



**Mid & East  
Antrim**  
Borough Council

# **YOUR HOME AND PLANNING PERMISSION**

**A Guide for Householders within  
Mid & East Antrim Borough Council**

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



# CONTENTS

		Page
	<b>Introduction</b>	<b>5</b>
<b>Section 1</b>	<b>Building an Extension</b>	<b>7</b>
<b>Section 2</b>	<b>Alterations and Additions</b>	<b>9</b>
	Porches	
	Conservatories	
	Granny flats	
	Converting a house into flats or apartments	
	Home working purposes (also see Section 11)	
	Demolition	
<b>Section 3</b>	<b>Extensions Consisting of an Addition or Alteration to a Roof</b>	<b>11</b>
	Roof lights, dormers or other roof extensions	
	Roof space conversion	
	Re-roofing a house	
<b>Section 4</b>	<b>Building a garage, carport, garden shed, greenhouse or other building</b>	<b>12</b>
	Creation/replacement of a hard surface for a vehicle	
	Access to a road	
<b>Section 5</b>	<b>Decking, Walls and Fencing</b>	<b>14</b>
	Walls and Fences	
	Decking and raised platforms	
<b>Section 6</b>	<b>Repairs and Maintenance</b>	<b>15</b>
	General improvements and repairs to a house	
	Internal alterations to a house	
	Changing exterior doors or windows	
	Painting or cladding the exterior of your house	
<b>Section 7</b>	<b>Other Minor Works</b>	<b>16</b>
	Oil or liquefied petroleum gas (LPG) containers	
	Chimneys, flues or soil and vent pipes	
	TV aerials	
	Radio masts	
	Microwave antennae (includes satellite dishes)	
	Closed Circuit Television Cameras (CCTV)	
	A caravan, motorhome or boat in a garden or driveway	

<b>Section 8</b>	<b>Solar Panels</b>	<b>18</b>
	Roof mounted solar panels on a pitched roof	
	Roof mounted solar panels on a flat roof	
	Wall mounted solar panels	
	Free standing solar equipment	
<b>Section 9</b>	<b>Domestic Biomass and Heat Pumps</b>	<b>20</b>
	Containers for storing biomass fuel	
	A flue for a biomass or combined heat and power heating system	
	A ground or water source heat pump	
	An air source heat pump	
<b>Section 10</b>	<b>Trees</b>	<b>21</b>
<b>Section 11</b>	<b>Homeworking</b>	<b>22</b>
<b>Section 12</b>	<b>Making Your Householder Application</b>	<b>23</b>
	Application forms and fees, planning publications to help you, and the decision-making process.	
<b>Section 13</b>	<b>Things to Check</b>	<b>25</b>
	Legal position, planning history, traffic safety, listed buildings and conservation areas, and historic monuments	
<b>Section 14</b>	<b>Other Approvals You May Require</b>	<b>26</b>
	Building Regulations, Development affecting roads, Water Fittings Regulations, and Wastewater Disposal	
<b>Section 15</b>	<b>Enforcement</b>	<b>27</b>
<b>Section 16</b>	<b>Contacting the Council's Planning Department</b>	<b>28</b>
	<b>Glossary</b>	<b>29</b>

# INTRODUCTION

The Council's Local Development Plan Vision is that *'Mid and East Antrim will be shaped by high quality, sustainable and connected places for people to live, work, enjoy, invest and visit, so as to improve the quality of life for all'*.

This Vision is a positive statement that expresses Council's aspiration of what the planning system should strive to deliver for Mid and East Antrim to improve the quality of life of 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. A development which may seem to be relatively minor to you can have a significant impact on the immediate neighbourhood and the wider built environment.

In many cases, however, 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 required.

This document 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. It 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).**

**Please also note that a flat, an apartment, or a residential property in multiple occupancy (HMO) does not benefit from the permitted development rights set out in this document. In addition, there may be a condition attached to the planning permission for the house or development in which you live which affects your permitted development rights and may override this guide.**

Some examples of permitted development are included, as illustrations, for information throughout this guidance, but this should not be viewed as a comprehensive summary. If, when you have read this document, you are still in doubt, you should contact the Council's Planning Department where staff will be happy to advise you. (see Section 16 of this document for contact details)

Even when you do not need planning permission for your proposed works, there are other kinds of approval you may need to obtain. For example, many of the works mentioned in this document are subject to control under the Building Regulations and may require separate approval from the Council. (see Section 13 of this document)

If you consider the works you propose to carry out are permitted development, you can apply to the Council for a 'Certificate of Lawful Use or Development' (CLUD) to confirm this is the case. 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. A CLUD application must be accompanied by the appropriate fee. (see 'Application Fees' in Section 12 of this document)

***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.***

***If you live in one of the five Conservation Areas<sup>1</sup> or within the Gracehill World Heritage Site, special guidance is available from the Council's Planning Department or at [www.midandeastantrim.gov.uk/planning](http://www.midandeastantrim.gov.uk/planning). If you are planning any building works/external alterations to your home, it is recommended that you consult such guidance in advance of undertaking any works.***

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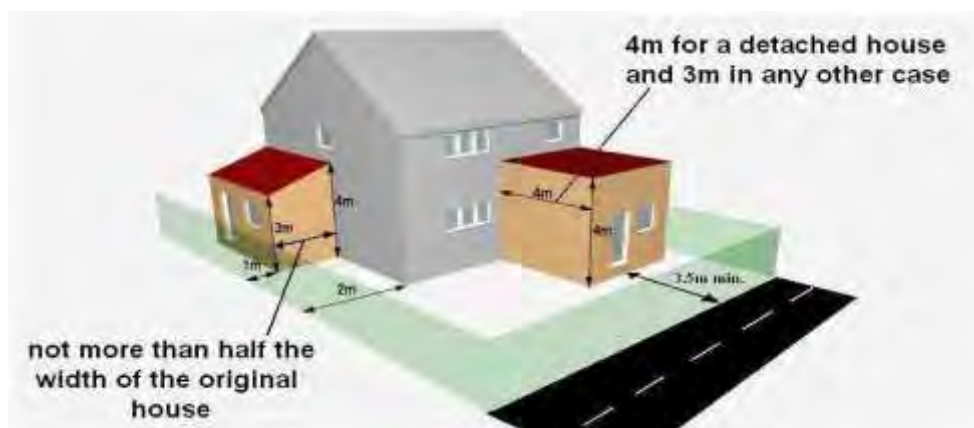
<sup>1</sup> There are five Conservation Areas within Mid and East Antrim, Carnlough, Carrickfergus, Glenarm, Gracehill and Whitehead. For further details on each area, including maps and specific guidelines, please visit the [Mid and East Antrim Local Development Plan Map Viewer](#) or consult the [Department for Infrastructure's Conservation Area Guides](#).

# SECTION 1: BUILDING AN EXTENSION

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

1. The total ground area covered by the extension and any other buildings within the boundary of 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 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 construction of a conservatory, are of similar appearance to those used in the construction of the exterior of the existing house (see Section 2 for Conservatories).
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 at the highest point;
  - 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.

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

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



11. If you live in a house within a Conservation Area, Gracehill World Heritage Site or the Antrim Coast and Glens 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.

**Note:** 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 Department will be able to advise you.***



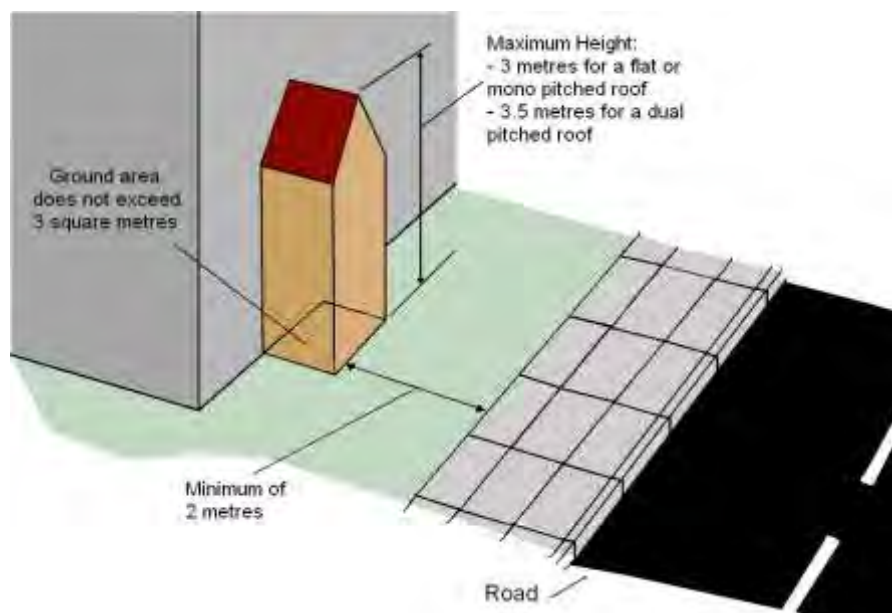
## SECTION 2: ALTERATIONS AND ADDITIONS

### 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 level if the roof is flat or mono pitched; or
  - b) 3.5 metres above ground level 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 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 4.

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

Planning permission is required if it is a separate and self-contained dwelling unit. If it is not a separate and self-contained unit, such as a granny flat, 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. For further guidance, see Section 12 of this document on Homeworking.

### **Demolition**

Planning permission is generally not required for demolition. However, if your house lies within a Conservation Area (see Glossary) consent for demolition will be required. You will also need to apply for planning permission for demolition if your house is located within an Area of Townscape Character (ATC), 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 Department with the details of the particular proposal and seek their 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 will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Department will be able to advise you.***

## SECTION 3: EXTENSIONS CONSISTING OF AN ADDITION OR 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 in front of/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 closer than 0.5 metres to the ridge or 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. The 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.

***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 Department 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. It does not involve development for use as a dwelling.
3. The total ground area covered by the building/structure and any other buildings within the boundary of the curtilage of the house, excluding the original house, would not exceed 50% of the total area of the curtilage.
4. No part of the building/structure is in front of the principal or side elevation of the original house that faces on to a road.
5. The maximum height of the building/structure is 4 metres.
6. 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.
7. 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.
8. If your house is within Gracehill World Heritage Site, or the Antrim Coast and Glens 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.
9. If you live in a house within a Conservation Area, Gracehill World Heritage Site, or the Antrim Coast and Glens 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.
10. The building is not used for the keeping of pigeons.

***Any building or 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.***

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

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

Planning permission is not normally required for the creation of a hard surface within the curtilage of your property if this is for purpose of parking 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 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 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 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 DfI Roads Northern Division office via telephone on 0300 200 7899 or via email at [dfiroads.northern@infrastructure-ni.gov.uk](mailto:dfiroads.northern@infrastructure-ni.gov.uk)

***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 Department 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. In this case the height may not exceed 1 metre.
2. You do not live in an open plan or shared surface type of development. In such cases, always consult the Council's Planning Department as there may be a condition attached to the planning permission for the development in which you live which affects your permitted development rights and may override this guidance.

### Decking and Raised Platforms (see illustration 5)

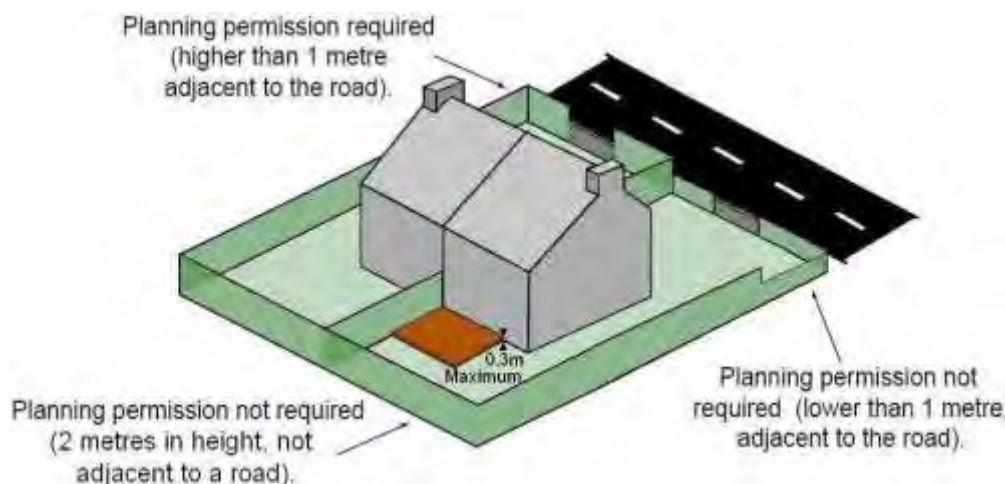
**Planning permission is not required provided that:**

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 may not be more than 2 metres 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 will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Department will be able to advise you.***

**Illustration 5:** Building a wall, fence or deck



## 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.

### Internal alterations to a house

Planning permission is not required provided that the use as a house is not changed or subdivided into additional units.



### Changing external windows or doors

Planning permission is not required provided you are using existing window and door openings. This includes replacing a garage door with a window. You may, however, need permission to replace a flat window with a bay or bow window. You should check with the Council's Planning Department before starting work, especially if you live within a Conservation Area or in a Listed Building.

### 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. However, in the case of a Listed Building, Listed Building Consent will be required.

### Cladding the outside of a house

Planning permission is required in a Conservation Area, Gracehill World Heritage Site, or the Antrim Coast and Glens 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 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 Department will be able to advise you.***

***If you live in a Conservation Area, permission may be required. Special guidance is available from the Council's Planning Department 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 such guidance.***

## SECTION 7: OTHER MINOR WORKS

### Oil /LPG Containers

**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 the rear of a 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.

### 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, Gracehill World Heritage Site, or the Antrim Coast and Glens 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.

### TV Aerials

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

### Radio Masts

Planning permission is required to erect a radio mast.

### Microwave antennae (includes Satellite dishes)

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

1. There are no more than 2 antennae on the house or within the boundary of its curtilage.
2. If a single antenna is installed, it is not longer than 100 centimetres in length in any direction.
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 in any direction.
4. An antenna fitted to a chimney stack:
  - a. is not greater than 60 centimetres in length 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 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, Gracehill World Heritage Site, the Antrim Coast and Glens Area of Outstanding Natural Beauty, or an 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:** Where it is practicable, antennae should be positioned so as to minimise its effect on the external appearance of the building. Antennae should be removed when no longer needed for reception or transmission purposes. The length of an antenna is its maximum dimension measured in any linear direction, but the measurement does not include any projecting feed element, reinforcing rim, mounting or brackets.

### **Closed-circuit television cameras (CCTV)**

**Planning permission is not required to install, change or replace a CCTV camera on a building for security purposes provided that:**

1. The camera is not on a listed building, within a conservation area, or a site of archaeological interest.
2. Its dimensions, including its housing, are less than 75 cm x 25 cm x 25 cm.
3. It is positioned more than 2.5 metres above ground level.
4. It will not protrude more than 1 metre from the surface of the building's wall.
5. It will not be within 10 metres of any other camera installed on the building.
6. It does not result in more than 4 cameras on any one elevation of the building, or more than 16 cameras in total on the building.

### **Caravan, motorhome or boat in a garden or driveway**

Planning permission is not required to park a caravan, motorhome or boat in a garden or driveway provided it is only 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 will need to submit a planning application for the work unless listed building consent has already been granted. The Council's Planning Department will be able to advise you.***

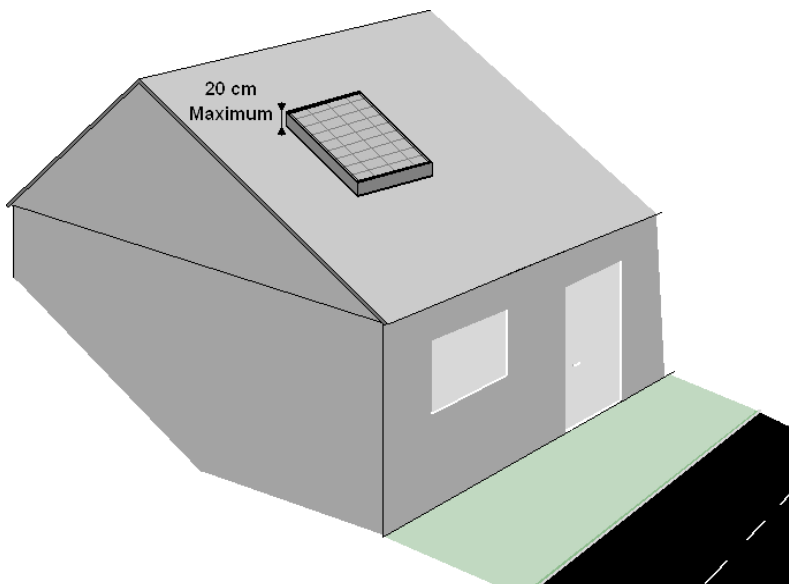
## SECTION 8: SOLAR PANELS

### 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 extend beyond the edge of the existing roof.
4. If you live in a house within a Conservation Area or Gracehill World Heritage Site, the roof slope on which the panels are fitted must not face onto or be visible from a road.

**Illustration 6:** Roof solar panel facing onto and 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 extend beyond the edge of the existing roof.
3. If you live in a house within a Conservation Area or Gracehill World Heritage Site, 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 extend beyond the edge of the existing wall.
3. No part of the solar panel installed on a wall or chimney is higher than the highest part of the roof.

4. If you live in a house within a Conservation Area or Gracehill World Heritage Site, 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 boundary of the curtilage 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. 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 Department will be able to advise you.***

# 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. If you live in a house within a Conservation Area or Gracehill World Heritage Site, 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 within the curtilage of a dwelling

**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 curtilage of the house exceeds 4 metres in height.
2. The pump is not situated within an Area of Special Scientific Interest or a Site of Archaeological Interest.

## An air source heat pump within the curtilage of a dwelling

**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 pump is within 1 metre of the boundary of the curtilage of another dwelling.
3. No part of the pump is situated on land forward of a wall which faces onto the road and forms either the principal or side elevation of the existing house.
4. The height of the pump does not exceed 3 metres. The pump is not located on a roof.
5. If you live in a Conservation Area or Gracehill World Heritage Site, no part of the pump faces onto and is visible from a road.

**Note:** The primary purpose of all 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.

***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 Department will be able to advise you.***

## SECTION 10: TREES

Trees are an important and valuable landscape resource which are sometimes undervalued. They provide oxygen, improve air quality, stabilise soil, sustain diversity of wildlife, support flora and fauna and contribute to the health and well-being of us all. Trees can provide aesthetic and amenity value which contribute to our sense of place, provide screening and privacy for our homes, add colour, seasonal interest and for visual amenity. Trees can also act as important landmark features, contribute to our sense of place 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 considers it is expedient in the interests of amenity.

Trees are sensitive to change in the environment around them and can be destroyed. The impact of development in close proximity to trees, ground works or the storage of materials around them, or changes in ground levels adjacent to a tree, can all impact greatly on the health and condition of trees.

Care and precautions also need to be taken to avoid the adverse impacts of soil condition 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 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 Department 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 [online map](#) of the current TPOs within the Borough.

For more guidance in relation to protected trees and how to apply for consent to undertake works to a protected tree(s) please refer to the guidance on the Trees section of the Council Planning Department's webpage at <https://www.midandeantrim.gov.uk/LDP/trees-hedges/>

***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: HOMEWORKING

Many small businesses are started by people working in their own homes, and technological innovations have led to an increase in homeworking. Homeworking does not necessarily require planning permission as in its simplest form it is not development. Permission is not normally required if no material change of use occurs i.e. where the use **of part of the house** for business purposes does not change the overall character of the property's use as a single dwelling, for example, the use by a householder of a room as an office.

Homeworking is likely to be ancillary to the residential use if:

- work is carried out primarily by persons living in the residential unit;
- the business is clearly secondary to the main use of the property as a dwelling house;
- the use is totally carried out within the building;
- there will be no loss of amenity for neighbouring residents, for example, from noise, smells, unsociable hours, advertising, impact on visual amenity, or traffic generation; and
- the use is not one which by its nature would attract more than occasional visitors.

It is possible to create a material change of use while not changing the primary use of the house. However, where the business activity increases and the non-residential use of the property ceases to be ancillary to its use as a single dwelling, a material change of use is likely to have taken place and planning permission would therefore be required.

The likelihood of there having been such a material change of use may be indicated where any the following have occurred:

- the laying out of rooms in such a way that those rooms could not easily revert to residential use at the end of the working day;
- a significant alteration of the house;
- a significant increase in the volume of visitors or traffic;
- a significant increase in noise, fumes or smells;
- the installation of specialised machinery, fixtures and fittings, or equipment not normally found in a dwelling;
- the proposed use is considered to be an unusual activity for a residential area; or
- additional employees are working from the property but do not live there.

**If the answer to any of these is 'yes', then planning permission is likely to be required.**

In the particular case of a childminding service, it is considered that persons who wish to use their home for childminding will not normally require planning permission where the number of children does not exceed six at any one time. This is based on the maximum number of children up to the age of 12 (including their own children) that childminders registered by The Health and Social Care Trust can care for. Other considerations set out in this section also apply.

**If you are in any doubt about working from home, you are advised to seek the advice of the Council's Planning Department at an early stage.** You can apply for a Certificate or Lawful Use for the proposed activity to confirm it is not a material change of use from the lawful use as a dwelling. Alternatively, if there is considered to be a material change of use and it is not considered to be homeworking, then you can apply for planning permission to change the use of the property, or part of the property. Such a planning application will then be determined in the context of a range of planning policies contained within the Council's Local Development Plan 2030 Plan Strategy (adopted October 2023). In particular, the Economic Development and Retailing policies as well as the General Policy within the Plan Strategy will be relevant considerations (as will a range of other planning policies) depending on the nature and the location of the use.

# SECTION 12: MAKING YOUR HOUSEHOLDER APPLICATION

## Application Forms

If you need to apply for planning permission, planning application forms and associated guidance is available on the NI Direct website or accessed via the Council's website at [www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning).

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 discuss your proposal with the Council's Planning Department before you complete the application form. You can talk to a planner officer via telephone on 028 2563 3500 or make an appointment to discuss in person.

## 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 Department can advise you of the correct fee for your application. Further details on planning fees can also be found on the Council's website at [www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning).

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.

## Planning Publications which may help you

You may wish to consult the following publications which are available to view on the Council's website at [www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning)

- Mid and East Antrim Local Development Plan 2030 – Plan Strategy (adopted October 2023)
- The Strategic Planning Policy Statement (SPPS)

## Length of Time to get a Decision

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

## Advertising and Consultation

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

- Publish notice of the application in the local press;
- Notify neighbours of the application by letter;
- Publish notice of the application on the Council's website at [www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning);
- Notify relevant statutory consultees, such as DfI Roads, NI Water etc where appropriate; and
- Notify relevant non-statutory consultees such as the Council's own Environmental Health Section or Tree Officer if required.

### **Neighbour Notification: Telling your Neighbours**

The Council would advise you to talk to your neighbours about your proposals. The Council is legally required to notify your neighbours about your planning application. These are identified occupiers of buildings on adjoining land who are within 90 metres of the application site. This also includes occupiers of buildings on land which would adjoin the boundary of the application site but for an entry, laneway or road. However, owners not in occupation or persons with other interests in the land will not be notified.

Further advice on neighbour notification is contained in the planning application form and on the Council's website at [www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning)

### **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 (PAC) and your appeal should be made direct to them. For further information please visit their website at <http://www.pacni.gov.uk> or contact them via telephone on 028 9024 4710 or via email at [info@pacni.gov.uk](mailto:info@pacni.gov.uk).

### **Additional information**

Staff in the Council's Planning Department will be glad to give you general information as well as advice on any particular development you have in mind. Please telephone 028 2563 3500 to speak to a planning officer or to make an appointment to visit the planning office to speak in person.

If you require more detailed information, we would advise you to submit full details of your query in writing to the Council's Planning Department at [planning@midandeantrim.gov.uk](mailto:planning@midandeantrim.gov.uk), 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, a direction which has previously removed permitted development rights etc). Also, if the existing building is not lawful, 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 Department.

### **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. It is advisable to discuss this with the DfI Roads Northern Division office via telephone on 0300 200 7899 or via email at [dfiroads.northern@infrastructure-ni.gov.uk](mailto:dfiroads.northern@infrastructure-ni.gov.uk)

### **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 Department 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 Department.

### **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, please contact the Historic Environment Division within the Department for Communities on 028 9081 9226 or 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. Whether your proposed development requires planning permission or not, you will likely be required to submit plans to Building Control. As work progresses on site, Building Control officers will inspect it at key stages. The Council's Planning Department will also check that the plans you submit to Building Control have the benefit of planning approval.

You can find out more information at <https://www.midandeastantrim.gov.uk/business/building-control>, via email at [building@midandeastantrim.gov.uk](mailto:building@midandeastantrim.gov.uk) or, depending on your area, at the contact details below.

Ballymena  
4 Wellington Court  
Ballymena  
BT43 6EQ  
Tel: 028 2563 3346

Carrickfergus  
11 Antrim Street  
Carrickfergus  
BT38 7DG  
Tel: 028 9335 8347

### **Development affecting roads**

When you apply for planning permission your application may be required to be considered by Department for Infrastructure (DfI) Roads. 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. This includes running a cable across or under a public footpath from a property to an electric vehicle. If in any doubt, check with the DfI Roads Northern Division office via telephone on 0300 200 7899 or via email at [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 at [www.niwater.com](http://www.niwater.com).

### **Wastewater Disposal**

Should you intend to discharge or dispose of treated wastewater from the proposed development using a septic tank or wastewater treatment works, you will need a discharge consent from the Water Management Unit (WMU) of the Northern Ireland Environment Agency (NIEA) within the Department of Agriculture, Environment and Rural Affairs (DAERA). Ideally an application should be made either prior to or alongside the planning process, as there is no guarantee that consent will be granted. If in any doubt, check with WMU via telephone on 0300 200 7850 or at [www.daera-ni.gov.uk/contacts/water-management-unit](http://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.

In most cases, it is not an offence to undertake development without consent, but the Council has powers to require these breaches to be put right. Council 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 considered acceptable

The Council places great importance on the protection and enhancement of the Borough's natural and built environments through the planning process. Compliance with, and respect for that process are both essential and expected, and the Council will not condone willful breaches of planning control.

As enforcement is a discretionary power, enforcement action will always need to be commensurate with the breach to which it relates. 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 willful and those which cannot be easily remedied by negotiation, are likely to result in formal enforcement action. The Council will not hesitate to be firm and robust in its response in appropriate circumstances, including legal recourse.

Please refer to the Council's Enforcement Strategy on the Council's Planning webpage at [www.midandeastantrim.gov.uk/planning](http://www.midandeastantrim.gov.uk/planning) for more information as to how Council deals with complaints about alleged breaches of planning control.

## SECTION 16: CONTACT THE PLANNING DEPARTMENT

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

Telephone: 028 2563 3500

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

Website: [www.midandeastantrim.gov.uk/planning](http://www.midandeastantrim.gov.uk/planning)

In person: Ardeevin

80 Galgorm Road

Ballymena

BT42 1AB

# GLOSSARY

<b>Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB)</b>	An area which has been designated to be of outstanding natural beauty under Article 14(1) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.
<b>Area of Special Scientific Interest (ASSI)</b>	An area protected due to its nature conservation or geological value and designated under Article 28 of the Environment (Northern Ireland) Order 2002.
<b>Area of Townscape Character (ATC)</b>	An area designated within a particular settlement which exhibits a distinct character often based on their historic built form or layout. For the most part this derives from the cumulative impact of the area's buildings, their setting, landscape and other locally important features. The ATCs within Mid and East Antrim are Galgorm Road, Ballymena; Belfast Road, Carrickfergus; Larne Road, Carrickfergus; Greenisland; and Shore Road, Greenisland. For maps of the boundaries please see <a href="#">maps 5 - 9</a> of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy.
<b>Conservation Area</b>	An area designated as a conservation area under section 104 of the 2011 Act. The conservation areas within Mid and East Antrim are Carnlough, Carrickfergus, Glenarm, Gracehill and Whitehead. For further details on each area, including maps and specific guidelines, please visit the <a href="#">Mid and East Antrim Local Development Plan Map Viewer</a> or consult the <a href="#">Department for Infrastructure's Conservation Area Guides</a> .
<b>Curtilage</b>	The area, usually enclosed, encompassing the grounds and buildings immediately surrounding a house that is used in the daily activities of domestic life.
<b>Existing House</b>	A house as existing immediately before the carrying out of the proposed development.
<b>House in Multiple Occupation (HMO)</b>	A House in Multiple Occupation (HMO) is living accommodation occupied by three or more persons from more than two households, as their only or main residence (as defined by the Houses in Multiple Occupation Act (Northern Ireland) 2016).
<b>House</b>	A house / dwellinghouse does not include a building containing one or more flats, or a flat contained within such a building.
<b>Listed Building</b>	A listed building is a structure which the Department for Communities (DfC) has included in a statutory list of buildings of special architectural and/or historic interest. See the Department for Communities Historic Environment Division (DfC HED) Guidance <a href="http://www.communities-ni.gov.uk/sites/default/files/publications/communities/listed-building-">www.communities-ni.gov.uk/sites/default/files/publications/communities/listed-building-</a>

	<a href="#"><u>guide.pdf</u></a>
<b>Listed Building Consent</b>	The written consent of the Council for the demolition, alteration or extension of a listed building.
<b>Microwave antenna</b>	Apparatus designed for transmitting or receiving terrestrial microwave radio energy between two or more fixed points.
<b>Original house</b>	A house as it existed on 1 <sup>st</sup> October 1973, or as it was built when built after this date.
<b>Permeable surfacing</b>	The material is impervious to water but gaps throughout the surface allow water to infiltrate (drain)
<b>Porous surfacing</b>	Surfacing that infiltrates water across the entire surface
<b>Principal elevation</b>	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.
<b>Rear elevation</b>	That part of the house that is opposite the principal elevation
<b>Road</b>	A road will usually include public roads and public footpaths, but not private driveways
<b>Side elevation</b>	The part of the house which links the principal elevation with the rear elevation
<b>Site of Archaeological Interest</b>	Land scheduled for protection or taken into care under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 or which is within a site registered in the Department's Sites and Monuments Record.
<b>Gracehill World Heritage Site</b>	A property or area appearing on the World Heritage List kept under Article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage. Gracehill was designated as a UNESCO World Heritage Site on 26 July 2024.

