A— (a) floorspace shall be calculated by external measurement and without taking account of the floorspace 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.
<i>Development not permitted</i>	C.1	Development is not permitted by Class C if— (a) any building erected is used for a purpose other than housing equipment used in connection with the provision of air traffic services;

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- (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 C if—
- (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

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Condition	E.1	<p>the provision of air traffic services.</p>
<p>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 Department and the developer.</p>		
<p>Class F</p>		
Permitted development	F.	<p>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.</p>
Condition	F.2	<p>Development is permitted by Class F subject to the condition that on or before the expiry of the 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 Department and the developer.</p>
<p>Class G</p>		
Permitted development	G.	<p>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.</p>
Condition	G.1	<p>Development is permitted by Class G subject to the</p>

		condition that on or before the expiry 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 Department 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 155 of the Air Navigation Order 2005 ⁽¹¹⁾ ; “air traffic services” has the same meaning as in section 98 of the Transport Act 2000 ⁽¹²⁾ (air traffic services).

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.

(11) S.I. 2005/1970

(12) 2000 c. 38

Status: Point in time view as at 10/06/2006.

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<i>Development not permitted</i>	A.1	<p>Development is not permitted by Class A if it consists of or includes—</p> <ul style="list-style-type: none"> (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	<p>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.</p>
Class B		
Permitted development	B.	<p>Development on operational Crown land by or on behalf of the Crown or its lessees, required—</p> <ul style="list-style-type: none"> (a) for the purposes of shipping; or (b) in connection with the embarking, disembarking, loading, discharge or transport of military personnel, military equipment, munitions, and other items at a dock, pier, pontoon or harbour.
<i>Development not permitted</i>	B.1	<p>Development is not permitted by Class B if—</p> <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— (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.
<i>Development not permitted</i>	D.1	Development is not permitted by Class D if— (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.

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Changes to legislation: There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE. (See end of Document for details)

Interpretation of Class D	D.2	For the purposes of Class D— “buoys and beacons” include all other marks and signs of the sea; “lighthouse” includes any floating and other light exhibited for the guidance of ships, and also any sirens and any other description of fog signal.
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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 Department of that development; and (b) on or before the expiry of the period 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

Interpretation of Class A

A.2

- (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 Department and the developer.

(1) For the purposes of Class A “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

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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 radioactive matter; or
- (b) disruption or destruction of plant life or animal life.

PART 32

DEVELOPMENT FOR NATIONAL SECURITY PURPOSES

Class A

Permitted development	A.	The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure by or on behalf of the Crown on Crown land for national security purposes.
<i>Development not permitted</i>	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 4.5 metres above ground level.

Class B

Permitted development	B.	The installation, alteration or replacement by or on behalf of the Crown on Crown land of a closed circuit television camera and associated lighting on a building or any other structure for national security purposes.
<i>Development not permitted</i>	B.1	Development is not permitted by Class B if— (a) the dimensions of the camera including its housing exceed 75 centimetres by 25

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		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— (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 national security purposes.
Interpretation of Class B	B.3	For the purposes of Class B— “camera”, except in paragraph B.1(a), 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 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 ground adjacent to it; “structure” means any pole, mast, tower or lamp standard.
Class C		
Permitted development	C.	Development by or on behalf of the Crown for national security purposes in, on, over or under Crown land consisting of— (a) the installation, alteration or

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Development not permitted C.1

- replacement of any electronic communications apparatus;**
- (b) the use of land in an emergency for a 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 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

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- 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

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- 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 highway 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

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- (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

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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

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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—

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- (a) by serving the appropriate notice to every such person whose name and address is known to him;
- (b) where he 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 Department no fewer than twenty-eight 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

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Interpretation of Class C

C.7

expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (1999/519/EC) (0 Hz to 300 GHz).

For the purposes of Class C—
“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(13);

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“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 antennae 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.”

Status:

Point in time view as at 10/06/2006.

Changes to legislation:

There are currently no known outstanding effects for the Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006, SCHEDULE.