1987 No. 36

TOWN AND COUNTRY PLANNING

Planning (General Development) (Amendment) Order (Northern Ireland) 1987

Made . . . . . *3rd February 1987*

Coming into operation . . *27th February 1987*

The Department of the Environment, in exercise of the powers conferred by Article 13(1), (2) and (3) 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) 1987 and shall come into operation on 27th February 1987.

Amendment

2. The Planning (General Development) Order (Northern Ireland) 1973(**c**) shall be amended as follows:—

(*a*) in Article 2(1) the following definitions shall be inserted at the appropriate places in alphabetical order:—

"fire wall" means an imperforate wall of solid masonry, concrete or similar construction with a fire resistance from each side of at least half an hour as defined in British Standard 476: Part 8: 1972;

"liquefied petroleum gas" means commercial butane or commercial propane as defined in British Standard 4250: 1975;

(*b*) after paragraph (3) of Class 1 (development within the curtilage of a dwellinghouse) of Part I of Schedule 1 (development permitted under Article 3) there shall be inserted the following paragraph:—

"(3A) The erection or placing above ground within the curtilage of a dwellinghouse of a single tank for the storage of liquefied petroleum gas for domestic purposes in that dwellinghouse, so long as:—

(*a*) the capacity of the tank does not exceed 2,500 litres;

(*b*) no part of the tank as erected or placed is more than 2 metres above the level of the ground;

(**a**) S.I. 1972/1634 (N.I. 17)
(**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

(*c*) no part of the tank as erected or placed projects beyond the forwardmost part of any wall of the dwellinghouse which fronts on to a road;

(*d*) where the capacity of the tank does not exceed 500 litres and the tank is not protected by a fire wall there is at least a distance of 2.5 metres between all parts of the tank as erected or placed and all parts of the—

(i) dwellinghouse, any other building and any fixed source of ignition within the curtilage of the dwellinghouse;

(ii) boundary of the curtilage of the dwellinghouse;

(*e*) where the capacity of the tank does not exceed 500 litres and a fire wall is provided which—

(i) faces a side or end of the tank;

(ii) is not part of a building or of the boundary of the curtilage of the dwellinghouse;

(iii) is at least as high as the tank as erected or placed;

(iv) is at least 0.3 metres from the tank;

the requirements as to distance referred to in sub-paragraph (*d*) shall apply except that in relation to the side or end of the tank facing the fire wall, the distance shall be measured horizontally round the right and left hand ends of the fire wall;

(*f*) where the capacity of the tank does not exceed 500 litres and a fire wall is provided which—

(i) faces a side or end of the tank;

(ii) is not part of a building;

(iii) is part of the boundary of the curtilage of the dwellinghouse;

(iv) is at least as high as the tank as erected or placed;

(v) is at least 0.3 metres from the tank;

the requirements as to distance referred to in sub-paragraph (*d*) shall apply except that the requirement referred to in sub-paragraph (*d*)(ii) shall be regarded as satisfied so long as the shortest distance between each end of the fire wall and the nearest part of the tank is at least 2.5 metres;

(*g*) where the capacity of the tank exceeds 500 litres and the tank is not protected by a fire wall there is at least a distance of 3 metres between all parts of the tank as erected or placed and all parts of the—

(i) dwellinghouse, any other building and any fixed source of ignition within the curtilage of the dwellinghouse,

(ii) boundary of the curtilage of the dwellinghouse;

(*h*) where the capacity of the tank exceeds 500 litres and a fire wall is provided which—

(i) faces a side or end of the tank;

(ii) is built to a height of 2 metres;

(iii) is at least 1 metre from the tank;