

# Your Home and Planning Permission

## 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 an opportunity for your proposed development to be considered in the context of this aim. Proposed development which may seem to be relatively minor to you can have a significant impact on the neighbourhood and the built environment.

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

This document is to help you to understand if you need planning permission for works carried out around your home. It also tells you how to go about making a planning application if one is needed.

The document is simply a guide and is not an exact statement of the law. Planning legislation can be accessed at <https://www.infrastructure-ni.gov.uk/articles/current-planning-legislation>. **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 Service, 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. 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 14.

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 can be particularly beneficial to those participating in the housing market as solicitors representing purchasers will usually require documentary evidence that extensions etc. are lawful. An application for a Certificate of Lawfulness must be accompanied by the appropriate fee. For more information see "Fees" in Section 12 of this document.

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## Section 1: Building an Extension

Planning permission is not required provided that:

1. As a result of the extension, the total area of ground covered by the extension and any other buildings within the curtilage of the house, excluding the original house, would not exceed 50% of the total area of the curtilage (excluding the ground area of the original house).
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 any 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 curtilage of the house.
6. The materials used in any exterior work, other than materials used in the construction 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 be 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;
  - 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 with 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-
- no part of the exterior of the house is clad with stone, artificial stone, pebbledash, render, timber, plastic or tiles;
  - the extension is not more than 1 storey or 4 metres in height;
  - no part of the extension extends beyond a principal or side elevation of the original house.

**Note:** Measurements are always 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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.**

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

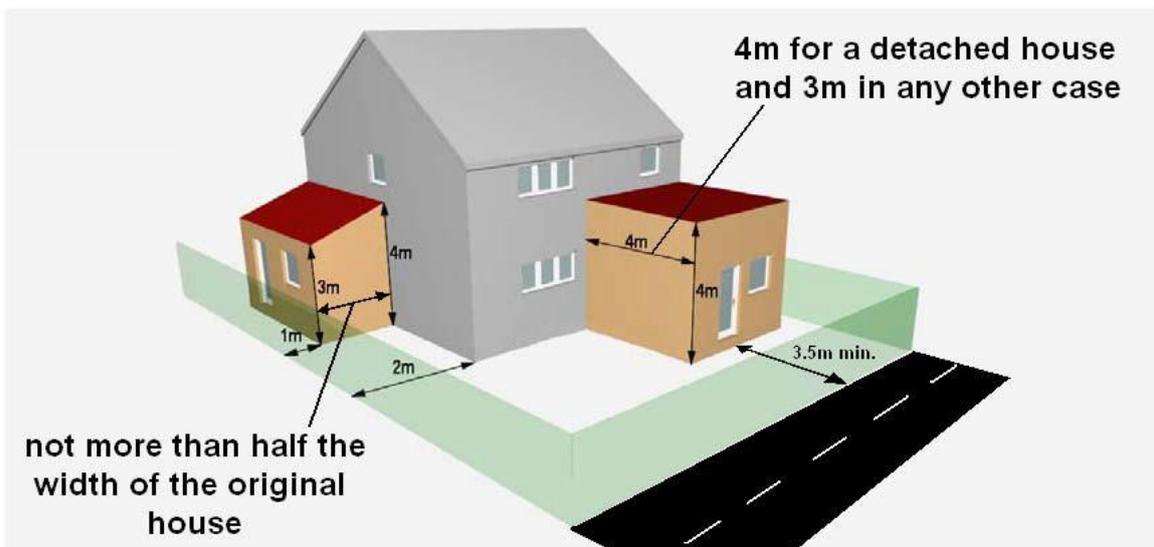
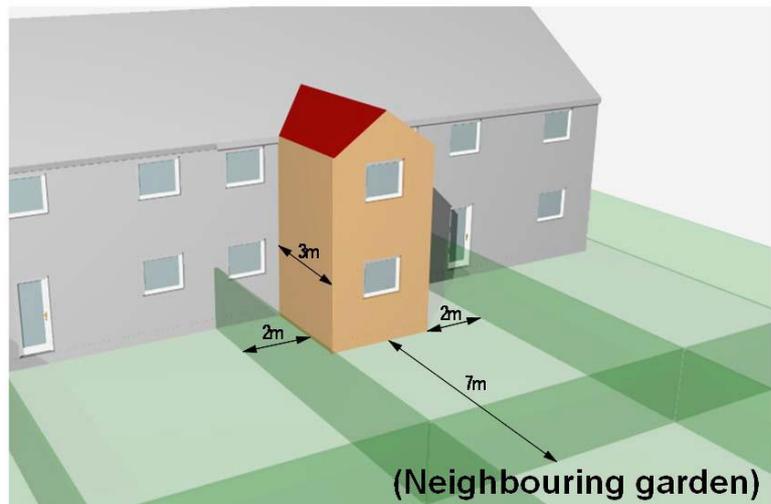


Illustration 2: Two storey rear extension to terraced house



<sup>1</sup> Conservation Areas are designated in parts of Donaghadee, Portaferry and Holywood

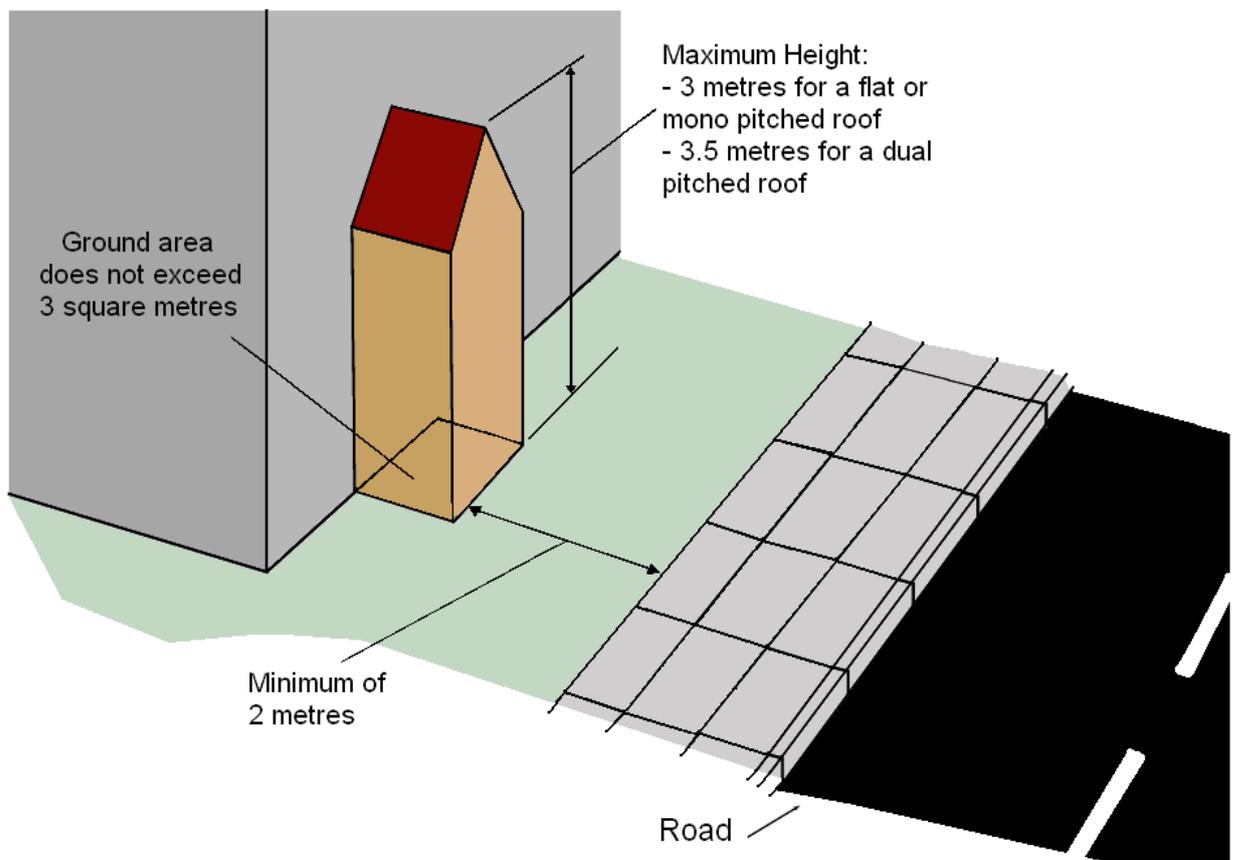
## Section 2: Alterations and Additions

### 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.

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 6 – “Garden Sheds, Greenhouses and Other Buildings”.

## 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 though building work may not be involved as this will be treated as a change of use.

## Changing part of a house for homeworking purposes

The use of any part of a house for homeworking purposes may not need planning permission but this will depend on the scale and nature of the use. Check with the Council’s Planning Service and refer to Annex A of Planning Policy Statement 4: Planning and Economic Development.

## 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, 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 Service with the details of the particular proposal and seek advice.

***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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council’s Planning Service will be able to advise you.***

## Section 3: Extensions Consisting of an Addition or Alteration to a Roof

### Roof lights, dormer windows or 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 in front 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 materials used in any exterior work are of similar appearance to those used in the construction of the exterior of the existing house.
5. 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.
6. 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 extension**).

## 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.

***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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

## Section 4: Building a Garage or Carport

### Garage or Car Port

**Planning permission is not required for a detached garage or car port provided that:**

1. The garage is used for domestic purposes only.
2. The ground area covered by the garage/car port 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 garage is in front of the principal or side elevation of the original house that faces onto a road.
4. The maximum height of the garage/car port is 4 metres.
5. The maximum eaves height of the garage/car port is 2.5 metres if it is within 2 metres of the boundary of the curtilage of the house.
6. No part of the garage is within 3.5 metres of the boundary of the curtilage of the house with a road opposite the rear wall of the house.
7. If you live in a house within An Area of Outstanding Natural Beauty the maximum total area of ground covered by buildings 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 the garage is not situated between the principal or side elevation of the house and its boundary.

**Note:** *A garage 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 are always calculated using external measurements.*

## 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 hardstanding 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.

If the hard surface is to the front of your house and is greater than 5 square metres it must be of porous or permeable materials or provision made to direct run-off water to a porous or permeable area within the grounds of the house.

Porous surfaces such as pebbles or gravel allow water to drain through it while permeable surfaces have materials such as paving slabs and tiles with gaps which allow water 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 planning permission. 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>

***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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service 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 adjoins a road or footpath. In this case the height is restricted to 1 metre.
2. You don't live in an open plan/shared surface type of development. In which case always consult the Council's Planning Service as there may be a condition attached to the planning permission for the estate which would override this guidance.

### Decking and raised platforms (see illustration 5)

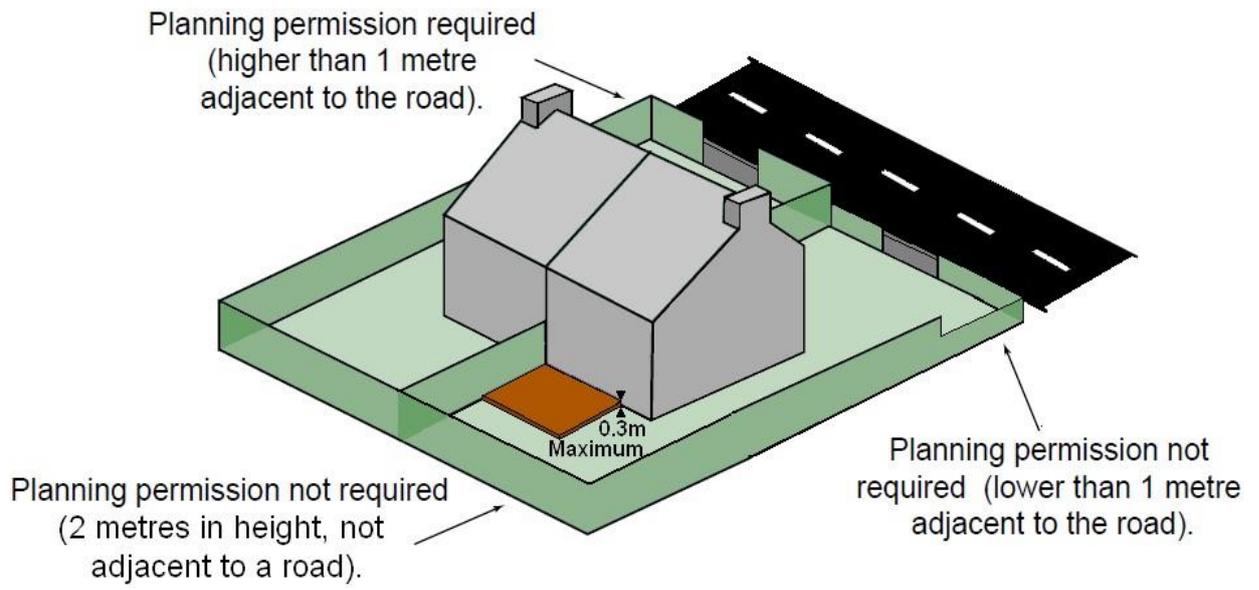
#### Planning permission is not required provided that:

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.

**Note:** *Any railing, balustrade etc. around a deck or raised platform cannot be more than 2 metres in height from 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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

Illustration 5: Building a wall or fence



## Section 6: Garden Shed, Greenhouses and Other Buildings

Planning permission is not required provided that:

1. The shed/greenhouse/building is used for domestic purposes only.
2. The ground area covered by the shed/greenhouse/building 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 shed/greenhouse/building is in front of the principal or side elevation of the original house that faces onto a road.
4. The maximum height of the shed/greenhouse/building is 4 metres.
5. The maximum eaves height of the shed/greenhouse/building is 2.5 metres if it is within 2 metres of the property boundary.
6. No part of the shed/greenhouse/building is within 3.5 metres of the boundary with a road to the rear of the house.
7. If you live in a house within an Area of Outstanding Natural Beauty the maximum total area of ground covered by buildings, enclosures and pools 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 the shed/greenhouse/building is not situated between the principal or side elevation of the house and its boundary.
9. The building is not used for the keeping of pigeons.

**Note:** *Measurements are always 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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

## Section 7: 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 Service 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.

***If you live in a Conservation Area special guidance is available from the Council's Planning Service on the use of materials and other detailed design issues. If you are planning repairs and maintenance to your home, you are encouraged to 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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

## Section 8: Other Minor Works

### Oil or liquefied petroleum gas container

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

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

### Putting up a TV aerial

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

### Erecting a radio mast

Planning permission **is** required to erect a radio mast.

### 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.

## Putting up a microwave antenna

Planning permission is not required provided that:

1. There are no more than 2 antennas on the house or within its curtilage.
2. A single installed antenna is not longer than 100 centimetres in any direction.
3. If two antennas are installed, one is not longer than 100 centimetres and the other longer than 60 centimetres in any direction.
4. An antenna fitted to a chimney stack:-
  - a. is no longer than 60 centimetres in any direction;
  - 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 either:-
  - a. not higher than the highest part of the chimney, or
  - b. not more than 60 centimetres measured from 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 or 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.

**Note:** *An antenna should so far as is practicable:*

- *be sited so as to minimise its effect on the external appearance of the building and*
- *be removed when no longer needed for reception or transmission purposes*

*The length of an antenna is to be measured in any linear direction, but the measurement does not include any projecting feed element, reinforcing rim, mounting or brackets.*

## 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.

***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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

## **Section 9: 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 and visible from a road.
3. Panels do not exceed the boundary 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 and 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 exceed the boundary 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 exceed the boundary of the 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 and be visible from a road.

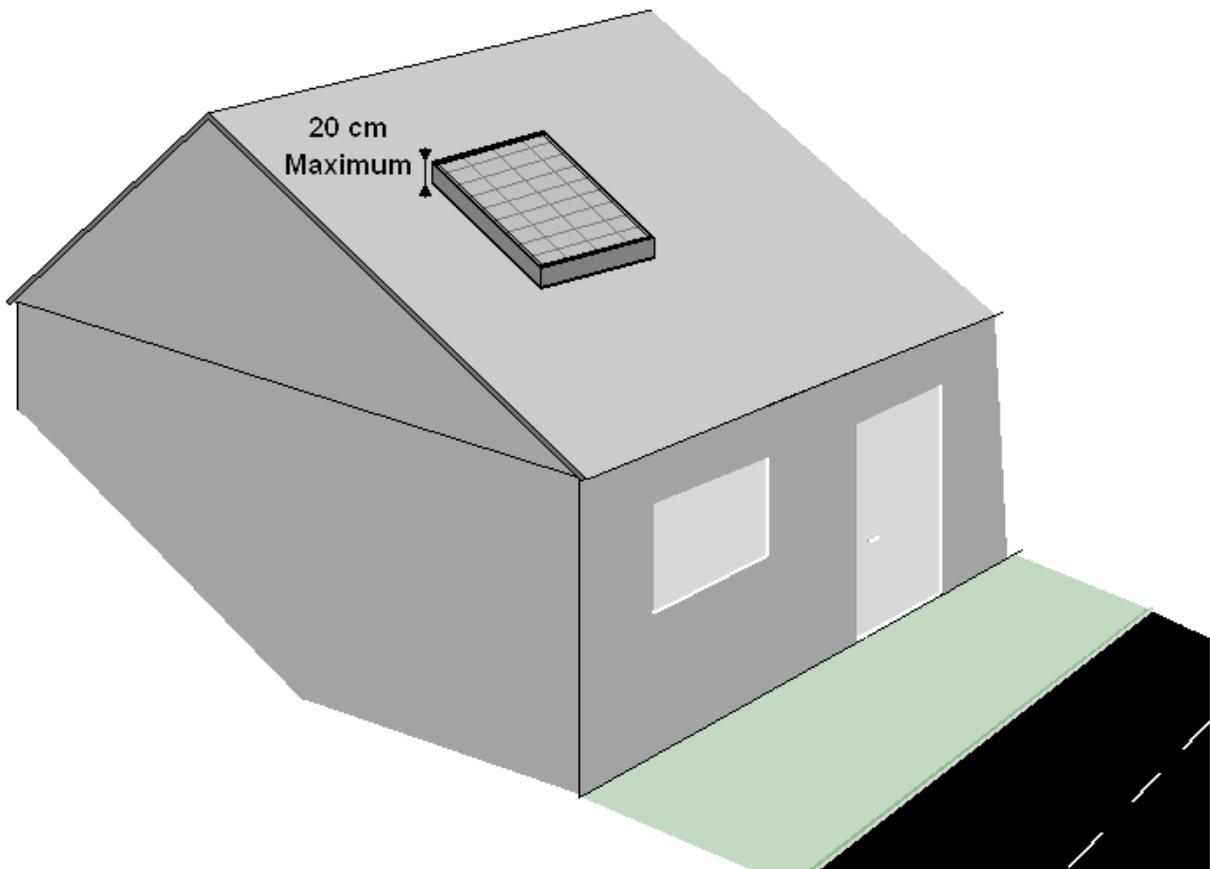
## Free-standing solar equipment

Planning permission is not required provided that:

1. There is only one freestanding solar panel installation within the boundary of the house.
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 the part of the house nearest the road.

**Note:** *The primary purpose of solar equipment must be to provide heat or energy for a domestic property.  
Equipment must be removed as soon as reasonably practicable when no longer in use.*

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



## Section 10: 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 and 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. If you live in a house within a Conservation Area the flue is not on a wall or roof slope forming the principal or side elevation which is visible from a road.

### 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 house nearest the road.
3. The heat pump is not situated within an Area of Special Scientific Interest or a Site of Archaeological Interest.

**Note:** *The primary purpose of such equipment must be to provide heat or energy for a domestic supply.  
Equipment must be removed as soon as reasonably practicable when no longer in use.*

## 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 wither the principal or side elevation of the 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 or a Site of Archaeological Interest.

**Note:** *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 may need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Service will be able to advise you.***

## Section 11: Trees

Trees are a very important and vital resource of landscape throughout urban and rural Northern Ireland. They provide us with oxygen, improve air quality, stabilise soil, give life to a variety of wildlife, support flora and fauna and ultimately contribute to the health and well-being of us all. They provide both aesthetic and amenity values which contribute to character of place, provide screening and privacy, add colour and seasonal interest and provide attractive green vistas. Trees can also act as important landmark features creating a sense of place and contributing to the character of both urban settlements and rural areas.

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 or planting of trees. The Council will also make provision for the preservation of trees or woodlands within the borough where it considers that it is expedient in the interests of amenity.

Trees are sensitive and can be easily damaged and destroyed. The impact of development in close proximity to, ground works and storage of materials around, and changes in ground levels adjacent to, a tree can impact greatly on its health and condition. Careful precautions should be taken to avoid soil compaction and root damage. It is important that trees are protected by appropriate tree protection 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 Planning Service for consent to carry out any works to trees protected by a Tree Preservation Order. You can use our interactive map to check if your site is protected by a TPO and find out how to apply for consent:  
<https://www.ardsandnorthdown.gov.uk/resident/planning/trees/tree-preservation-orders>

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 12: 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 Service.

The form is not difficult to fill in, but you may find it helpful to employ an agent to make the application on your behalf.

You may also find it helpful to make an appointment with the Planning Service to discuss your proposal before you complete the application form. The Council's Planning Service operates an appointment system each day (except during times of national pandemic), 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 Service 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>.

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 <sup>2</sup>(Newtownards Chronicle and Bangor Spectator)
- 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 government departments (Roads, NIW etc.)
- Notify relevant non-statutory consultees such as the Council's own Environmental Health Department or Tree Officer if required

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<sup>2</sup> Or other major newspapers where publication of local press is suspended

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 Service 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 Planning Service 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 Service will notify your neighbours and inspect the site. We will probably 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 Service or at <https://www.infrastructure-ni.gov.uk/topics/planning/regional-planning-and-policy>

- The Strategic Planning Policy Statement and Planning Policy Statements 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:

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

E-mail: [info@pacni.gov.uk](mailto:info@pacni.gov.uk)  
Website: [www.pacni.gov.uk](http://www.pacni.gov.uk)  
Phone: (028) 9024 4710

## **Additional information**

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

## Section 13: 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, etc.).

### 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 Service. There may be a small fee for this service.

### Traffic Safety

The work you are carrying out must not cause danger by obstructing the view of people using a public 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 Service 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 Service.

### 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.

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

Email: [historicenvironmentenquiries@communities-ni.gov.uk](mailto:historicenvironmentenquiries@communities-ni.gov.uk)

## Section 14: 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 require to submit plans to Building Control. Planning Service 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:

Tele: 0300 013 3333

Email: [buildingcontrol@ardsandnorthdown.gov.uk](mailto:buildingcontrol@ardsandnorthdown.gov.uk)

Website: <https://www.ardsandnorthdown.gov.uk/resident/building-control>

### Development affecting roads

When you apply for planning permission your application may require 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:

Telephone: 0300 200 7899

Email: [dfiroads.southern@infrastructure-ni.gov.uk](mailto:dfiroads.southern@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 you should contact Northern Ireland Water.

You can find contact details for Northern Ireland Water in the phone book or 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. 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:

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

Web: <https://www.daera-ni.gov.uk/contacts/water-management-unit>

## Section 15: 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:

“Ards and North Down 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.

While 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.”

Please refer to our Enforcement Strategy for information as to how we deal with complaints about alleged breaches of planning control:

<https://www.ardsandnorthdown.gov.uk/downloads/ards-and-north-down-planning-enforcement-strategy.pdf>

## Section 16: Contacting the Planning Service

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

Email: [planning@ardsandnorthdown.gov.uk](mailto:planning@ardsandnorthdown.gov.uk)

Tel: 0300 013 3333 or 028 91824006

Post: Ards and North Down Planning Service  
2 Church Street  
Newtownards  
BT23 4AP

Web: [www.ardsandnorthdown.gov.uk](http://www.ardsandnorthdown.gov.uk)

## 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
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
Original house	A house as it existed on 1 <sup>st</sup> October 1973 or as it was built when built after this date
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