



Our Ref: DMcC/AL/KS

28 January 2010

Non-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:

- *Council welcomes the notion of splitting the current General Development Order in two parts, with that part relating to permitted development becoming a new General Permitted Development Order (p.5). The proposals are endorsed for bringing a number of separate amendments together, although Council would recommend less legalistic jargon where possible;*

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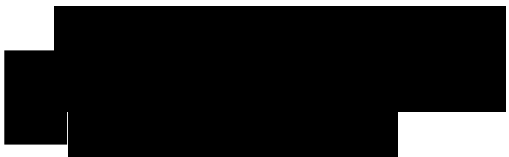
- As highlighted in the corporate response to the Householder consultation, Council recommends that, where possible, the Department consider improving the alignment between the current planning and building control regulations, to minimise the potential for confusion for the end user. This current consultation and the anticipated transfer of planning functions to local authorities appears to offer an ideal window of opportunity to better explore this option;
- Any extension of permitted development rights through the use of Local Development Orders (Q3, p.8) should be delayed until there is more feedback on their introduction in England and Wales. Has the Department considered the opportunity of running a pilot initiative in Northern Ireland?
- Some support for Art.4 directions (Q4-5, p.9) was expressed in terms of additional protection to sensitive areas (such as Conservation Areas or to protect the setting of Listed Buildings), but overall, Council felt the need for enabling legislation to be premature, and any proposal to implement these should carefully examine the real and perceived value of Art.4 directions as experienced by English and Welsh authorities to date;
- Council recommends the proposal to update the GDO to create a new Class within Part 2 of Schedule 1 (Minor Operations) to accommodate those works in respect of disability access (Q7, p10-11), and deemed necessary under the Disability Discrimination Act, subject to there being no adverse impacts;
- Council welcomes the draft proposals in respect of industry, research and development (Q15, p.15-17) and in light of the Ministerial Statement on the importance of economic considerations and prioritisation, although issues like separation distances from residential/public areas need to be carefully determined to ensure that the impact on amenity is negligible. The exclusion of large-scale incineration processes is welcomed, given ongoing concerns expressed by the general public in respect of such proposals;
- Council agrees that permitted development rights should be allowed in respect of telecommunication masts **only** where there is no demonstrable risk to the local community (Q21, p.22). Accordingly, Council would insist on mandatory public consultation for proposals in such areas (e.g. in the vicinity of schools, hospitals, public buildings etc);
- Whilst Council supports rural diversification, there is concern at the extremely prescriptive nature of the proposals as they relate to rural areas (Q25, p.27);
- Council welcomes the proposals to bring caravan sites in line with GB counterparts (Q28, p.29);
- Furthermore, Council is uncertain about the proposed approach in consideration of industrial or commercial schemes based exclusively on size. This is inappropriate, and should be based on the intended use as well. This would enable any detrimental impacts to be minimised;

- *Council expressed concern in relation to proposals for utilities intended for location in sensitive areas such as AONBs, National Parks and ASSIs, and believes that the Review is wrong to differentiate between such areas solely on the basis of their respective scale (Q32, p.32-36); and,*
- *In light of ongoing public concern with lignite, Council is not convinced that this proposal is necessarily in the local interest (Q33, p. 36-39). However, Council welcomes the proposal to create a dedicated Part within an amended GDO for development ancillary to mineral operations, and feels that this will assist with better monitoring systems.*

It is hoped that this information will be 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

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Chief Executive