

SCHEDULE 3

Article 2(3)(d)

ADDITION OF PART 37 TO SCHEDULE 1 TO THE PLANNING  
(GENERAL DEVELOPMENT) ORDER (NORTHERN IRELAND) 1993

“PART 37

INSTALLATION OF NON DOMESTIC MICROGENERATION EQUIPMENT

<b>Class A</b>		
<b>Permitted development</b>	<b>A.</b>	<b>The installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or block of flats.</b>
Development not permitted	A.1	Development is not permitted by Class A if— <ul style="list-style-type: none"> <li>(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;</li> <li>(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 curtilage of the building and exceeding 4 metres in height extends more than 20 centimetres beyond the wall;</li> <li>(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);</li> <li>(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;</li> <li>(e) any part of the solar PV or solar thermal equipment would extend beyond the edge of the existing roof slope or wall;</li> <li>(f) any part of the solar PV or solar thermal equipment would exceed the height of the existing ridged roof;</li> <li>(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</li> <li>(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.</li> </ul>
Conditions	A.2	Development is permitted by Class A subject to the following conditions— <ul style="list-style-type: none"> <li>(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;</li> </ul>

*Status: This is the original version (as it was originally made).*

<b>Class A</b>	
	<ul style="list-style-type: none"> <li>(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</li> <li>(c) solar PV or solar thermal equipment no longer needed for microgeneration must be removed as soon as reasonably practicable.</li> </ul>
<b>Class B</b>	
<b>Permitted development</b>	<b>B. The installation, alteration or replacement of stand alone solar within the curtilage of a building other than a dwellinghouse or block of flats.</b>
Development not permitted	<p>B.1 Development is not permitted by Class B if —</p> <ul style="list-style-type: none"> <li>(a) any part of the stand alone solar— <ul style="list-style-type: none"> <li>(i) would exceed 2 metres in height;</li> <li>(ii) would be installed within 5 metres of the boundary of the curtilage of the building; or</li> <li>(iii) would be installed in an area of special scientific interest or a site of archaeological interest;</li> </ul> </li> <li>(b) the area of the stand alone solar would exceed 30 square metres;</li> <li>(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</li> <li>(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.</li> </ul>
Conditions	<p>B.2 Development is permitted by Class B subject to the following conditions—</p> <ul style="list-style-type: none"> <li>(a) stand alone solar must so far as practicable be sited so as to minimise its effect on the amenity of the area; and</li> <li>(b) stand alone solar which is no longer needed for microgeneration must be removed as soon as reasonably practicable.</li> </ul>
<b>Class C</b>	
<b>Permitted development</b>	<b>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.</b>
Development not permitted	<p>C.1 Development is not permitted by Class C if—</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> </ul>

<b>Class A</b>	
	<ul style="list-style-type: none"> <li>(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;</li> <li>(d) any above ground element of the heat pump or its housing would exceed 3 metres in height;</li> <li>(e) the gross floor space of any above ground element of the heat pump or its housing would exceed— <ul style="list-style-type: none"> <li>(i) 10 square metres for buildings with an existing maximum floor space of 1000 square metres; or</li> <li>(ii) 75 square metres in all other cases;</li> </ul> </li> <li>(f) it would involve the provision of any heat pump within an area of special scientific interest or a site of archaeological interest; or</li> <li>(g) the heat pump would be within the curtilage of a listed building unless listed building consent for the development has previously been granted.</li> </ul>
Conditions	<p>C.2 Development is permitted by Class C subject to the following conditions—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>
<b>Class D</b>	
Permitted development	<p><b>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.</b></p>
Development not permitted	<p>D.1 Development is not permitted by Class D if—</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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"> <li>(i) 15 square metres for buildings with an existing maximum floor space of 1000 square metres; or</li> <li>(ii) 75 square metres in all other cases;</li> </ul> </li> </ul>

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**Class A**

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- (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**

**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.**

**development**

Development not permitted

- 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;

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**Class A**

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- (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

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.”

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