

## 1989 No. 291

## PLANNING

**Planning (General Development) (Amendment) Order  
(Northern Ireland) 1989**

*Made* . . . . . 26th July 1989

*Coming into operation* . . . . . 1st September 1989

The Department of the Environment, in exercise of the powers conferred by Articles 13(1), (2) and (3) and 14(1) of the Planning (Northern Ireland) Order 1972(a) and now vested in it(b), and of all other powers enabling it in that behalf, makes the following Order:

*Citation and commencement*

1. This Order may be cited as the Planning (General Development) (Amendment) Order (Northern Ireland) 1989 and shall come into operation on 1st September 1989.

*Amendments*

2. The Planning (General Development) Order (Northern Ireland) 1973(c) is amended as follows—

(a) in Article 5(1) for the words from “and the Ministry” to the end substitute—

“and the Department may by a direction in writing addressed to the applicant require such further information as may be specified in the direction to enable it to determine the application.”;

(b) in Class 1 (development permitted within the curtilage of a dwellinghouse) of Part I of Schedule 1—

(i) in paragraph (1) after the words “The enlargement, improvement or other alteration of a dwellinghouse” insert the words “(other than by the carrying out of operations within paragraph (2A) of this class)”;

(ii) insert the following paragraph after paragraph (2)—

“(2A) The installation, alteration or replacement of a satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse so long as—

(a) the size of the antenna (excluding any projecting feed element) does not, when measured in any dimension, exceed 90 centimetres;

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(a) S.I. 1972/1634 (N.I. 17) as amended by S.I. 1982/1537 (N.I. 20) Art. 3(1) and Schedules 1 and 2

(b) S.R. & O. (N.I.) 1973 No. 504 Art. 7(1); S.I. 1976/424 (N.I. 6) Art. 3(1)

(c) S.R. & O. (N.I.) 1973 No. 326 relevant amending orders are S.R. 1981 No. 222, S.R. 1984 No. 434 and S.R. 1985 No. 366

- (b) there is no other satellite antenna installed on the dwellinghouse or anywhere else within the curtilage of the dwellinghouse;
  - (c) in the case of an antenna installed on a dwellinghouse the highest part of the antenna is not higher than the highest part of the roof of the building on which it is installed;
  - (d) no part of the antenna projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a road;
  - (e) the antenna does not extend beyond the plane of any existing roof slope which fronts on a road;
  - (f) the dwellinghouse is not sited within a conservation area or area of outstanding natural beauty.”;
- (c) for Class 3 (changes of use) of Part I of Schedule 1 substitute the following—

“Class 3 — Changes of Use

1. Development consisting of a change of use of a building to a use falling within Class 1 (shops) or Class 2 (financial, professional and other services) of the Schedule to the Planning (Use Classes) Order (Northern Ireland) 1989(a) from the following uses specified in Article 3(5) of that order—

- (a) as a betting office;
- (b) for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises.

2. Development consisting of a change of use of a building with a display window at ground floor level to a use falling within Class 1 (shops) of the Schedule to that Order from a use falling within Class 2 (financial, professional and other services).

3. Development consisting of a change of the use of a building—

- (a) to a use falling within Class 4 (light industrial) of the Schedule to that Order from a use falling within Class 5 (general industrial);
- (b) to a use falling within Class 4 (light industrial) of the Schedule to that Order from a use falling within Class 11 (storage or distribution);
- (c) to a use falling within Class 11 (storage or distribution) of the Schedule to that Order from a use falling within Class 4 (light industrial) or Class 5 (general industrial);

Provided that sub-paragraphs (b) and (c) apply only where the total amount of floorspace in the building used for the purpose of the undertaking does not exceed 235 square metres.

4. Development consisting of a change of the use of a building to a use falling within Class 14 (dwellinghouses) of the Schedule to that Order from a use falling within Class 12 (guest houses and hostels) or Class 13 (residential institutions).”.

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(a) S.R. 1989 No. 290

Sealed with the Official Seal of the Department of the Environment on  
26th July 1989.

(L.S.)

*John Russell*

Assistant Secretary

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### EXPLANATORY NOTE

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

This Order amends the Planning (General Development) Order (Northern Ireland) 1973 (“the General Development Order”) primarily to take account of the Planning (Use Classes) Order (Northern Ireland) 1989 (the 1989 Order).

Class 3 of Part I of Schedule 1 to the General Development Order grants planning permission for certain changes of use by reference to classes of use specified in the Planning (Use Classes) Order (Northern Ireland) 1973 which is now replaced by the 1989 Order. This Order substitutes a new Class 3 taking account of the new classes of use set out in the 1989 Order (Article 2(c)).

The new Class 3 permits premises used for betting offices or the sale of food and drink (as described in Article 3(5)(h) of the 1989 Order) to be used as shops (as described in Class 1 of that Order) or for uses within Class 2 (financial, professional and other services). It also permits certain changes between Classes 4 (light industrial), 5 (general industrial) and 11 (storage and distribution) and from Class 12 (guest houses and hostels) and Class 13 (residential institutions) to Class 14 (dwellinghouses).

The opportunity has also been taken to amend the General Development Order to—

allow the Department to direct an applicant to provide further information in connection with his application for planning permission before it can be determined (Article 2(a)); and

to insert a new paragraph (2A) into Class 1 of Part I of Schedule 1 (development allowed without planning permission) to permit the installation of a satellite antenna on or within the curtilage of a dwellinghouse subject to conditions as to size and siting. The permission does not extend to dwellinghouses which are sited within a conservation area or area of outstanding natural beauty (Article 2(b)).