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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 70**

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

**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<sup>(1)</sup>, 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 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.