

## Regional Planning Governance & Legislation



Department for  
**Infrastructure**

An tAonán

**Bonneagair**

Department for

**Infrastructure**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

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& Heads of Planning

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Your Ref:  
Our Ref:

12 June 2023

Dear Chief Executives & Heads of Planning

### **PERMITTED DEVELOPMENT RIGHTS**

I am writing to advise you that the Department for Infrastructure has made a Statutory Rule entitled "The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2023" (S.R. 2023 No. 95), which comes into operation on 04 July 2023. A copy of the Order is attached and will be available on the Legislation website: [Legislation.gov.uk](http://Legislation.gov.uk)

As part of its ongoing programme of expanding the scope of the permitted development regime, the Department for Infrastructure consulted last autumn on amendments to the Planning (General Permitted Development) Order (NI) 2015 (GPDO). The consultation closed on 23 December 2023. Following consideration of responses to the consultation, the Department has taken the decision to amend permitted development rights for the installation of microgeneration equipment. Details of the consultation together with the Departmental response can be found at the following link: [Consultation on changes to planning permitted development rights to protect the environment and help address climate change | Department for Infrastructure \(infrastructure-ni.gov.uk\)](#)

This Order will amend Part 2 (installation of domestic microgeneration equipment) of the Schedule to the GPDO by substituting Class F (ground or water source heat pumps) and Class G (air source heat pumps).

E-mail: [planning@infrastructure-ni.gov.uk](mailto:planning@infrastructure-ni.gov.uk)

Website: [www.infrastructure-ni.gov.uk/topics/planning](http://www.infrastructure-ni.gov.uk/topics/planning)

### Ground or water source heat pumps

Class F of Part 2 of the Schedule to the GDPO currently provides permitted development rights for the provision of a ground or water source heat pump within the curtilage of a dwelling house subject to a number of conditions and limitations.

This amending Order substitutes Class F by removing a number of the current conditions and limitations. The following limitations will remain in place and development will not be permitted if:-

- 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; and
- it would involve the provision of any heat pump within an area of special scientific interest or a site of archaeological interest.

This will bring Northern Ireland closer in line with the position in other jurisdictions.

### Air Source Heat Pumps

Class G of Part 2 of the Schedule to the GDPO currently provides permitted development rights for the installation, alteration or replacement of an air source heat pump within the curtilage of a dwelling house subject to a number of conditions and limitations.

This amending Order substitutes Class G by providing: -

- that the air source heat pump (ASHP) must comply with Microgeneration Certification Scheme (MCS) Planning Standards or equivalent standards;
- that any part of the ASHP must be at least 1 metre from the boundary of the curtilage of another dwellinghouse; and
- an increase in the height restriction from 2 metres to 3 metres.

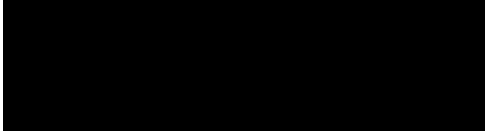
The other restrictions and conditions including those in relation to World Heritage Sites, conservation areas and listed buildings will remain unchanged. These include in the case of a dwelling house within a World Heritage Site or conservation area, that no part of the ASHP must face onto and be visible from a road and in the case of listed buildings that listed building consent for the development must have previously been granted. In addition, development is not permitted if any part of the ASHP would be on land forward of a wall which faces onto a road and forms either the principal or side elevation of the dwelling house.

The proposed amendments will bring Northern Ireland closer to the position in other jurisdictions in relation to ASHP regulation.

The amendments are aimed at protecting the environment by encouraging the use of low carbon heat technologies and ensuring the permitted development rights are up to date and fit for purpose.

Copies of the Rule may be purchased from the Stationery Office at [www.tsoshop.co.uk](http://www.tsoshop.co.uk) or by contacting TSO Customer Services on 0333 202 5070 or viewed online at [www.legislation.gov.uk](http://www.legislation.gov.uk).

Yours sincerely



**DR KATHRYN McFERRAN**  
**(Acting) Director**

**Encl**

**2023 No. 95**

**PLANNING**

**The Planning (General Permitted Development) (Amendment)  
Order (Northern Ireland) 2023**

*Made* - - - -

*12th June 2023*

*Coming into operation* -

*4th July 2023*

The Department for Infrastructure makes the following Order in exercise of the powers conferred by sections 32 and 247(6) of the Planning Act (Northern Ireland) 2011(a) and now vested in it(b).

**Citation and commencement**

1. This Order may be cited as the Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2023 and comes into operation on 4th July 2023.

**Amendment of the Planning (General Permitted Development) Order (Northern Ireland) 2015**

2. In the Schedule (development permitted under Article 3) to the Planning (General Permitted Development) Order (Northern Ireland) 2015(c) Part 2 (installation of domestic microgeneration equipment) is amended as set out in the Schedule to this order.

Sealed with the Official Seal of the Department for Infrastructure on 12th June 2023.



*Alistair Beggs*

A senior officer of the Department for Infrastructure

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(a) 2011 c.25 (N.I.)  
(b) S.R. 2016 No. 76, article 8(1)(b) and Schedule 5, Part 2.  
(c) S.R. 2015 No. 70 as amended by S.R. 2020 No. 292

## SCHEDULE

Article 2

### AMENDMENTS TO PART 2 OF THE SCHEDULE TO THE PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER (NORTHERN IRELAND) 2015

3. For Class F and Class G substitute—

**“Class F**

<b>Permitted development</b>	<b>F.</b>	<b>The provision of a ground or water source heat pump within the curtilage of a dwellinghouse.</b>
Development not permitted	F.1	Development is not permitted by Class F if— <ul style="list-style-type: none"> <li>(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;</li> <li>(b) it would involve the provision of any heat pump within an area of special scientific interest or a site of archaeological interest.</li> </ul>

**Class G**

<b>Permitted development</b>	<b>G.</b>	<b>The installation, alteration or replacement of an air source heat pump within the curtilage of a dwellinghouse.</b>
Development not permitted	G.1	Development is not permitted by Class G if— <ul style="list-style-type: none"> <li>(a) it would result in the presence within the curtilage of more than one air source heat pump;</li> <li>(b) any part of the air source heat pump would be installed within 1 metre of the boundary of the curtilage of another dwelling house;</li> <li>(c) any part of the air source heat pump would be situated on land forward of a wall which—                         <ul style="list-style-type: none"> <li>(i) faces onto a road; and</li> <li>(ii) forms either the principal elevation or a side elevation of the original dwellinghouse.</li> </ul> </li> <li>(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;</li> <li>(e) the external unit of the air source heat pump would exceed 3 metres in height;</li> <li>(f) the air source heat pump would be installed on a roof;</li> <li>(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.</li> </ul>
Conditions	G.2	Development is permitted by Class G subject to the following conditions—

- (a) the air source heat pump would be used to provide heat for use within the curtilage of the dwellinghouse;
- (b) when no longer used to provide heat it shall be removed as soon as reasonably practicable; and
- (c) the air source heat pump must comply with MCS planning standards or equivalent standards.

Interpretation of Class G G.3

In Class G “MCS Planning Standards” means the product and installation standards for air source heat pumps specified in the Microgeneration Certification Scheme MCS 020(a).”

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Planning (General Permitted Development) Order (Northern Ireland) 2015 (“the 2015 Order”).

The Schedule of this Order amends by substitution Class F and Class G of Part 2 of the Schedule to expand the scope of that permitted development.

The Explanatory Memorandum is available alongside the Order on the government’s website [www.legislation.gov.uk](http://www.legislation.gov.uk).