



Our Ref: DMcC/AL/KS

28 January 2010

Planning Householder Permitted Development Consultation  
Planning Service  
3<sup>rd</sup> Floor  
Millennium House  
17-25 Great Victoria Street  
BELFAST  
BT2 7BN

Dear Sir/Madam

**Re: Antrim Borough Council - Corporate Response**

Further to the above matter, Council recognises the importance of this consultation process and seeks to contribute to the exercise where appropriate.

Council has expressed a broad consensus in favour of the draft proposals in terms of the potential to reduce the burden on the existing planning system, the opportunity to align PD regulations with the rest of the UK and Republic of Ireland, and the relevance to local authorities ahead of the transfer of planning functions to Councils.

However, during consideration, a number of comments and reservations were also expressed. These are noted below for your information:

- *The consultation exercise provides a timely opportunity to improve the wider system through better alignment with existing Building Control regulations, a function already under Council auspices. The consultation exercise seeks to promote deregulation for the benefit of the end user, and the differences between the two existing regulatory systems often cause confusion, with no practical reason as to why this should be. By aligning certain regulations where possible – for example, in relation to porch extensions (Q19, p.31) – this would create a more consolidated and robust system which could also be more easily monitored by local authorities;*

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Chief Executive - David McCammick, [REDACTED]

- *The concept of an impacts based approach, similar to that adopted in England and Wales, was welcomed (p.9-11);*
- *The rationale behind some proposals needs clarification - some recommended dimensions appear arbitrary – for example, why are oil tank volumes restricted to 3,500 litres (Q33, p.40)?*
- *Further in terms of improving the system, the suggestion of a User Guide (Q46, p.52) was applauded (and online provision recommended);*
- *Has the Department taken cognisance of any feedback or experience from English and Welsh planning authorities, following the introduction of an amended PD system there?*
- *Flexibility and scope of flexibility are crucial. Householder developments are, by their nature, very site specific, and as such, any legislation and emerging regulations need to demonstrate more flexibility to accommodate a range of proposals which may develop over time (particularly in relation to micro-generation and other emerging technologies);*
- *On amenity grounds, Council has concerns about including two storey rear extensions under PD legislation (Q8, p.26), and calls for the formal notification of neighbouring properties to be made a statutory requirement in such cases. This relates closely to recent High Hedges legislation, and which enables Councils to provide a conciliation service in matters of neighbour disputes in respect of amenity issues, where necessary. Such an approach could be extended;*
- *As featured, for example, in Q15, 16, 18, 24, 25, 26 and 27, the rationale behind the recommended heights or separation distances need to be clarified;*
- *The introduction of SUDS (as noted in Q31, p.39) was welcomed by Members in respect of the provision of hard-standing around domestic properties;*
- *With regard to decking (noted in Q40, p.43), Council feels that the 0.3m restriction – identical to the Scottish system – may be too restrictive, and that some flexibility towards 0.5m may be worth considering; and,*
- *The proposals suggested by Q12 (p.26) seek to protect the amenity interests of neighbouring properties. Council does not contend this, however, some flexibility in any emerging policy should be sought to allow for the possibility of fire escape routes. Specifically, the 'non-opening' nature of the proposal would require further consideration in light of this concern.*

It is hoped that this information is helpful. Where no specific reference has been made, the Department should assume that Council is in favour of the proposal.

Please acknowledge receipt of this submission, and do not hesitate to contact me if you require any further details.

Yours faithfully



**DAVID McCAMMICK**  
Chief Executive