

# A Guide to Your Home and Planning Permission



# CONTENTS

|   |    |
|---|----|
| Foreword.....   | 4  |
| Introduction.....   | 5  |
| Section 1: Extending a Dwelling.....  | 6  |
| Section 2: Alterations and Additions to a dwelling.....   | 7  |
| Section 3: Extensions Consisting of an Addition and Alteration to a Roof.....                       | 8  |
| Section 4: Building a Garage, Carport, Garden Shed, Greenhouse or Other Building.....               | 9  |
| Section 5: Decking, Walls and Fencing.....  | 10 |
| Section 6: Repairs and Maintenance.....   | 11 |
| Section 7: Minor Works. Oil/LPG Tanks, Chimneys, Flues and Vent/Soil Pipes, Microwave Antennae..... | 12 |
| Section 8: Solar Panels.....  | 13 |
| Section 9: Domestic Biomass and Heat Pumps.....   | 14 |
| Section 10: Trees.....  | 15 |
| Section 11: Making Your Householder Application.....  | 16 |
| Section 12: Things to Check.....  | 18 |
| Section 13: Other Approvals You May Require.....  | 19 |
| Section 14: Enforcement.....  | 20 |
| Section 15: Glossary.....   | 21 |
| Section 16: Contacting the Planning Section.....  | 22 |

# FOREWORD

As Mayor of Antrim and Newtownabbey it is a pleasure to introduce Antrim and Newtownabbey Borough Council's Guide to Your Home and Planning Permission.

This guide has been produced to provide our residents with an overview of their "householder" or "permitted development" rights which are the types of development that can be carried out at their own homes without the need to submit an application for express planning consent (a formal planning application). It also gives advice on the circumstances when express planning consent may be required and how to go about making a planning application.

The Council's objective in producing this guide on the types of development which can be undertaken without making a formal planning application is to support an efficient planning process which will sustain and improve the quality of life, economic wellbeing and the environment in the Borough while ensuring that our residents continue to enjoy the benefits of their homes.



**Councillor Mark Cooper BEM**  
Mayor of Antrim and Newtownabbey  
Borough Council



# INTRODUCTION

The Council's aim is to improve the quality of life of the people in the Borough by planning and managing development in ways which are sustainable, and which contribute to creating a better environment. Submitting a planning application to the Council gives you an opportunity for your proposed development to be considered in the context of this objective. A development which may seem to be relatively minor to you can have a significant impact on the immediate neighborhood and the wider built environment.

In most cases you can carry out some small alterations and extensions to your home and property without the need to submit an application for planning permission. These small works are known as permitted development. Generally, **permitted development rights** are applied to minor non-contentious development where it is considered that, subject to specified exceptions, an application for planning permission is not necessary.

The objective of this guidance is to help you understand if you require planning permission for works around your home. It also tells you how to go about making a planning application if one is needed.

**This document is simply a guide and is not an exact statement of the law. For full details of permitted development rights, homeowners should refer to the Planning (General Permitted Development) Order (Northern Ireland) 2015 (as amended).**

Some examples of permitted development rights are included (as Illustrations) for information throughout this guidance, but this should not be viewed as a comprehensive summary.

**If you live in Conservation Area**, special guidance is available from the Council's Planning Section. If you are planning any building works to your home it is recommended that you consult this guidance in advance of undertaking any works.

**If you live in a house which is a Listed Building** it is likely that you will require Listed Building Consent for any building works to your home. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless Listed Building Consent has already been granted.

**Please note that an extension to a flat or a residential property in multiple occupancy does not benefit from the permitted development rights set out in this guide.**

If, when you have read the document, you are still in doubt, you should contact the Council's Planning Section, where staff will be happy to advise you. Contact details can be found in Section 16.

Even when you don't need planning permission for your proposed works, there are other kinds of approval you may need to obtain. For example, you may have to get approval under the building regulations from the Council for many of the works mentioned in this document. Information about this and other types of consent can be found in Section 13.

If you consider the works you propose to carry out are permitted development, you can apply to the Council for a Certificate of Lawfulness for the Proposed Use or Development (CLOPUD). This will be particularly beneficial should a property go on the housing market for sale, as solicitors representing purchasers will usually require documentary evidence that any minor works which have been undertaken are lawful. An application for a Certificate of Lawfulness must be accompanied by the appropriate fee. For more information, see "Fees" in Section 11 of this document.

# SECTION 1: EXTENDING A DWELLING

## Planning permission is not required when:

1. The total ground area covered by a proposed extension and any other buildings within the curtilage of the house, excluding the original house, does not exceed 50% of the total area of the curtilage excluding the ground area of the original house (see glossary).
2. Any part of the extension is not higher than the highest part of the roof of the existing house.
3. The height of the eaves of the extension are not higher than the eaves of the existing house.
4. Any part of the extension does not extend beyond a wall facing a road if it forms the principal or side elevation of the original house.
5. The eaves are no more than 3 metres in height if any part of the extension is within 2 metres of the boundary of the curtilage of the house.
6. The materials used in any exterior work, other than materials used in the erection of a conservatory, are of similar appearance to those used in the construction of the exterior of the original house.
7. An upper floor window located in a wall or roof slope forming a side elevation of the house, which is within 15 metres of any boundary of the curtilage of a neighbouring house is obscure glazed; and is non-opening unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
8. A side extension does not exceed 4 metres in height or is wider than half the width of the original house.
9. In a single storey extension (see illustration 1):-
  - a. the extension does not extend beyond the rear wall of the original house by more than 4 metres for a detached house or 3 metres for any other type of house;
  - b. the height of the extension does not exceed 4 metres; or
  - c. no part of the extension is within 3.5 metres of any property boundary with a road opposite the rear wall of the house.
10. In an extension which has more than one storey (see illustration 2):-
  - a. the extension does not extend beyond the rear wall of the original house by more than 3 metres;
  - b. no part of the extension is within 7 metres of the property boundary opposite the rear wall of the house;
  - c. the roof pitch of the extension is as far as practicable the same as the roof pitch of the original house.

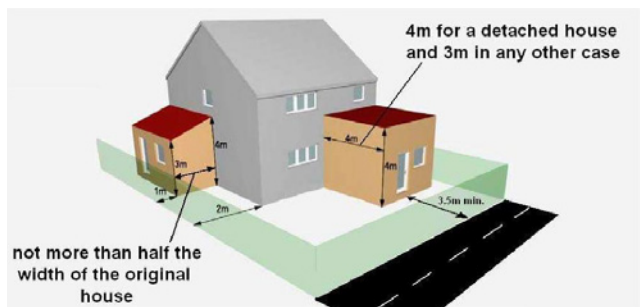
11. If you live in a house within a Conservation Area<sup>1</sup> or an Area of Outstanding Natural Beauty:

- a. no part of the exterior of the house is clad with stone, artificial stone, pebbledash, render, timber, plastic or tiles;
- b. the extension is not more than 1 storey or 4 metres in height;
- c. no part of the extension extends beyond a principal or side elevation of the original house.

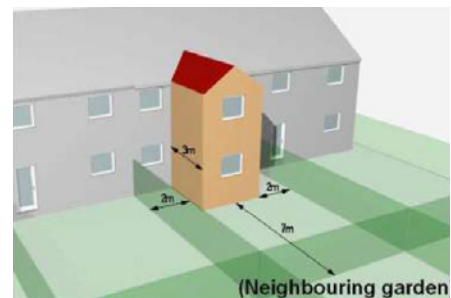
**Notes: Measurements should always be calculated using external measurements.**

**If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.**

**Illustration 1:** Side and rear single storey extensions to detached house



**Illustration 2:** Two storey rear extension to terraced house



1. Conservation Areas are designated at Antrim, Randalstown and Merville Garden Village in Newtownabbey.

# SECTION 2: ALTERATIONS AND ADDITIONS TO A DWELLING

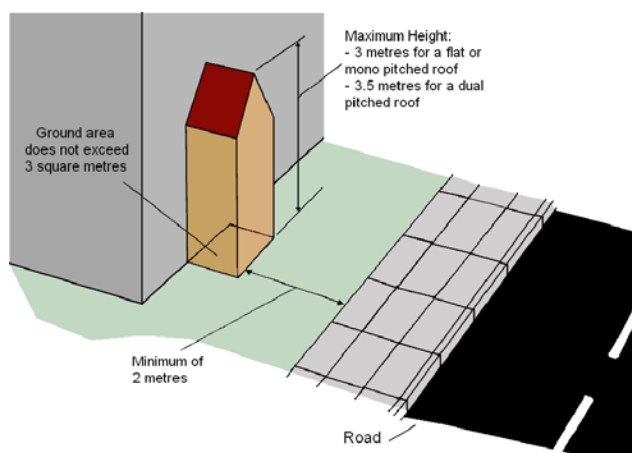
## Porches

**Planning permission is not required for a porch provided that:**

1. The ground area is not more than 3 square metres (measured externally).
2. Any part of the porch does not exceed-
  - a. 3 metres above ground if the roof is flat or mono pitched;
  - b. 3.5 metres above ground if the roof is dual pitched.
3. Any part of the porch is not closer than 2 metres to any boundary of the curtilage of the house with a road/footpath.
4. The materials used are of similar appearance to those used in the construction of the existing house.

**Note:** Where the dwelling is within the curtilage of a Listed Building, a Listed Building Consent will be required

**Illustration 3:** Building a porch that does not require planning permission



## Conservatories

A conservatory attached to the house will be treated as an extension and therefore will need to comply with the rules set out in Section 1. A free-standing conservatory will be subject to the criteria set out in Section 4.

## Other dwelling attached to a house e.g. a granny flat

Planning permission is required if it is a separate and self-contained unit. If it is not a separate and self-contained unit, it will be treated as an extension and therefore will need to comply with the restrictions and limitations as set out in Section 1.

## Converting a house, or part of it into one or more flats or apartments

Planning permission is required for converting a house or part of a house into one or more flats, (even where building work is not required) as such conversion is considered a change of use.

## Changing part of a house for home working purposes

The use of any part of a house for home working purposes may not require planning permission but this will depend on the scale and nature of the use.

## Demolition

If your house lies within a Conservation Area (see glossary) you may need consent for demolition. You may also need to apply for planning permission for demolition if your house is located within an Area of Townscape or Village Character (see glossary), even if it just includes demolition of walls, gates, fences or other means of enclosure. In all cases it is recommended that you consult the Council's Planning Section with the details of the particular proposal and seek advice.

**Note:**

## Listed Buildings

If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.

# SECTION 3: EXTENSIONS CONSISTING OF AN ADDITION AND ALTERATION TO A ROOF

## Roof lights, dormer windows and other roof extensions

**Planning permission is not required provided that:**

1. No part of the roof light, dormer or extension is higher than the highest part of the existing roof.
2. No part of the roof light, dormer or extension projects by more than 15 centimetres beyond the plane of any existing roof slope of the house which faces onto a road and forms the principal or side elevation of the house.
3. No part of the roof light, dormer or roof extension is any closer than 0.5 metres to the ridge of the existing roof, eaves of the existing roof (measured along the plane of the roof) or any party wall or verge.
4. The additions or alterations do not consist of, or include the construction of a deck, balcony or veranda or other raised platform.
5. The materials used in any exterior work are of similar appearance to those used in the construction of the exterior of the existing house.
6. Any window inserted in a wall or roof slope forming a side elevation within 15 metres of a boundary of a curtilage of a neighbouring house is obscure glazed; and is non-opening unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
7. Your house is not in a Conservation Area.

**Illustration 4:** Rear dormer not requiring planning permission.



## Roof space conversion

The internal alterations to convert a roof space to provide additional living accommodation do not require planning permission. However, installing dormer windows, inserting roof lights or carrying out other works to alter the roof may need permission – particularly if the roof slope faces onto a road and forms the principal or side elevation of the house (see Roof lights, dormer windows or other roof extensions).

## Re-roofing a house

Planning permission is not required providing that the height of the roof is not increased and the materials used are of similar appearance to those of the existing roof.

**Note:**

## Listed Buildings

**If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.**





# SECTION 4: BUILDING A GARAGE, CARPORT, GARDEN SHED, GREENHOUSE OR OTHER BUILDING

**Planning permission is not required for a detached garage, car port, shed, greenhouse or other building provided that:**

1. It is used for domestic purposes only.
2. The ground area covered by the building/structure and any other buildings within the boundary of the property, excluding the original house, is not more than half the total area of the property.
3. No part of the building/structure is in front of the principal or side elevation of the original house that faces onto a road.
4. The maximum height of the building/structure is 4 metres.
5. The maximum eaves height of the building/structure is 2.5 metres if it is within 2 metres of the boundary of the curtilage of the house.
6. No part of the building/structure is within 3.5 metres of the rear boundary of the curtilage of the house where it adjoins a road.
7. If your house is within a Conservation Area or an Area of Outstanding Natural Beauty and the maximum total area of ground covered by buildings/structures situated more than 20 metres from any wall of the house does not exceed 10 square metres.
8. If you live in a house within a Conservation Area or Area of Outstanding Natural Beauty and the building/structure is not situated between the principal or side elevation of the house and the boundary of the curtilage of the house.

## **The creation or replacement of a hard surface for a car**

Planning permission is not required provided that your car is used as a private vehicle and the hard standing does not involve the construction or alteration of an access to a trunk or classified road or might cause an obstruction to other road users near a junction, bend or crest.

Planning permission is not required if the hard surface is to the front of your house however if the surface area

is greater than 5 square metres, it must be of porous or permeable materials or provision must be made to direct run-off water to a porous or permeable area (see glossary) within the curtilage of the house. Porous surfaces such as pebbles or gravel allow water to drain through it while permeable surfaces may have materials such as paving slabs and tiles but provide gaps which help reduce the risks associated with inadequate rainwater drainage.

## **Access to a road**

Planning permission is required unless the new access is to an unclassified road and is to serve permitted development which does not need express planning permission. It is important to note that even where planning permission is not required, an application for consent to make or alter an access to a road must still be submitted to DfI Roads for approval.

If the work involves making a new access or altering an existing access to a trunk or classified road planning permission will be needed for the access and the development.

If the development is within a site of archaeological interest or an area of special scientific interest planning permission is always required.

If in any doubt, check with the local DfI Roads office, contact details can be found under 'Government' in the phone directory or on the NI Direct website <https://www.nidirect.gov.uk/contacts/dfi-roads>

**Notes: A building/structure which is attached to the house will be treated as an extension for which the rules in Section 1 will apply. Planning permission is not required providing you comply with the rules for building an extension.**

**Measurements should always be calculated using external measurements.**

**If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.**

# SECTION 5: DECKING, WALLS AND FENCING

## Walls and Fences (see illustration 5)

Planning permission is not required provided that:

1. The wall or fence is not more than 2 metres in height anywhere on your property except where it lies adjacent to a road or footpath when its height may not exceed 1 metre.

**Note:** If you live in an open plan or shared surface housing development the walls/fences referred to above may not be permitted development. If you are in doubt, always consult the Council's Planning Section as there may be a condition attached to the planning permission for the development in which you live which affects your permitted development rights.

## Decking and Raised Platforms (see illustration 5)

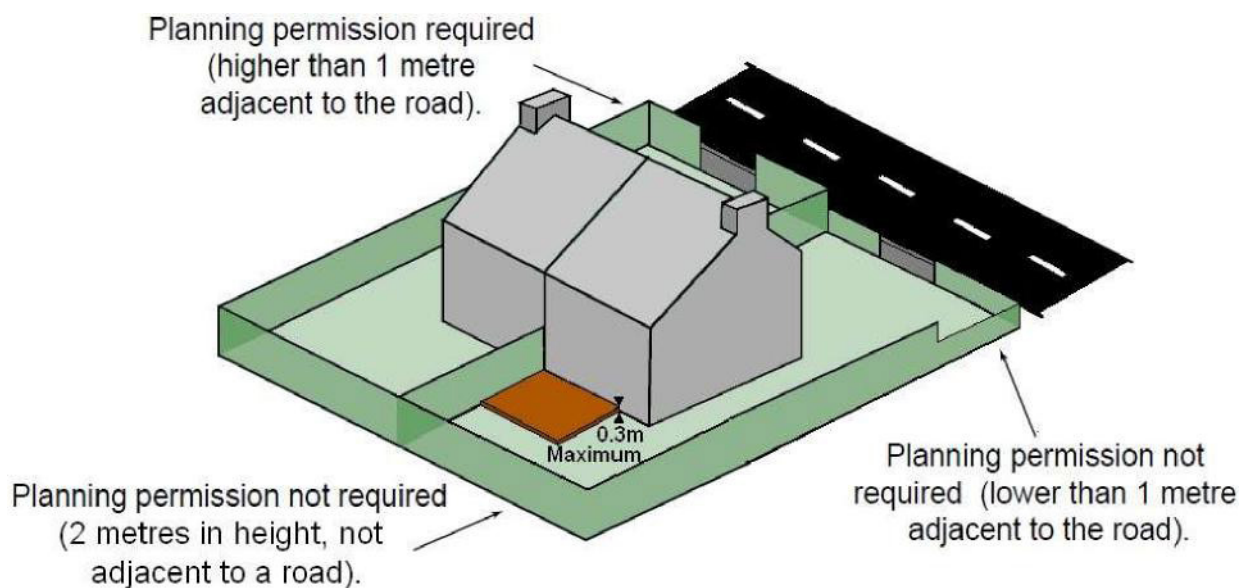
Planning permission is not required provided that:

1. No part of the deck or raised platform is more than 0.3 metres above ground level.
2. The deck or raised platform is not in front of the principal or side elevation of the house that faces onto a road.
3. If you live in a house within a Conservation Area no part of the deck or raised platform is situated between a wall forming the principal or side elevation and the property boundary.

**Notes:** The highest point of any railing, balustrade etc. around a deck or raised platform may not be more than 2 metres above ground level.

If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.

Illustration 5: Building a wall or fence





# SECTION 6: REPAIRS AND MAINTENANCE

## General improvements and repairs to a house

Planning permission is generally not required for improvements and repairs unless the work involves a considerable change to the outside appearance of the house.

## Changing external windows and doors

Planning permission is not required provided you are using existing window and door openings. You may, however, need permission to replace a flat window with a bay or bow window. You should check with the Council's Planning Section before starting work.

## Internal alterations to a house

Planning permission is not required provided that the use as a house is not changed.

## Painting the exterior of a house

Planning permission is not required provided that the painting is not for the purpose of advertisement, announcement or direction.

## Cladding the outside of a house

Planning permission is required in a Conservation Area or Area of Outstanding Natural Beauty.

In other areas planning permission is not required although the materials used should be of similar appearance to those used on the exterior of the existing house.

**Note:** If you live in a Conservation Area special guidance is available from the Council's Planning Section on the use of materials and other detailed design issues. If you are planning repairs and maintenance to your home, and it is in a Conservation Area it is recommended you consult this guidance. If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.

# SECTION 7: MINOR WORKS. OIL/LPG TANKS, CHIMNEYS, FLUES AND VENT/SOIL PIPES, MICROWAVE ANTENNAE

## Oil /LPG Tanks

### Planning permission is not required provided that:

1. The tank is for domestic purposes.
2. The tank has a maximum capacity of 3,500 litres.
3. No part of the tank is more than 3 metres above ground level.
4. No part of the tank is on land in front of the principal or side elevation of the original house that faces a road.
5. The tank is no closer than 2 metres from a rear property boundary with a road opposite the rear wall of the house.
6. If you live in a house within a Conservation Area no part of the tank is on land between the principal or side elevation of the house and its boundary.

## Chimneys, flues or soil and vent pipes

### Planning permission is not required provided that:

1. The height of the chimney, flue or soil and vent pipe is not more than 1 metre above the highest part of the roof.
2. If you live in a house within a Conservation Area or Area of Outstanding Natural Beauty the chimney, flue or soil and vent pipe is not installed on the principal or side elevation of the house which faces a road.

## Microwave antennae

### Planning permission is not required provided that:

1. There are no more than 2 antennae on the house or within its curtilage.
2. If a single antenna is installed it is not longer than 100 centimetres in length.
3. If two antennae are installed, one is not greater than 100 centimetres in length and the other not greater than 60 centimetres in length.
4. An antenna fitted to a chimney stack:
  - a. is not greater than 60 centimetres in length;
  - b. does not protrude above the chimney.

5. The antenna has a maximum cubic capacity of not more than 35 litres.
6. An antenna installed on a roof without a chimney is not higher than the highest part of the roof.
7. An antenna installed on a roof with a chimney is: not higher than the highest part of the chimney or, not more than 60 centimetres above the highest part of the ridge tiles of the roof whichever is the lower.
8. If you live in a house within a Conservation Area, Area of Outstanding Natural Beauty or Area of Special Scientific Interest:
  - a. the antenna is not installed on a chimney, wall or roof slope facing onto and visible from a road, and
  - b. is not installed on a building over 15 metres high.

**Notes: Where it is practicable antennae should be positioned so as to minimise the impact on the external appearance of the building.**

**For the purpose of this guide the length of an antenna is its maximum dimension in any linear direction; measurement should not include any projecting feed element, reinforcing rim, mounting or bracket(s).**

**Antennae should be removed when no longer needed for reception or transmission purposes**

## Erecting a radio mast

Planning permission is required to erect a radio mast.

## Putting up a TV aerial

Planning permission is not required to put up a TV aerial.

## Keeping a caravan or boat in a garden or driveway

Planning permission is not required to keep a caravan or boat in a garden or driveway provided the caravan or boat is used for your own enjoyment and is simply parked there.

**Note: If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.**

# SECTION 8: SOLAR PANELS

## Roof mounted solar panels on a pitched roof (see illustration 6)

**Planning permission is not required provided that:**

1. No part of the panel exceeds the highest part of the roof.
2. No part of the panel protrudes more than 20 centimetres beyond the plane of a roof slope facing onto or visible from a road.
3. Panels do not protrude beyond the edge of the existing roof.
4. If you live in a house within a Conservation Area the roof slope on which the panels are fitted must not face onto or be visible from a road.

## Roof mounted solar panels on a flat roof

**Planning permission is not required provided that:**

1. Panels do not extend more than 1.5 metres above the plane of the roof.
2. Panels do not protrude beyond the edge of the existing roof.
3. If you live in a house within a Conservation Area the panels must not be visible from a road.

## Wall mounted solar panels

**Planning permission is not required provided that:**

1. Any part of the panel which is higher than 4 metres and closer than 3 metres to the property boundary does not protrude more than 20 centimetres from the plane of the wall.
2. Panels do not protrude beyond the edge of the existing wall.
3. No part of the solar panel installed on a wall of a chimney is higher than the highest part of the roof.
4. If you live in a house within a Conservation Area the wall must not face onto or be visible from a road.

## Free-standing solar equipment

**Planning permission is not required provided that:**

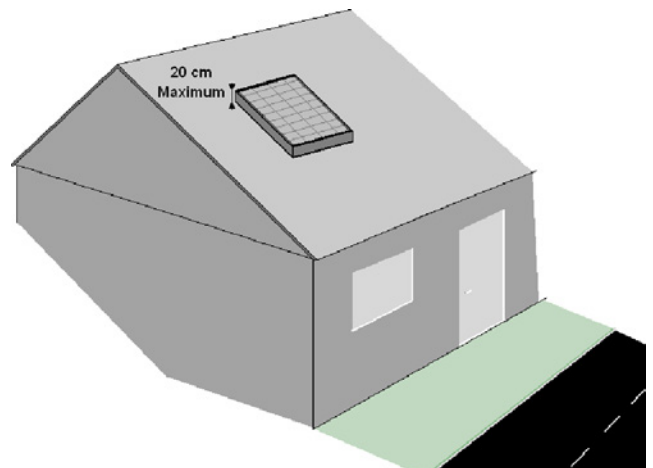
1. There is only one freestanding solar panel installation within the curtilage of the dwelling.
2. The area of the free-standing solar panel does not exceed 14 square metres.
3. No part of the panel exceeds 2 metres in height.
4. No part of the panel is closer to a road than any part of the existing house.

**Notes:** The primary purpose of solar equipment must be to provide heat or energy for a domestic property.

When no longer in use equipment must be removed as soon as reasonably practicable.

If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Section will be able to advise you.

**Illustration 6:** Roof solar panel facing onto and visible from a road.



# SECTION 9: DOMESTIC BIOMASS AND HEAT PUMPS

## Containers for storing solid biomass fuel

**Planning permission is not required provided that:**

1. An above ground container does not exceed 6,500 litres in capacity or more than 3 metres above ground level in height.
2. No part of the container is closer to a road than the part of the house nearest the road.
3. If you live in a house within a Site of Archaeological Interest or an Area of Special Scientific Interest the container is not below ground.

## A flue for a biomass or combined heat and power heating system

**Planning permission is not required provided that:**

1. The height of the flue is no more than 1 metre higher than the highest part of the roof.
2. The flue is not on a wall or roof slope forming the principal or side elevation which is visible from a road If you live in a house within a Conservation Area.

## A ground or water source heat pump

**Planning permission is not required provided that:**

1. No part of the pump or its housing which is within 3 metres of the boundary of the house exceeds 4 metres in height.
2. No part of the pump or its housing is closer to a road than the part of the existing house nearest the road.
3. The heat pump is not situated within an Area of Special Scientific Interest or a Site of Archaeological Interest.

**Notes:**The primary purpose of such equipment must be to provide heat or energy for a domestic supply.

**When no longer in use equipment must be removed as soon as reasonably practicable.**

## An air source heat pump

**Planning permission is not required provided that:**

1. It would not result in the presence of more than one air source heat pump within the curtilage of the house.
2. No part of the air source heat pump is within 30 metres of the house (other than where an air source heat pump is being installed, altered or replaced).
3. No part of the air source heat pump is situated on land forward of a wall which faces the road and forms either the principal or side elevation of the existing house.
4. If you live in a Conservation Area no part of the air source heat pump faces onto or is visible from a road.
5. The height of the air source heat pump does not exceed 2 metres.
6. The pump is not located on a roof.
7. The heat pump is not situated within an Area of Special Scientific Interest, a Site of Archaeological Interest or within the curtilage of a Listed Building.

**Notes:**The primary purpose of such equipment must be to provide heat for use within the curtilage of the house.

**Equipment must be removed as soon as reasonably practicable when no longer in use.**

**If you live in a house which is a listed building, it is likely that you will need Listed Building Consent for any building operations. If the development is within the curtilage of a listed building you will building consent has already been granted. The Council's Planning Section will be able to advise you.**

# SECTION 10: TREES

Trees are an important and valuable landscape resource which are sometimes undervalued. They improve air quality, stabilise soil, sustain diversity of wildlife, support flora and fauna and contribute to our health and sense of well-being. In the urban environment they contribute enormously to our sense of place, provide screening and privacy for our homes, add colour, seasonal interest and underpin visual amenity of our towns and villages. Trees provide important landmark features and help to define our urban and rural character and local identity.

The Council has a duty in relation to the preservation of trees where appropriate, and in exercising its planning powers will ensure that appropriate and adequate provision is made for the preservation of existing trees and planting of new trees. The Council will make provision for the preservation of trees and woodlands within the Borough where it is expedient to the interests of amenity.

Trees are sensitive to changes in the environment around them and can be easily damaged and destroyed. The impact of development in close proximity, ground works, the storage of materials around them, and changes in ground levels adjacent to a tree can impact greatly on its health and condition. Care also needs to be taken to avoid the adverse impacts of soil compaction and root damage which can result when new development is undertaken insensitively. It is important that trees are protected by appropriate measures to prevent such damage. This is especially important at an early design stage of development proposals and during the construction phase whether approved by a planning permission or when carrying out 'permitted development'.

Before carrying out any works to trees, or works that may impact on trees, you should check that the trees

are not protected by a Tree Preservation Order (TPO) or protected by a planning condition attached to a planning permission.

Trees located within a Conservation Area are protected by the designation as though a Tree Preservation Order was in effect, in accordance with Section 127 of the Planning Act. If works are proposed to trees located within a Conservation Area, notification must be given to the Council six weeks prior to carrying out the works. If the Council considers the tree works proposed to be inappropriate or unacceptable, it may proceed to protect the trees through the serving of a Tree Preservation Order.

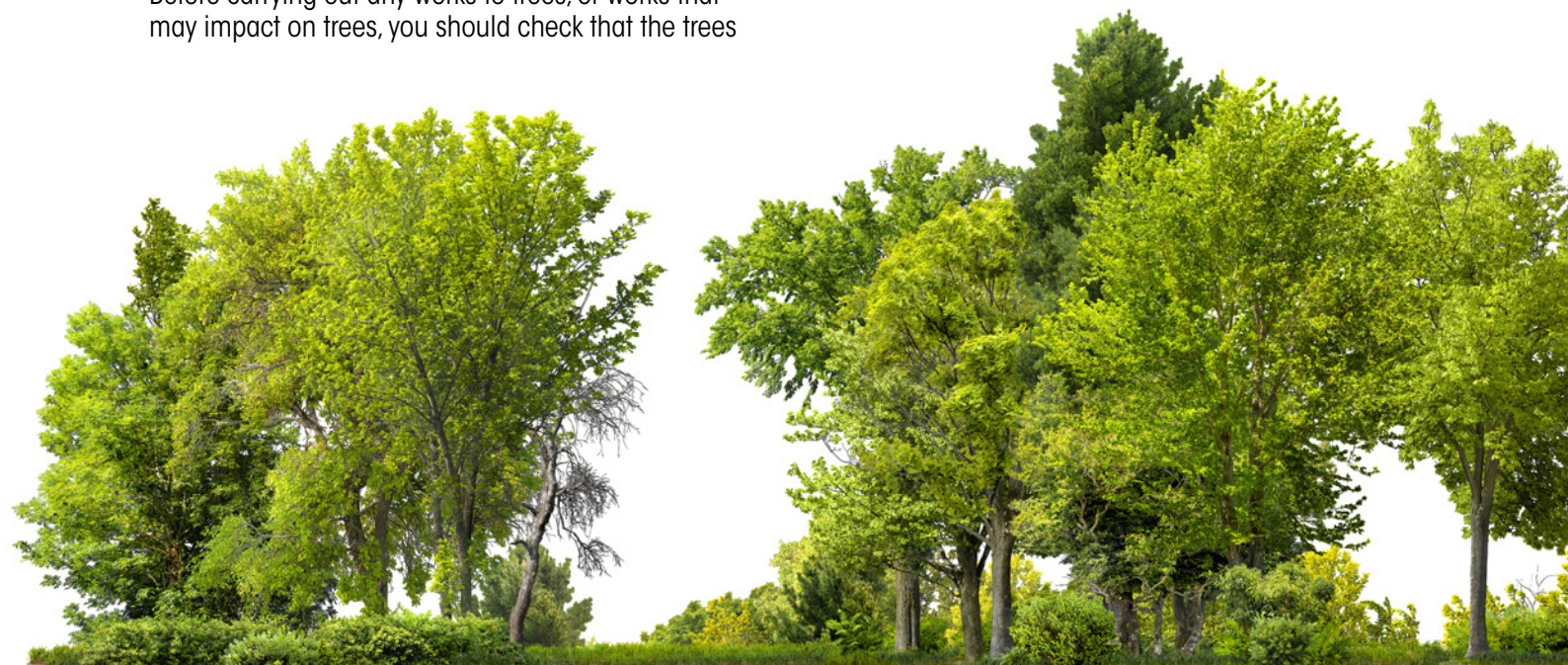
You must apply to the Council's Planning Section for consent to carry out any works to trees protected by a Tree Preservation Order (TPO). To check if your site is protected by a TPO please use our interactive map viewer via the following web-link:

<https://anbc.maps.arcgis.com/apps/webappviewer/index.html?id=726db1d2b3b74a6aa0966dcf89ec2aee>

For guidance in relation to protected trees and how to apply for consent to undertake works to a protected tree(s) please refer to the following web-link:

<https://antrimandnewtownabbey.gov.uk/residents/planning/protected-trees>

**Note: It is a criminal offence to cut down, uproot or willfully destroy or damage, top or lop a tree protected by Conservation Area designation, or by a Tree Preservation Order without the requisite permission by the Council. On summary conviction you could be fined up to £100,000.**



# SECTION 11: MAKING YOUR HOUSEHOLDER APPLICATION

## Application Forms

If you need to apply for planning permission, application form PHD and its associated guidance is available at <https://www.infrastructure-ni.gov.uk/articles/planning-fees-and-forms> or from the Council's Planning Section.

Whilst the form is not difficult to complete, you may find it helpful to employ the services of an agent to make the application on your behalf.

You may also find it helpful to make an appointment with the Planning Section to discuss your proposal before you complete the application form. The Council's Planning Section operates an appointment system each week day, or we can assist you by telephone.

## Application Fees

A fee is charged for most planning applications; the amount varies depending on the type of application and the proposed development. The Council's Planning Section can advise you of the correct fee for your application and details are set out in the leaflet "Planning Fees – Explanatory Notes for Applicants" – also available at <https://www.infrastructure-ni.gov.uk/articles/planning-fees-and-forms> or from the Council's Planning Section.

You may not have to pay a fee if you are altering or extending your house to improve the safety, health or comfort of a disabled person living in the house.

## Advertising and Consultation

Once we have all the information we need, we will carry out consultations on the proposal in accordance with the legislative requirements. We will:

- Publish notice of the application in the local press (Antrim Guardian and Newtownabbey Times) or other major newspapers where publication of local press is suspended;
- Notify neighbours of the application by letter;
- Publish notice of the application on the Planning pages of the Council's website;
- Notify relevant statutory consultees, such as DfI Roads, NI Water etc; and
- Notify relevant non-statutory consultees such as the Council's own Environmental Health Section or Tree Officer if required.

Legislation prohibits a decision being issued until the expiry of 14 days from the date an application is advertised, or neighbour notified, whichever is the later. We also cannot issue a decision until at least 21 days after we have consulted a statutory consultee.

## Neighbour Notification: Telling your Neighbours

Article 8 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 requires the Council upon receipt of an application for planning permission to notify identified occupiers of buildings on neighbouring land adjoining the application site:

- that an application for planning permission has been received; and
- where the application and related plans may be inspected.

Owners not in occupation or persons with other interests in the land will not be notified.

To enable the Council's Planning Section to notify the correct people, you must submit on your application form the addresses of occupiers of buildings on adjoining land who are within 90 metres of the boundary of your site.

### What is "neighbouring land"?

Neighbouring land means land which directly adjoins the application site, or which would adjoin it but for an entry or road less than 20 metres in width.

### Which neighbours are "identified occupiers"?

An identified occupier is the occupier of premises within a 90 metre radius of the boundary of the proposed application site. It is therefore the addresses of these buildings only that you should enter.

Advice notes on neighbour notification are contained in the application form PHD which is available from the Council's Planning Section or at <https://www.infrastructure-ni.gov.uk/articles/planning-fees-and-forms>. If you need help to complete your application staff will be able to assist you.

Although your neighbours can comment on your proposals, we will only consider those comments which have to do with planning matters and will not consider anything else.



## Length of Time to get a Decision

When a planning application is received the Council's Planning Section will notify your neighbours and inspect the site. We will likely have to consult other bodies such as DfI Roads and Northern Ireland Water.

During the processing of an application we may find that proposals need amending or additional information is needed and these factors could extend the processing time. We aim to process applications for 'householder' development within 8 weeks.

## Planning publications which may help you

You may wish to consult the following publications which are available from the Council's Planning Section or at <https://www.infrastructure-ni.gov.uk/planning/regional-planning-and-policy>.

- The Strategic Planning Policy Statement (SPPS) and Planning Policy Statements (PPSs), such as Annex 1 of PPS 4, PPS 7 and PPS 21.

## Refusal of planning permission or imposition of a condition

You may appeal against a refusal of planning permission or against a condition attached to any approval of permission within 4 months of the date of our notice of decision. You can get the forms and explanatory notes you need from the Planning Appeals Commission and your appeal should be made direct to:

### Post

Planning Appeals Commission Park House  
87 - 91 Great Victoria Street  
BELFAST BT2 7AG

E. [info@pacni.gov.uk](mailto:info@pacni.gov.uk)

[www.pacni.gov.uk](http://www.pacni.gov.uk)

T. (028) 9024 4710

## Additional information

The Council's Planning Section staff will be glad to give you general information as well as advice on any particular development you have in mind. If you require detailed information, we would advise you to submit full details of your query in writing to the Planning Section which will be acknowledged and a response issued in due course.



# SECTION 12: THINGS TO CHECK

**Before carrying out any work you are advised to check the following:**

## Legal Position

If you are in any doubt, check your legal position and if necessary consult a solicitor to ensure that there are no restrictions on the land or the type of work you wish to do (e.g., legal title, restrictive covenants, rights-of-way, a direction which has previously removed permitted development rights etc.). Also if the existing building is unlawful, permitted development rights will not apply.

## Planning History

The original planning permission granted for your house may have a condition attached restricting or prohibiting the kind of work you wish to carry out. If in doubt, check with the Council's Planning Section. There may be a small fee for this service. In addition, if you have previously extended the property, there may be a limit on your permitted development rights.

## Road Requirements

The work you are carrying out must not cause danger by obstructing the view of people using a public road or which impact on the means of access to an existing road .

## Listed Buildings and Conservation Areas

Listed Building Consent may be needed for the work you want to do if you live in a listed building. The Council's Planning Section will be able to advise.

If you live in a Conservation Area and wish to carry out any external alterations, it is advisable to discuss these with the Council's Planning Section.

## Historic Monuments

Work proposed in or near any archaeological site or historic monument may need special permission, or certain precautions may be advisable. For advice contact the Historic Environment Division within the Department for Communities at the following address:

### Post

Historic Environment Division  
Ground Floor  
9 Lanyon Place  
Town Parks  
Belfast  
BT1 3LP

E. [historicensementenquiries@communities-ni.gov.uk](mailto:historicensementenquiries@communities-ni.gov.uk)



# SECTION 13: OTHER APPROVALS YOU MAY REQUIRE

As well as planning permission and Listed Building Consent there are other approvals and consents which may be needed.

## Building Regulations

The Council's Building Control Service assesses plans to make sure they comply with Building Regulations. As work progresses on site Building Control officers will inspect it at key stages. You may be required to submit plans to Building Control. Planning Section will also check that the plans you submit to Building Control have the benefit of planning approval. You can find out more information from Building Control as follows:

T. 028 9034 0140

E. [buildingcontrol@antrimandnewtownabbey.gov.uk](mailto:buildingcontrol@antrimandnewtownabbey.gov.uk).

[antrimandnewtownabbey.gov.uk/residents/building-control](http://antrimandnewtownabbey.gov.uk/residents/building-control)

## Development affecting roads

When you apply for planning permission your application may be required to be considered by the Department for Infrastructure's Roads Department. Even if you do not need planning permission but wish to make or alter an access to a road or do any work to a road or a footpath you may need the permission of DfI Roads.

**You can contact DfI Roads as follows:**

T. 0300 200 7899

E. [dfiroads.northern@infrastructure-ni.gov.uk](mailto:dfiroads.northern@infrastructure-ni.gov.uk)

## Water Fittings Regulations

The consent of Northern Ireland Water may be needed for your plumbing and drainage proposals. For further advice please contact Northern Ireland Water.

You can find contact details for Northern Ireland Water at [www.niwater.com](http://www.niwater.com).

## Effluent disposal

Should you intend to treat foul sewage effluent from the proposed development using a septic tank or package sewage treatment works you will need a discharge consent from the Water Management Unit of the Northern Ireland Environment Agency (NIEA) within the Department of Agriculture, Environment and Rural Affairs (DAERA). Ideally application should be made either prior to or alongside the planning process, as there is no guarantee that consent will be granted.

**You can contact the Water Management Unit as follows:**

### Post

Northern Ireland Environment Agency  
17 Antrim Road Tonagh, Lisburn BT28 3AL

T. 0300 200 7850

[www.daera-ni.gov.uk/contacts/water-management-unit](http://www.daera-ni.gov.uk/contacts/water-management-unit)



# SECTION 14: ENFORCEMENT

A breach of planning control occurs when building works or a material change of use of land or a building takes place without planning consent.

The Council has powers to require these breaches to be put right. We can do this by requiring changes to be made to the development, by requiring removal of the development, or by giving the development approval if we think it is acceptable.

The Council's approach to planning enforcement is set out in the following statement:

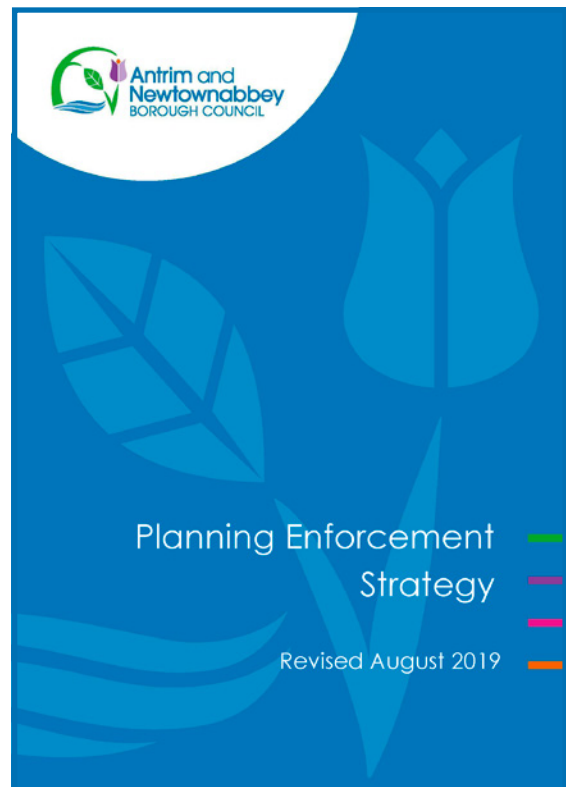
"Antrim and Newtownabbey Borough Council attaches great importance to the protection and enhancement of the natural and built environments of the Borough through the planning process. Compliance with and respect for that process are both essential and expected, and the Council will not condone wilful breaches of planning control.

Whilst enforcement action will always need to be commensurate with the breach to which it relates, the Council will not hesitate to be firm and robust in its response in appropriate circumstances, including recourse to the courts.

Every effort will be made to resolve inadvertent or minor breaches through discussion and retrospective planning applications. More serious breaches (including those considered to be wilful) are likely to result in formal enforcement action."

For guidance on how we deal with complaints about alleged breaches of planning control, please refer to our Enforcement Strategy which can be viewed at

[antrimandnewtownabbey.gov.uk/residents/planning/planning-enforcement/](http://antrimandnewtownabbey.gov.uk/residents/planning/planning-enforcement/)



# SECTION 15: GLOSSARY

|   |  |
|---|--|
| Area of Outstanding Natural Beauty (AONB)       | An area which has been designated to be of outstanding natural beauty  |
| Area of Special Scientific Interest (ASSI)      | An area of land protected due to its nature conservation or geological value   |
| Area of Townscape or Village Character ATC/AVC) | Areas designated in particular towns or villages which have a distinctive character in their built form and layout   |
| Conservation Area                               | An area designated as it is an area of special architectural and historic interest, the character of which it is desirable to preserve or enhance  |
| Curtilage                                       | The area, usually enclosed, encompassing the grounds and buildings immediately surrounding a house that is used in the daily activities of domestic life   |
| Existing House                                  | A house existing immediately before the carrying out of the proposed development   |
| Original house                                  | A house as it existed on 1st October 1973 or as it was built when built after this date  |
| Listed Building                                 | A building listed as a building of special architectural or historic interest  |
| Listed Building Consent                         | The written consent of the Council for the demolition, alteration or extension of a listed building  |
| Microwave antenna                               | A satellite antenna or terrestrial microwave antenna   |
| Permeable surfacing                             | The material is impervious to water but gaps throughout the surface allow water to infiltrate (drain)  |
| Porous surfacing                                | Surfacing that infiltrates water across the entire surface   |
| Principal elevation                             | In most cases, the principal elevation will be that part of the house which fronts the main road serving the house. It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be that which is understood to be the front of the house. |
| Rear elevation                                  | That part of the house that is opposite the principal elevation  |
| Road  | A road will usually include public roads and public footpaths but would not usually include private driveways  |
| Side elevation                                  | The part of the house which links the principal elevation with the rear elevation  |
| Site of Archaeological Interest                 | Land scheduled for protection or taken into care under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995   |

# SECTION 16: CONTACT THE PLANNING SECTION

You can contact the Council's Planning Section in the following ways:

E. [planning@antrimandnewtownabbey.gov.uk](mailto:planning@antrimandnewtownabbey.gov.uk)

T. 0300 123 6677

## Post

Antrim and Newtownabbey Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

[antrimandnewtownabbey.gov.uk](http://antrimandnewtownabbey.gov.uk)





