

Dréacht-Straitéis an Phlean Forbartha Áitiúla 2035

Local Development Plan 2035 Draft Plan Strategy

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Supplementary Planning Guidance

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Comhairle Ceantair
an Iúir, Mhúrn agus an Dúin
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Ag freastal ar an Dún agus Ard Mhacha Theas
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Purpose of Supplementary Planning Guidance

The purpose of this Supplementary Planning Guidance (SPG) is to give general guidance to prospective developers, their professional advisors/agents and other participants in the planning process. It is designed to build upon and provide more detailed advice on the planning policies contained within the Local Development Plan. It should be stressed that the guidance is not a specific statement of policy but rather one of advice and guidance. Each application or appeal is treated on its merits and the application of the guidance given to a particular case is a matter of planning judgement.

Society: Accommodating People, Creating Quality Places and Improving Health and Wellbeing

1.0 Housing in Existing Urban Areas

This guidance provides general advice in relation to housing in existing urban areas and supports the requirements of Policies HOU1-HOU9 Housing in Settlements.

Enhancing and Protecting Local Character

The pattern of streets and spaces, the building materials used, and the landscaping all help to determine the character and identity of an area. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. It is essential that proposals demonstrate that they have considered the local context, in relation to both positive and negative characteristics, the aim being able to build on local character. Any proposal, which departs significantly from the local context, must demonstrate that it does so for good design reasons.

Building lines

Setbacks from the building line of the street help to contribute to the urban character of an area. In some instances, there is no definitive building line with housing on the edge of the footpath. While in other cases a distinctive building line exists, for example, in areas of late Victorian and Edwardian housing where setbacks tend to be more generous and are associated with significant soft landscaping. Retaining the building line is an important way of maintaining the character of the area. Sometimes new housing schemes are designed around considerations of vehicular access and circulation, and this can leave a 'gaping' hole in the established street scene, impacting on the character of the area. A different approach to road layout can maintain the existing building line and landscape structure of the street. Most urban housing benefits from a setback which provides an adequate buffer zone to the street and can accommodate suitable frontage planting or providing defensible space. It will not, however, normally be sufficient to accommodate in-curtilage parking.

Boundary treatments

Boundary Treatments are important in articulating the distinction between the civic space of the street and the private realm of the dwelling. They often consist of existing trees and hedgerow planting which contribute to amenity value and are essential to the character of the area.

Boundary treatments can have an important influence on local character, and should be retained where possible, in order to protect the surrounding street character. Well-designed walls or railings, and planting, can be used to mitigate the detrimental visual impact of cars and dustbins.

Scale of built form

The local pattern of streets and open spaces helps to determine the character and identity of the area. In addition, the footprints of existing buildings, and the relationship of the scale of buildings to gardens and open space exert an important influence on the character of an area.

Care should be taken to respect the 'footprints' of existing development. A plan and section of the scale of proposed buildings can demonstrate a sympathetic fit to the surrounding neighbourhood. New proposals usually show building heights sympathetic to neighbouring properties, but this does not preclude the identification of places for taller buildings to provide landmark legibility or for lower buildings to respect existing important structures or landforms. Large single span buildings tend to be out of scale with existing housing forms and can produce roofs with a high visual impact.

Varied rooflines

Historically rooflines have contributed to the character of townscape, and a diverse roofline with a variety of pitches can be considered to improve the richness of the townscape.

New Development in Existing Urban Areas

New housing proposals in existing urban areas can take various forms including the demolition and redevelopment of existing houses; development on backland plots; the conversion and extension of existing houses; and utilising opportunities for Living Over The Shop (LOTS).

Demolition and Redevelopment

Demolition and redevelopment of existing houses presents the greatest challenge in terms of retaining the character and integrity of the established street scene. Without great care and attention to detail in terms of the siting of buildings, their massing and architectural treatment, the use of materials and the maintenance of the existing landscape, there is a danger that redevelopment schemes will detrimentally affect the quality and character of the residential environment. Particular attention needs to be taken over the design of the new road access and its relationship to the street. An imaginative approach is needed which considers the whole character of place including enclosure, landscape treatment and the sequence of spaces within the development.

Redevelopment is generally the least attractive option for residential intensification. The Council will need to be convinced that redevelopment is preferable to conversion (and extension); that the quality of the proposal is sufficiently high to maintain or enhance the established environmental quality of an area; and that there is no undue impact on the privacy and amenity of adjacent residents.

Backland Development

There is the potential in appropriate circumstances to integrate new residential development into backland areas to produce a high-quality residential environment. However, to be successful, there are a number of important design principles that should be followed. The study of 'Sustainable Residential Quality' (London Planning Advisory Committee, 1998) identified a number of key principles which are reproduced here. The proposals should:

- i) relate to a site which has appropriate plot depth and configuration: A fundamental requirement for successful backland development is for the backland plot to be of sufficient depth to accommodate new housing in a way which provides a quality residential environment for new and existing residents. Backland development on plot depths of less than 80m is unlikely to be acceptable, except where the existing urban grain is very urban in character, and where careful design can overcome concerns of overlooking and day lighting.
- ii) be of a form and scale which respects the local context: It is important to ensure that new development respects the scale and density of existing development. In general, the access to backland development impacting on streetscape. East Belfast Backland development achieving continuity in design and character. Ballymena, County Antrim scale and massing of new housing in backland areas should not exceed that of the existing dwellings fronting the surrounding streets.
- iii) Achieve a coherent and legible form: A coherent form is important for all new development, however, it will be different for backland schemes with through access and those without. A through access will effectively sub-divide a large perimeter block into two smaller blocks thus maintaining legibility. Where the development is effectively a cul-de-sac, buildings will be most legible when they are organised into crescents, clusters and squares.
- iv) Integrate existing landscape features: Where trees or landscape features form part of a backland plot, the design should seek to retain these and integrate them into the new development.
- v) Provide a residential aspect onto the new road: New residential development should seek to reinforce the existing organisation of the fronts and backs of the dwellings. It should also seek to organise aspects to increase street overlooking where this is deficient.
- vi) Take care over the integration of the existing and new landscapes and streets: The threshold between the new development and surrounding streets requires very careful attention. The aim must be to achieve continuity in design and character in terms of both the streetscape and landscape. It should not simply be seen as an add-on or solely a road engineering issue.

2.0 Residential Extensions and Alterations

This guidance provides general advice on the factors to be considered in an extension and/or alteration to a dwelling house or flat, including those in multiple occupancy and any proposal for a domestic garage or an outbuilding.

The guidance supports the requirements of Policy HOU3 – Residential Extensions and Alterations to advise homeowners on how to extend or alter their property in a neighbourly manner that is sympathetic with the original property, respects the character and appearance of the surrounding area and contributes towards a quality environment.

Although the guidance may not cover all the site-specific issues that can arise it covers the main considerations that will be taken into account when determining a planning application. If it is followed, an extension or alteration is more likely to be granted planning permission.

Context and Design

An extension or alteration to a residential property should be designed to become an integral part of the property both functionally and visually. Such works should not be designed in isolation solely to fit in a required amount of accommodation.

Proposals that are badly sited or designed, or that are incompatible with their surroundings, can lead to an undesirable change in the character of the existing property and the area in which they are located. Success depends upon striking the right balance between adaptation and sensitivity to the original design.

The overall aim is to encourage high quality design solutions irrespective of whether the approach followed seeks to mirror the style of the existing property or adopts a contemporary modern design approach. To ensure good design any extension or alteration will need to complement the host building and respect its location and wider setting.

An extension or alteration should not be so large or so prominent as to dominate the host property or its wider surroundings, rather development proposals should be in scale with existing and adjoining buildings. All such works should have proportion and balance, fitting in with the shape of the existing property. The height, width and general size of an extension should generally be smaller than the existing house and subordinate or integrated so as not to dominate the character of the existing property, although it is accepted that on occasion a larger extension may be required, for example to facilitate the renovation and upgrading of a small rural dwelling to meet modern amenity standards. It will not usually be appropriate to allow an extension to project above the ridge line of the existing dwelling and this will be especially important where uniform building height is part of the street scene.

Proposals in an urban context should not overdevelop the site in terms of massing, plot size and proximity to boundaries thereby, for example, creating a visual 'terrace'

effect. This is one of a number of problems associated with side extensions, where they can alter the character of the area by filling the visual gaps between residential properties. The need for adequate space alongside boundaries is also important to provide ease of access to the rear of the property and to allow for maintenance. This will also serve to eliminate the possibility of any part of the extension, including rainwater goods, overhanging neighbouring property.

A further concern may arise where a side extension to a semi-detached dwelling is proposed at the same height and follows the same building line as the block comprising an original pair of dwellings. This will often compromise the appearance and architectural integrity of the block, and if repeated throughout a neighbourhood is likely to have an adverse impact upon the character of the wider area. To address this particular problem, proposals of this nature should be 'set back' from the building line or front of the house and also 'set down' from the ridge line.

Extensions or alterations to the front of a property require great care as the front elevation is often the most visible to public view. Poor design can upset the architectural integrity of the existing property and have an intrusive effect on the street scene. It is important, therefore, to ensure that extensions and alterations to the front of property do not detract from the street scene, especially where there is a clear and visually obvious 'building line' or architectural features. In such cases they should appear to be part of the existing property and not an obvious addition. This can be achieved by ensuring any such works are in proportion with the property, its fenestration and detailing, with matching materials, roof design and pitch.

Alterations or an extension to a dwelling should not infringe upon a neighbour's property. For example, it is an infringement of a neighbour's property rights should foundations or guttering encroach onto their land or if an extension overhangs or attaches to their property. Where an extension abuts or runs close to a property boundary, permission to enter neighbouring land will also be required to enable approved works to be carried out or for future maintenance purposes. Consequently, it is advisable to discuss proposals with neighbours before submitting a planning application. Infringement of property rights is primarily a legal matter between the relevant parties.

Garages and other associated buildings

Buildings within the residential curtilage, such as, garages, sheds and greenhouses can often require as much care in siting and design as works to the existing residential property. They should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character and the level of visibility of the building from surrounding views. The use of false pitches should be avoided as these often detract from the appearance of these buildings, particularly when viewed from the side.

Garages or outbuildings wholly located in front gardens or those that extend in front the established building line can over-dominate the front of the property and detract from the street scene and will therefore generally be resisted.

In the countryside, ancillary buildings should be designed as part of the overall layout to result in an integrated rural group of buildings.

Roof Extensions

An extension or alteration which copies the roof type and angle of pitch of the original residential property will be more successful than those proposals that introduce a completely different type of roof. The roofing material of any pitched roof extension should seek to match that of the original. Flat or mansard roofed extensions to traditional buildings are seldom harmonious. However, they may be acceptable where they are not open to public views.

The use of loft space to provide bedrooms or other living space can often provide additional accommodation. However, alterations to the roof profile of any building can be particularly sensitive as roofs play an important part in contributing to a building's appearance and the overall character of the area. An extension to the rear of a property should ensure that the roof of the extension does not project above the ridge of the existing dwelling as this can give an unsightly view along the streetscape. Roof lights, which lie parallel with the plane of the roof, are a particularly sympathetic way of providing light to a room within a roof space.

They may often constitute permitted development but care should be taken to ensure compliance with Building Regulations where such windows are intended to provide a means of escape.

The regular repeated rhythm and uniformity of roof forms and chimneys may be a particular feature of a group of similar buildings or the wider townscape and should therefore be retained. If elements, which are not part of the original property are proposed, for example, a dormer roof extension, these should be designed in a manner that complements the period and style of the original property, or to reflect the best examples of such features on properties of a similar period in the area.

Where a dormer is open to public view, it can interfere with both the original design of the existing building and cause a visual intrusion into the street scene or rural setting. Dormer windows to the front or side of a property will be resisted in areas where they are uncharacteristic, particularly large box dormers that are over-dominant often extending the full width of the roof. The size and number of dormers should therefore be kept to a minimum to avoid dominating the appearance of the roof and should be located below the ridge line of the existing roof. Positioning dormer windows vertically in line with the windows below and ensuring that they are smaller in size will usually avoid a top-heavy or unbalanced appearance.

Detailing

Attention should be paid to design details such as the position, shape, proportion and style of windows, doors and other features to complement the existing property and respect the character and appearance of the area. To facilitate the integration of an extension or alteration with the existing property, new windows should be aligned to the existing fenestration and match the symmetry of the existing dwelling. The relationship between solids and voids is an essential component of any new proposal, but particularly when extending or altering an existing property where window size and height diminish on upper floors.

Older residential properties in particular often have interesting arches, brick detailing and other special features or ornamentation which add character. Continuing or reflecting such ornamentation around doors, windows and at the eaves in the design approach followed can be an effective way of integrating any extension or alteration work with the existing property.

External Finishes

The external finish of a proposal should aim to complement the type of materials, colour and finish of both the existing building and those of neighbouring properties, particularly where certain materials strongly predominate. Using similar or complementary materials to those of the existing property is more likely to produce a successful extension or alteration. The re-use and recycling of building materials is encouraged and will be especially important when carrying out work to a listed building, or buildings within a conservation area or an area of townscape character.

Sustainable Design

A sustainable approach to development is encouraged. The extension or alteration to a residential property can provide the opportunity to improve its sustainability in terms of incorporating energy efficiency measures, renewable energy technologies and the re-use of existing materials.

Where existing walls are being demolished or roofs altered, existing materials can often be salvaged and re-used, which will benefit the visual appearance of the new work and its integration with the existing property. Solar thermal panels that produce hot water and photovoltaic (PV) panels that produce electricity can be installed in roofs. PV tiles are now available that look like traditional tile and slate roofs, allowing the installation of these systems to be sensitive to the character, colour and style of the existing roof. Green or 'living' roofs can further benefit the environment by enhancing biodiversity and providing high standards of insulation. Extensions also provide the opportunity to consider the provision of additional landscaping to soften the impact of such works.

Fences and Walls

Fences and walls, particularly in front gardens, can have a significant effect on the appearance of the property and streetscape. When erected beside driveways or on corner sites they can have an impact on sightlines and traffic safety. Both the visual and road safety aspects of a wall or fence will be assessed when proposals are being considered. Materials should always complement the character of the property and the neighbourhood. Expanses of close-board fencing bordering public areas are visually unacceptable. It should be noted that some walls or fences may be permitted development.

The Countryside

The impact of an extension or alteration on the visual amenity of the countryside and, in particular, Areas of Outstanding Natural Beauty needs to be considered. Proposals should be in keeping with the character of the existing property and its countryside setting. Through poor design the individual and cumulative effect of extensions and alterations which are disproportionate in size to the existing property, or which require the use of land outside the established curtilage of the property, will result in a detrimental change to rural character.

Many rural dwellings occupy larger plots than their urban counterparts. Whilst there may be sufficient room on the plot to accommodate an extension in physical terms, great sensitivity is required to ensure the proposal integrates with the existing dwelling and surrounding landscape. In assessing the potential impact of development in the countryside, particular regard will be paid to the quality and nature of the landscape in the locality and at the particular site.

The suburban boundary treatment of walls or fences and the introduction of ornate pillars and over-dominant walls or fencing are inappropriate in the rural landscape and will be resisted.

Residential Amenity

It is important that the amenity of all residents is protected from 'unneighbourly' extensions as these can cause problems through overshadowing/loss of light, dominance and loss of privacy. The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass and location of an extension and window positions. Single-storey extensions to the rear of a semidetached or terraced dwelling will generally be acceptable where the depth does not exceed 3.5 metres from the back wall of the original building, at the boundary with an adjoining dwelling. Larger extensions will be assessed in light of the following guidance, although it is acknowledged that flexibility may be needed in respect of older properties with small plot areas or where the proposal seeks to meet the specific needs of a person with a disability.

Privacy

Except in the most isolated rural location, few households can claim not to be overlooked to some degree. The protection of the privacy of the occupants of residential properties is an important element of the quality of a residential environment. It is a particularly important consideration where an extension or alteration is proposed adjacent to existing properties. Balconies, roof terraces, decking, dormer windows, windows inside elevations and conservatories all have the potential to cause overlooking problems, due to their position and orientation, particularly from upper windows. The use of obscure glass, velux windows and highlevel windows in appropriate circumstances can often minimise this potential, for example, the use of obscure glass for bathroom and landing windows. However, this is not considered an acceptable solution for windows serving main rooms such as bedrooms, living rooms, dining rooms or kitchens.

Proposals should seek to provide reasonable space between buildings in order to minimise overlooking. This will also assist in providing acceptable levels of daylight to properties. In the case of dormer windows, restricting the size of the window and setting it back from the eaves is usually an adequate solution that can protect neighbouring privacy.

Overlooking of gardens may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room to the most private area of the garden, which is often the main sitting out area adjacent to the property, of your neighbours' house. As a general rule of thumb this area is the first 3-4 metres of a rear garden, closest to the residential property.

Dominance

Dominance is the extent to which a new development adversely impinges on the immediate aspect or outlook from an adjoining property. Neighbouring occupiers should not be adversely affected by a sense of being 'hemmed in' by an extension. This can often result from the construction of a large blank wall. Dominance can be increased when the neighbouring property is at a lower ground level to the development site. Loss of light is usually a consequence of dominance. Two storey rear extensions to semi-detached and terraced dwellings are usually very prominent when viewed from adjoining dwellings and can dominate outward views from adjoining ground floor windows, appearing excessively large and overbearing. It is appropriate, however, to take account of the prevailing local environment.

Loss of Light/ Overshadowing

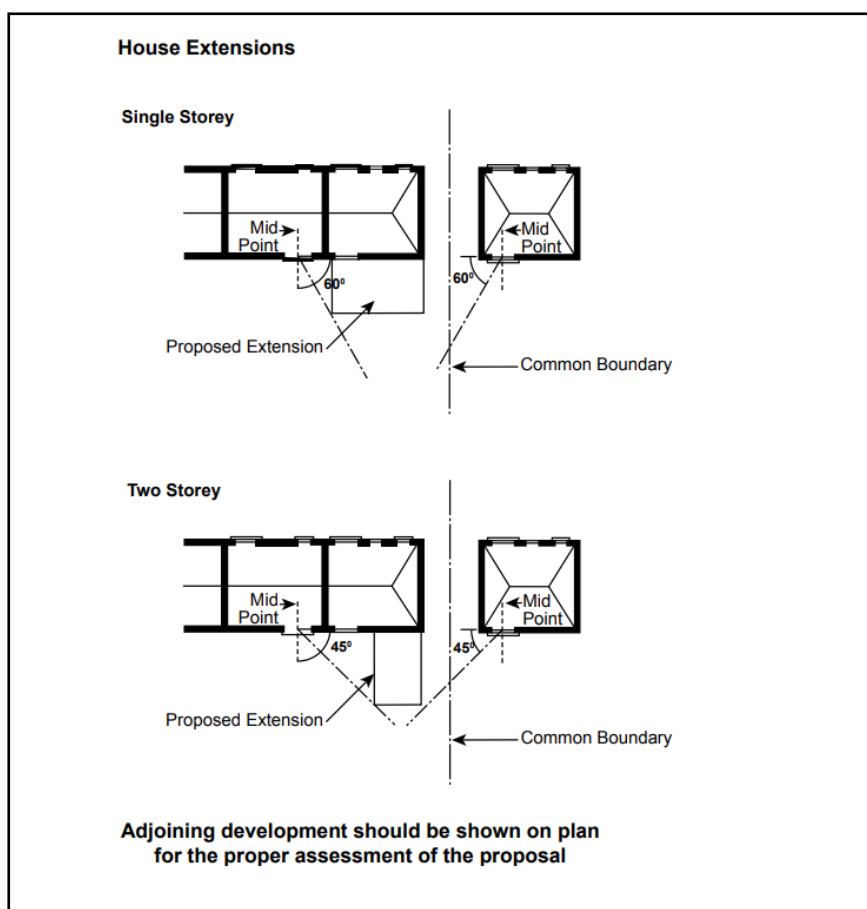
Sunlight and daylight are valued elements in a good quality living environment. Effective daylighting can reduce the need for electric lighting, while sunlight can contribute towards meeting some of the heating requirements of our homes through passive solar heating. In designing a new extension or alteration to a residential property care should be taken to safeguard access to sunlight and daylight currently enjoyed by adjoining residential properties.

Where an extension is poorly sited or badly designed it can cast a shadow that may reduce a neighbour's daylight and adversely affect their amenity to an unacceptable level. It is important, therefore, that every effort should be made to avoid or minimise the potential for overshadowing to a neighbour when drawing up plans for an extension. Overshadowing to a garden area on its own will rarely constitute sufficient grounds to justify a refusal of permission. In terms of daylighting, the effect on all rooms, apart from halls, landings, bathrooms and utility rooms will be considered. Where an extension would be likely to reduce the amount of light entering the window of a room, other than those indicated above, to an unreasonable degree, planning permission is likely to be refused.

Significant problems of sunlight or daylight loss are most likely to occur in terraced or semi-detached housing situations, and it is here that most care needs to be taken. An extension should be kept as far as possible from neighbouring windows and boundaries to minimise impact.

To help assess the loss of light as a result of a proposed development to the front or rear of a residential property, the 60 degree and 45-degree lines, as shown in Figure 1 for single storey and two storey extensions respectively, will be employed. These lines will be taken from the centre of the closest neighbouring window. It should be noted that where the 8 closest window is located at first floor level it may be more appropriate to consider this against the 60-degree line. The elevations and outline plans of adjoining properties must be shown on drawings, accurately scaled (in metric measurement) to allow proper consideration of this matter.

Figure 1: House Extensions



Source: Addendum PPS 7 Residential Extensions and Alterations Annex A

The guidance in Figure 1 is not however a rigid standard which must be met in every case. Rather it is an assessment tool which will be used in conjunction with other relevant factors in order to gauge the acceptability of proposals in terms of the overshadowing / loss of light impact upon neighbouring properties. Other relevant factors which will be considered in this assessment are set out below:

- The existing form and type of extension prevalent in the area. For example, where the majority of dwellings in a terrace have already been extended in a similar way to the application proposal this matter will be balanced against any adverse impact on neighbouring properties.
- The proposed design of the extension or alteration. For example, where a proposed extension incorporates significant glazing in the design, the impact on neighbouring properties may be acceptable in circumstances where alternatives might result in unacceptable overshadowing.
- The particular characteristics of the site and its context. For example, where daylighting to an adjacent dwelling is already impeded by an existing building or boundary wall and the proposal would not significantly exacerbate the existing situation.

- The orientation and position of a neighbour's window in relation to the proposed extension, the room it serves and whether the window affected is the primary source of light for that room. For example, account will be taken as to whether a room affected by a proposed extension benefits from an alternative natural source of light.
- The potential size and form of an extension allowable under permitted development. For example, where a proposal would not have an impact significantly greater than that of an extension allowable under permitted development rights.
- Provision of an extension or alterations to meet the particular needs of a person with a disability. For example, a modest single storey extension required to meet the particular needs of the person in question will be a material consideration to be balanced against any adverse impacts on the neighbouring property. This may result in the criteria relating to daylighting and overshadowing being relaxed.

Noise and General Disturbance

Residential areas can be sensitive to noise and general disturbance, particularly in the late evening when there is an expectation that surrounding background noise will remain low. An extension or alteration such as a balcony, roof-terrace or high-level decking can all increase the level of noise and general disturbance experienced by residents of adjacent properties and will be subject to particular scrutiny.

Landscape

Landscaping is a vital consideration for all development and should form an integral part of any proposal. Landscaping can create a high-quality setting, help integrate new development into its surroundings and assist the promotion of biodiversity of native species or other species characteristic of a particular area.

Proposals for landscaping should therefore always be considered as part of any application for an extension. The retention of existing trees, hedges and other significant landscape features will often be an important element in this and will usually help to reduce the impact of an extension on the character of the surrounding area more readily than walls or fences. Where important trees and landscape features exist within a site, care should be taken that extensions are not sited too close to them. Best practice in relation to this matter can be found in the publication 'Trees and Development' co-sponsored by the former Planning Service (DoE), the Forest of Belfast and the Construction Employers' Federation.

To ensure that full account is taken of existing trees and landscape features within the residential curtilage, such features should, as part of a planning application, be accurately detailed on a site survey map in accordance with British Standards BS 5837 (2012) 'Trees in Relation to Construction'. Where it is proposed that existing trees or significant landscape features are to be removed, the layout plan should indicate proposals for compensatory planting.

Private Amenity Space

Amenity space is an essential part of the character and quality of the environment of residential properties. It is important therefore to ensure, when bringing forward a proposal to extend, that adequate amenity space - particularly private space, is left. Garden space around a residential property is an integral part of its character and appearance and should not be reduced to a point where it is out of scale or fails to meet the present and future occupiers need for adequate useable private amenity space.

All residential properties require some in-curtilage private open space, usually to the rear, compatible with the overall size of the plot, for normal domestic activities, such as, bin storage, clothes drying, sitting out and play space. This space should enjoy a high degree of privacy from the public street and from any other public places.

Residents now have several bins per household to facilitate recycling. It is not appropriate for these to be stored in front gardens, which are rarely private, as they provide a public aspect and can adversely affect the character and appearance of the area.

Care should be taken to ensure that proposals to extend do not decrease the amount of private open space to a level that cannot accommodate the normal domestic activities identified above.

The level of private open space for new residential property is detailed in the 'Creating Places' design guide. In considering the effect of an extension on private amenity space the Council will take these guidelines and the prevailing standard of private amenity space in the local environment into account.

Extensions, particularly to the side of a residential property, whereby refuse and garden equipment will need to be carried through the house or stored in the front garden, will not normally be permitted. An exception may be made where a route can be maintained through the extension via a garage or utility room on the ground floor.

Access and Car Parking

An extension or alteration to a residential property that involves the conversion of an attached or integral garage to create additional living space can result in the loss of in-curtilage car parking provision. In such cases, care should be taken to ensure that any car parking space lost due to the proposed development is capable of being accommodated elsewhere within the curtilage of the site or can be accommodated on street.

Proposed works that would result in the significant loss of car parking spaces or a turning area, with no reasonable alternative being available, will not be acceptable. Similarly, the use of an entire garden area to provide car parking or a turning area will be resisted.

Garages should be positioned where they can be accessed safely. To ensure the highway is not blocked while the door is being opened, a new garage which gives access to the public highway should retain a minimum of 6.0m driveway within the residential curtilage. Further detailed guidance in relation to in-curtilage driveways, hard standings and vehicle turning facilities is set out in the 'Creating Places' design guide

Extensions and Alterations to provide for Ancillary Uses

An extension or alteration to a residential property to provide an ancillary use, such as additional living accommodation for elderly or dependent relatives, should be designed to demonstrate dependency on the existing residential property. Proposals of this nature should be designed in such a manner as to easily enable the extension to be later used as an integral part of the main residential property. Ancillary uses should provide limited accommodation and shared facilities, for example kitchens and be physically linked internally to the host property. Ancillary uses that could practically and viably operate on their own will not be acceptable.

Security and Design out Crime

When undertaking any building work in the home, it is important to consider how this could affect security. Indeed, planning for such works provides an ideal opportunity for householders to review security measures for their entire property and this can help promote a more secure residential environment.

Incorporating sensible security measures during the extension or refurbishment of buildings has been shown to reduce levels of crime and the fear of crime. By bringing the crime prevention experience of the police more fully into the planning and design process, a balance can be achieved between safety and security. The Police Service of Northern Ireland have specially trained officers who, free of charge, can advise on Crime Prevention and how to design out crime. Contact your local Crime Prevention Officer or visit the police website www.psnipolice.uk for more information.

Permitted Development

In some cases it is possible to carry out an extension or make an alteration to a dwelling house (for the purposes of permitted development a dwelling house does not include a building containing one or more flats, or a flat contained within such a building. It also excludes any house or flat in multiple occupation) without the need to obtain planning permission, provided you meet specific requirements. This is known as 'permitted development' and detailed information on this matter is contained in the Planning (General Permitted Development) Order (Northern Ireland) 2015.

Permitted development rights are complex and sometimes more restrictive in designated areas, such as, conservation areas and areas of outstanding natural beauty; and for certain properties, such as listed buildings (Any works of alteration

or extension to a listed building which would affect its character as a building of special architectural or historic interest require Listed Building Consent). It may also be the case that in some instances permitted development rights have been removed from a property by condition or have already been used and you should clarify this with the Council's Planning Department before proceeding with any proposal.

If you consider the works you propose to carry out are permitted development, you are advised to apply formally to the Council's Planning Department for a Certificate of Lawful Use or Development before proceeding with the development.

3.0 Safeguarding the Character of Established Residential Areas

This guidance provides general advice on factors which may help achieve sustainable higher densities in urban areas. It does not support overdeveloped and unsympathetic housing schemes in established residential areas.

This guidance supports the requirements of Policies HOU1- HOU9 Housing in Settlements and directs homeowners/developers to ensure appropriate sustainable developments within existing communities.

Definition of an Established Residential Area

For the purposes of Council's Operational Policies, established residential areas are normally taken to mean residential neighbourhoods dominated by medium to low density single family housing with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served.

Within our city and towns established residential often display a clear spatial structure. Building forms, plot sizes and shapes are sometimes similar with a well-defined pattern of local development. Properties may exhibit comparable design styles including common architectural detailing and treatments. Areas of public amenity space together with the private gardens of properties are frequently defined with mature trees, shrubs and hedgerow planting. The overall spatial structure is often delineated by a clear network of streets and roads. However, it is recognised that there are also settled housing areas where there is a greater range and mix of dwelling styles and where the overall pattern of development is less uniform. These areas too have an established residential character worthy of protection against redevelopment or infill at a significantly higher density than that found in the locality.

In smaller towns, villages and other settlements, established residential areas generally display a more intimate character and spatial scale. There is often more local variety in architectural styles and treatments, with building lines, property sizes, plot ratios, and road layouts being much more changeable. Residential developments in these locations may have a close spatial relationship with land used for other purposes such as for employment, local schools, and other local services.

Exceptions

In recognition of the desirability of promoting increased housing density in appropriate locations, a flexible approach to the application of Policy HOU1 criteria b may be applied in the following locations:

- the designated city centre, and designated town centres (including previously developed land/brownfield land);

- on sites adjacent to main public transportation routes within the city and towns.

Space Standards for Dwellings.

Detailed guidance is provided in Appendix A.

Wheelchair Access Standards

Detailed guidance is provided Appendix B.

4.0 Affordable Housing

This guidance provides general advice on affordable housing and supports the requirements of Policy HOU5 Affordable Housing (in Settlements) and Policy COU3 Affordable Housing in the Countryside.

Social housing

Social rented housing is provided at an affordable rent by NIHE or a Registered Housing Association (RHA); that is, one which is registered and regulated by DfC as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by the NIHE, which prioritises households who are living in unsuitable or insecure accommodation. Social housing development is controlled within financial parameters, set out by DfC under their Total Cost Indicators (TCIs). Social rented housing can only be assigned to applicants registered on the common waiting list, in accordance with the Common Selection Scheme, in priority of need and must be controlled and managed by a RHA. Where there is a need for social housing identified by NIHE, proposals should incorporate an appropriate mix of social rented housing in terms of size and type of unit to meet the identified need. Proposals should also seek to provide other forms of affordable housing as required to contribute to balanced and sustainable communities. See

Affordable (Intermediate) Housing for Sale

At present, shared ownership products available in Northern Ireland are available. These are currently through:-

- Co-ownership Housing Association; and
- Fairshare.

Co-Ownership: Co-Ownership Housing Association products are as follows:

Co-Own: A form of equity sharing whereby purchasers select a property on the open market and, by means of a 99-year equity sharing lease, takes ownership of between 50% and 90% of the purchase price, depending on how much they can afford. They then pay rent on the unowned portion, which is purchased by the Co-Ownership Housing Association. The expectation is that, over time, shared owners will buy a greater share of the home (sometimes referred to as 'stair-casing'), until they own the whole property.

Co-Own for Over 55s: A new product designed for those in later life who wish to move to another home. The challenge that such people may face is that often their current home may not have the value (equity) they need to buy a new home, or their savings aren't enough and getting a mortgage to cover the difference isn't an option. Under Co-Own for Over 55s, that we buy the property together with the customer –the customer uses the equity from the sale of their current home or savings and Co-Ownership provides the rest of the funding. The customer takes a share in the property (50% to 90%) and pays a rent of 2.5% of our investment in the home. The home can be anywhere, an existing or a new build property, and it should be suitable for their needs now without further immediate adaptation.

Rent to own: Aims to help those who want to own their own home but are not quite in the position to buy yet, onto the property ladder. Under the scheme, an individual is provided with a fixed-term rental commitment whilst they take steps to improve their mortgageability. During the rental period, the individual will either pay reduced rents, allowing them to save for a deposit, or will receive a proportion of the market rent paid back at the end to be used as a deposit if they avail of the option to buy the home (either through straight sale or shared ownership).

'Rent to Own' is operated by OwnCo Homes Limited, which is subsidiary of Co-Ownership HA. This is only available for the rental of new build homes and the option to buy can be exercised any time after the end of the first year, up to the end of the third year.

Discount Market Sale (DMS): Housing that is sold below local market value without any form of public sector subsidy to certain eligible households, determined with regard to local incomes and local house prices. Homes sold under this definition should have a discount of 20% and include provisions to remain at a discount for future eligible households. It can be delivered directly by a private landlord or RHA, but should be offered in line with the applicant and property eligibility criteria established by DfC in relation to the Subsidised Shared Ownership products outlined above. However, as it is offered outside of a formal DfC product, the regulation and monitoring of DMS units will be secured as part of the s76 Agreement (refer to Section 5.3).

Where residential units within a proposal are intended for private sale, consideration should be given to the inclusion of intermediate housing for sale as part of the development. In this regard, SSO units, offered a RHA are preferred to DMS units, given the regulation of RHAs afforded by DfC and the minimal impact SSO units are expected to have on overall scheme viability.

Fair Share: FairShare is a shared ownership scheme for Northern Ireland. FairShare allows homebuyers who cannot afford to buy a property outright, to buy a share of a new-build property directly from a housing association and pay rent on the rest.

Housing associations in Northern Ireland offer affordable, high-quality new-build properties for sale through the FairShare shared ownership scheme. FairShare homebuyers can buy a starter share of between 50% and 90% and pay rent on the rest. For example, if a couple buys a 50% share of a property from a housing association with a mortgage, they pay an affordable rent on the 50% share still owned by the housing association. FairShare rent is set at 2.5% per annum (subject to annual review).

With FairShare customers can purchase a share of a property that you can afford. Going forward customers can budget for buying additional shares in their home, as and when they can afford to. The process of buying further shares is known as staircasing.

Currently, two of Northern Ireland's largest housing associations are providing help for homebuyers through the FairShare shared ownership scheme
– Apex and Clanmil.

Affordable (Intermediate) housing for rent

Intermediate housing for rent (also referred to as 'Intermediate Rent') is private rented housing which can offer an alternative to open market private rental for those whose needs are not met by the market. It is not a form of social housing and offers tenancies in a similar way to other private tenancies, but with additional benefits, including rents set at a level below what is available in the open private rented market. Intermediate Rent is most likely to be a suitable option for households who can pay more than social rents, but for whom open market rents present an affordability issue. Intermediate housing for rent is only made available to lower to moderate income households based on the household's total income or the proportion of income likely to be spent on housing costs. Intermediate housing for rent could form part of any housing development, as part of mixed tenure developments, including Build to Rent (BTR) schemes.

Two products are available that fall within the broad definition of intermediate housing for rent, which depend on whether the rental discount is being delivered with or without public sector support. They can be summarised as follows:

Subsidised Intermediate Rent (SIR):

The parameters of an Intermediate Rent home have been established by DfC and are set out in their Intermediate Rent Policy (March 2023) and associated Design Standards. This includes detail of their proposed funding arrangements via a single Intermediate Rent Operator who will be able to access financial assistance from government to deliver rented accommodation at a discount of at least 20% on average local market private rents at time of letting for a similar property size and

type. It establishes appropriate eligibility parameters relating to a household's net income and affordability, as well as other obligations for the Operator, including rent controls, minimum tenancy terms, maintenance requirements and support services.

Discount Market Rent (DMR):

A form of Intermediate Rent housing made available at a cost lower than open market private rents to certain eligible households without any form of public sector subsidy. In order to qualify as affordable housing for the purpose of this policy, a landlord would have to offer DMR tenancies in accordance with the requirements and parameters set out in DfC's Intermediate Rent Policy (March 2023) detailed in relation to the Subsidised Intermediate Rent product above (see Footnote 5), but without any public sector subsidy. As this does not require the involvement of the Intermediate Rent Operator, it is considered particularly suitable for Build to Rent developments. The delivery and monitoring of DMR units will be secured as part of the s76 Agreement.

Where residential units within a proposed development are intended for rent, intermediate housing for rent should, if possible, be incorporated into proposals. In this regard, SIR units offered via a DfC appointed Intermediate Rent Operator, are preferred to DMR units given the regulation offered by DfC and the minimal impact SIR is likely to have on the overall viability of the scheme as a whole. For Build to Rent (BTR) proposals, where ownership of the building is to be retained by a single investor, DMR will be accepted as the most appropriate affordable housing product.

Community-led Housing in rural areas

Community-led housing is a localised approach where the community leads the delivery of affordable homes to address housing needs within their area. It is an approach which is growing in popularity in other jurisdictions across the UK and has resulted in a range of bespoke housing schemes that are not only affordable to local people but often innovatively designed to maximise energy efficiency and thermal comfort and to minimise the impact on the environment.

Community-led housing (in cooperation with NIHE) can take many forms including:

- A Community self-build scheme with groups of local people building homes for themselves with external support;
- Cohousing schemes where people come together, often as a Housing Cooperative, to provide self-contained, private homes for themselves, but manage their scheme together and share activities, often in a communal space;
- Communities working in partnership with a housing association, local authority or private developer to provide homes for affordable rent or home ownership.

5.0 Residential and Nursing Homes

This guidance provides general advice on the planning criteria to be applied when applications for residential and nursing homes are being considered and supports the requirements of Policy HOU8 Specialist Residential Accommodation.

Planning applications for 'Residential Institutions' and 'Secure Residential Institutions' fall under Class C3 and C4 respectively in The Planning (Use Classes) Order (Northern Ireland) 2015. <https://www.legislation.gov.uk/nisr/2015/40/made>

Where part of a dwelling house is to be used for residential and the remainder is occupied by the owner/operator of the facility the latter is advised to contact the Divisional planning Office to see if the planning permission is required. In cases where planning permission is required for changes of use the Council will need to be satisfied that detailed planning requirements can be met, and taken cumulatively, small extensions and changes of use will not adversely affect the character of an area.

Types of Planning Application

Applications for Residential/Secure Residential Institutions fall into the following categories:

- i) New Development. This covers situations where a new home is to be built on an undeveloped site or a site which is due for redevelopment.
- ii) Change of use of a building to a residential/secure residential institution. Detached dwellings are likely to be the most acceptable for this type of use, particularly if they are substantial villas or mansions set in reasonably large ground with maturing landscaping.
- iii) Extension to an existing residential/secure residential institution.

Cities, Towns and Villages

It is to be expected that, other than in exemptional circumstances, residential and nursing homes will be in cities, towns and villages where services are readily and conveniently available. Clearly a different range of planning considerations can arise i.e., between a site in Belfast compared to a site within a small town or village.

Planning Considerations

In urban areas the Council will have to consider several matters, as outline below.

Siting

Attention will be paid to the size of site, its configuration and any physical characteristics and constraints attaching thereto, including the position of the buildings.

Locality

The Council will consider the existing (and anticipated) character of the area in which the proposal is to be located and the compatibility of the use in such an area. The existence or otherwise of similar establishments will be considered from the point of view of precedent, noting that HOU 9 requires a demonstration of community need for the proposal, as well as from the consideration of the effect of an additional establishment or establishments on the character of the area. These considerations will have relevance in coastal resort towns where changes of use of hotels and/or guest houses to residential/nursing homes could have a significant impact on the tourist industry and the character of the resort.

Traffic Aspects

The Council will satisfy itself on the following points:

- i) That access requirements can be met.
- ii) That the existing road network can satisfactorily accommodate any additional traffic from the proposal.
- iii) On and off-street parking and servicing requirements can be met considering provision for staff, (full-time and part-time) visitors, doctors, ambulances, service vehicles, taxis etc and bearing in mind the capacity of the site/area to accept them. Parking standards are as follows:
 - a. Staff parking - one space per full-time member of staff. Part-time staff - one space per 2 part-time members of staff.
 - b. Visitor parking - one space per 3 beds.

Service vehicles, particularly doctors and ambulances should be able to manoeuvre unimpeded within the site.

Amenity

Due regard will be given to the effect of nursing and residential homes on the amenity of area in question, both visually and regarding noise, nuisance and general disturbance.

Design and Layout

In cases other than changes of use it is important to ensure that the design and layout of buildings on site are satisfactory in themselves and in relation to adjoining properties. The Council will have regard to the height, scale, massing, space around buildings, distances from boundaries etc and to the provision of garden amenity space for use by residents.

Landscaping

The impact of any proposals on existing landscaping will be considered together with the need for the provision of new or additional landscape treatment on any proposed site.

Rural Areas

Proposals for residential and nursing homes in rural settings will be considered in the context of the councils housing and countryside policies, with a particular emphasis on Policy HOU8 'Specialist Residential Accommodation'.

Planning permission is only likely to be granted for nursing or residential homes in the countryside in exceptional circumstances. In considering what might be exceptional circumstances. In considering what might be exceptional it is necessary to weigh the relevant conditions. These fall into 2 categories:

- i) The need to locate in the countryside
- ii) The impact on the countryside

The Need to Locate in the Countryside

Residential and nursing homes should not normally be in the countryside where such locations can be a disadvantage due to the absence of service facilities near at hand. Convenient public transport is desirable for visitors and relatives. Exceptionally there may be circumstances where the peace and quiet of the countryside might be particularly appropriate e.g., for the nursing of the terminally ill or convalescent cases.

Impact on the Countryside

Planning considerations such as location, siting, traffic aspects, amenity, design, layout and landscaping referred to in the councils housing and countryside policies. In addition, in rural areas it is important to ascertain that satisfactory drainage and sewerage arrangements can be provided.

The nature of the proposal will also be important. Whilst a change of use and limited alterations or extension of a large rural house in extensive grounds may be acceptable circumstances, new building or extensive additions to modest buildings would normally not be permitted.

The question of precedent may also be an important one. If the proposal is likely to lead to a number of similar proposals, then this will be a factor in determining an application.

6.0 Creches, Day Nurseries and Pre-School Play Groups

This guidance provides general advice on the planning issues that arise concerning applications to establish creches, day nurseries and pre-school play groups and sets out the criteria which the Council will consider when determining such proposals.

Creches, Day Nurseries and Pre-School Playgroups can be defined as a place where a number of children under 5 years of age are brought together for part or all of a working day on a regular basis and where provision is made for their care, recreation and in some cases meals.

A crèche or pre-school playgroup normally caters for children 3 to 5 years and for part of the day only. Day nurseries often cover the complete age range under 5 years old and normally operate on a full day basis. Also, a number of existing facilities provide care for older children, i.e., over 5 years old, after school hours.

Creches day nurseries and pre-school play groups fall within Class D1 'Community and Cultural Uses' of the Planning (Use Classes) Order (Northern Ireland) 2015 which covers the following.

- a. Any use (not including a residential use): -
- b. For the provision of any medical or health service except the use of premises attached to the residence of the consultant or practitioner.
- c. As a creche, day nursery or day centre
- d. For the provision of education.
- e. For the display of works of art (otherwise than for the sale or hire).
- f. As a museum
- g. As a public library or reading room; or
- h. As a public hall or exhibition hall.

In any case, where differences can arise as between one use and another within Class D1, particularly in terms of their effects on the amenity of the surrounding area, the Council reserves the right to grant planning permission subject to a condition that no further change of use shall take place within the class without the express grant of planning permission.

Information to be included with Planning Applications

In order to allow the Council to make a full assessment of the impact of the proposed development on the amenity of the immediate area, all future applicants will be required to provide information on the following:

- i) The proposed number and age range of children to be catered for.
- ii) The proposed number of staff, the ratio of staff to children and the maximum number of staff on the premises at any given time.
- iii) Hours and days of opening.
- iv) An indication of the internal floorspace arrangements and for external play space provision (both soft and hard surfaces).

- v) A block layout plan indicating proposed car parking provision, landscaping and screening proposals, the means of access and internal vehicle manoeuvring space.

Non-Residential Areas

It is anticipated that there will be an increasing number of crèche, day nursery and pre-school playgroup facilities provided in or near existing workplaces. The Council considers that a location in an industrial area would be acceptable so long as the facility is ancillary to an existing industrial use. Developers would need to ensure that such a location is acceptable in terms of the environmental impacts of adjacent uses, traffic hazards and potential dangers from industrial plant or machinery. In areas of predominantly commercial land uses or areas of mixed commercial and residential uses, the provision of a crèche, day nursery or pre-school playgroup would normally be acceptable subject to the consideration that such a use would not be allowed to break up an otherwise continuous shopping frontage. In some instances, it may be possible for the use to locate on the upper floors of a building thus overcoming this objection. In areas of mixed land use, the effects of the proposal on any residential properties will be considered in the same way as proposals in wholly residential areas.

Residential Areas

To a limited extent, crèches, day nurseries and pre-school playgroups have operated for some time as part of the overall activities within existing community buildings such as church complexes and community centres. While such premises may often be acceptable to the Council, trends would indicate that such day care facilities are becoming increasingly specialised in nature and operated on a commercial basis.

The Council would therefore anticipate that a substantial proportion of future applications will be for specialised crèches, day nurseries and pre-school playgroups in properties located within residential areas. Such proposals are unlikely to be acceptable in terraced or semi-detached properties in residential areas where the predominant form of occupation is by single families. Detached dwellings may be more acceptable for this type of use, particularly if they are substantial villas set in reasonably large grounds with mature landscaping. In determining the suitability of premises for such purposes, the Council will consider the impact of any proposed development on the existing character and amenity of the area and the implications for road safety. In residential areas, the Council will not normally grant permission for the change of use of an entire dwelling but may give favourable consideration to proposals for the joint use of a property as a residence and crèche, day nursery playgroup.

In considering the impact of the proposal on a residential area, the Council will have regard to the scale of operation, potential nuisance and disturbance, and the visual impact of the proposal.

Scale of Operation

One of the main determinants of the acceptability of a proposal will be its scale. Whilst a proposal involving a small number of children might be acceptable in a residential area, one catering for 30 children could have a serious detrimental effect on residential amenity. The Council will therefore wish to be satisfied that the scale of operation is appropriate both in relation to the specific site and the general neighbourhood.

Potential Nuisance and Disturbance

The main source of disturbance is noise generated either by additional traffic attracted to the site, or by the outdoor playing of the children. In considering a proposal the Council will wish to be satisfied that traffic arrangements are satisfactory and adequate outdoor play space is available. Such play space should not be located in close proximity to habitable rooms of any adjacent residential properties. The Council will consider the impact that the proposed hours of operation may have on residential amenity.

Visual Impact

Regard will be taken to the effect of the proposal on the visual amenity and character of the area. The impact on existing landscaping will be considered together with the need for the provision of new or additional landscape treatment on any proposed site. Proposals to provide car parking space in front gardens in residential areas are unlikely to be acceptable. Parking provision and outdoor play areas should normally be screened from the public road and from adjoining property. Careful consideration should be given to materials used on surfaces. Generally, the hard surfacing of gardens will be discouraged. Applications which involve the use of temporary structures such as portacabins will be considered only in the most exceptional circumstances, and if approved the permission will be for a strictly limited period. Again, screening from the public road and adjacent properties would be important. Extensions to existing buildings will only be permitted where the extension would not result in a significant impact on residential amenity.

In Conservation Areas and Areas of Townscape Character the proposed conversion to a crèche, day nursery or pre-school playgroup will be considered in the light of planning policy for such an area. Where the proposal is considered acceptable in principle the detail of the proposed development must have special regard to the special architectural and historic character of the area.

The change of use of a building listed for its special architectural or historic interest to a crèche, day nursery or pre-school playgroup may be acceptable especially if such a use would help prolong its viable use or enhance its appearance. Alterations or extensions to such buildings will be strictly controlled and proposals which are unsympathetic to the character, structure or appearance of listed buildings will not be permitted.

Access Arrangements

Proposals which involve development at locations such as a busy road junction or a dangerous bend or the formation of a new vehicular access on to a main traffic route or where access standards cannot be achieved will not receive favourable consideration. The Council will also require to be satisfied that the additional traffic generated by the proposal will not give rise to dangerous traffic conditions. If access or sightline requirements result in an unacceptable loss of amenity by the removal of existing landscaping applications are unlikely to receive favourable consideration. Replanting behind sightlines will normally be a condition of planning permission. Openings for vehicle access should be kept to a minimum and should not exceed 50% of the site frontage.

Car Parking Provision

Car parking should normally be provided to the following standards: -

- i) Non-operational parking space
 - a. 1 space per 3 staff
 - b. 1 space per 10 children
- ii) Operational parking space
 - a. 1 Lay-by or turning space as appropriate
- iii) Cycle Parking Standard
 - a. Minimum of 2 per unit

Whilst these set standards will be used as a guide, each application will be considered on its merits. Where possible, applicants should consider the provision of a lay-by facility along the frontage of the site. Provision must be made for vehicles to enter and leave the site in a forward gear.

Proliferation of Uses

The Council is of the opinion that while in many areas the introduction of one or two specialist uses of this nature may be acceptable, a proliferation of such uses can collectively lead to a change in the overall character of an area. In determining each individual application therefore, the Council will take into consideration the number and location of other non-residential and specialist residential uses and the cumulative effect of these uses on the immediate neighbourhood.

Imposition of Conditions

Where promotion is granted for the provision of a crèche, day nursery or pre-school playgroup, the Council may impose conditions covering the following aspects:

- i) The total number of children cared for on the site to ensure the business does not expand beyond the capacity of the site.
- ii) The days and hours of opening where necessary to minimise possible adverse effects of any proposal on residential amenity.
- iii) Landscaping and screening where appropriate.

- iv) A time-limited permission may be granted where a trial period is considered appropriate.

Rural Areas

Proposals for provision of a crèche, day nursery or pre-school playgroup in rural areas will be considered in the context of the Councils Health, Education and Community Facilities, in particular Policy CF1 – 'Community Facilities'. The Council considers that towns and other smaller rural settlements acting as existing service centres for the surrounding population are the appropriate location for rural crèches, day nurseries and pre-school playgroups. Outside settlements, permission may be granted in a rural area to meet a defined local need. To be acceptable such a proposal would need to be:

- i) Part-use of an existing residential property; the total conversion of a dwelling would not be acceptable.
 - ii) Acceptable in terms of the visual impact on the landscape, including the impact of car parking and alterations to the access.
 - iii) Accessed to a road other than a Main Traffic Route.
- This policy will also apply in a Green Belt or Countryside Policy Area.
Health and Social Services Board Requirements

In determining all applications, the Council shall have regard to the requirements for registration by the relevant Health and Social Services Board. These requirements include internal and external space standards, maximum number of children and staff to child ratios.

7.0 Open Space

This guidance provides general advice on open space and supports Policies OS1-OS10 Open Space, Sport and Outdoor Recreation.

Definition of Open Space

For the purposes of Operational Policies OS1 – OS10, open space is taken to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

The following typology illustrates the broad range of open spaces that are of public value:

- parks and gardens – including urban parks, country parks, forest parks and formal gardens;
- outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) – including tennis courts, bowling greens, sport pitches, golf courses, athletic tracks, school and other institutional playing fields, and other outdoor sports areas;
- amenity green space (most commonly, but not exclusively in housing areas) – including informal recreation spaces, communal green spaces in and around housing, and village greens;
- provision for children and teenagers – including play areas, kickabout areas, skateboard parks and outdoor basketball hoops;
- green corridors – including river and canal banks, amenity footpaths and cycleways;
- natural and semi-natural urban green spaces – including woodlands, urban forestry, grasslands (e.g. meadows), wetlands, open and running water, and rock areas (e.g. cliffs);
- allotments and community gardens;
- cemeteries and churchyards; and
- civic spaces, including civic and market squares and other hard surface areas designed for pedestrians.

The Council recognises that most areas of open space can perform multiple functions. These will be taken account of when applying Open Space Policies. These include:

- strategic functions - defining and separating urban areas; providing community greenways, 'green lungs' or landscape buffers within urban areas; better linking of town and country; and serving recreational needs over a wide area;
- urban quality - helping to support regeneration and improving quality of life for communities by providing visually attractive green spaces close to where people live;
- promoting health and well-being - providing opportunities to people of all ages for informal recreation, or to walk, cycle or ride within parks

- and open space or along paths, bridleways and canal banks. Allotments may provide physical exercise and other health benefits;
- havens and habitats for flora and fauna – sites may also have potential to be corridors or stepping stones from one habitat to another and may contribute towards achieving objectives set out in the Northern Ireland Biodiversity Strategy;
- as a community resource – a place for congregating and for holding community events; and
- as a visual amenity – even without public access, people enjoy having open space near to them to provide an outlook, variety in the urban scene, or as a positive element in the landscape.

Fields in Trust is an independent charity, formerly the National Playing Fields Association (NPFA) that champions the value of parks and green spaces and to achieve better protection for their future.

The NPFA recommends a minimum standard for 'outdoor playing space' of 2.4 hectares per 1,000 population. This is commonly referred to as the '6 Acre Standard'. The NPFA does not regard 'outdoor playing space' to be the same as public open space, rather it is space that is safely accessible and available to the general public, and of a suitable size and nature, for sport, active recreation or children's play. Accordingly, it is a significant component, but not the only form, of open space.

'Outdoor playing space' is made up of two main components. The first of these is land provided for outdoor sport, principally for adults and youths. The second is playing space for children.

The NPFA maintains that its recommended levels for the allocation of 'outdoor playing space' are justified. Furthermore, it confirms that these are minimum standards and advises that they should be exceeded whenever possible. The NPFA commends these standards to all local authorities throughout the United Kingdom.

The following facilities are excluded from the definition of 'outdoor playing space', although the NPFA recognises that there are circumstances where some of them can make a valuable contribution to the total recreational provision of communities. They are not however regarded as substitutes for elements of the NPFA standard:

- outdoor sports facilities which are not as a matter of policy and practice available for public use, such as professional sports stadia;
- grounds of Her Majesty's Services, unless as a matter of policy and practice and by formal agreement they are made available for public use;
- verges, woodlands, commons, the seashore, nature conservation areas, allotments, ornamental gardens and parks(except for clearly defined areas within them for sports, games, practice and play);
- golf facilities;
- water used for recreation, except where it forms an interactive feature of an outdoor play area;

- sports halls or leisure centres;
- commercial entertainment complexes and theme parks; and
- car parks for non-recreational use.

The total NPFA standard should be met by ensuring land is available for outdoor sport and children's play in the manner set out below.

Further information and guidance is available at www.fieldsintrust.org .

Figure 2: Outdoor Standards

<p>(A) Outdoor Sport: 1.6 hectares</p> <ul style="list-style-type: none"> (i) Facilities such as pitches, greens, courts, athletic tracks and miscellaneous sites such as training areas in the ownership of councils; (ii) Facilities as described in (i) above within the educational sector which are available for public use by written agreement; and (iii) Facilities as described in (i) above within the voluntary, private, industrial and commercial sectors, which serve the leisure time needs for outdoor recreation of their members, or the public. <p>Note: - Included within the standard for outdoor sport is a specific allocation of 1.2 hectares per 1000 people for pitch sports.</p>
<p>(B) Children's Playing Space: 0.8 hectares</p> <ul style="list-style-type: none"> (i) Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focussed opportunities for outdoor play; and (ii) Casual or informal playing space within housing areas.

Source: DOE, Planning Policy Statement 8 Annex B

Economy: Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure

8.0 Outdoor Advertisements

This guidance provides general advice on the display of different categories of advertisements. This guidance acknowledges that amenity and public safety are the only criteria that can be taken into account in assessing proposals for advertisements and supports Policy AD1 Outdoor Advertisements.

The guidance is not intended to be overly prescriptive but is intended to advise applicants and commercial companies involved in promoting outdoor advertising how such advertising, if appropriately designed and sited, can contribute towards a quality environment.

For signage on shopfronts, including fascia and projecting/hanging signs, refer to Part 9.0 Shop Fronts and Signage.

Panel Displays

Poster panel displays do not generally relate directly to the land or premises on which they are located. They comprise the more traditional paper posters on panels or hoardings, either freestanding or attached to buildings, modern displays, including moving prismatic panels, and internally illuminated PVC faced panels.

Poster panel displays are a common feature of urban advertising and rely on size and siting for their impact. As a result, they have the potential to be over dominant and obtrusive in the street scene. There is a need therefore to ensure that such displays respect the scale of their surroundings. Equally there is a need to prevent clutter and the undue dominance of such advertisements over other uses of land.

The Countryside

Poster panel displays are out of place in the countryside and will generally be unacceptable. An exception may be made where the display advertises a particular event, such as a local agricultural show or fair, and is restricted to a specified time period.

Villages and Small Settlements

Large scale poster panel displays are generally out of place in villages and small settlements because of their potential to detrimentally impact on the visual amenity of these locations. Smaller poster panels may be acceptable depending on their size and on the scale and character of the village. The position and siting of such signage should respect the size, scale and character of surrounding buildings and features.

Residential Areas

Poster panel displays are out of place in any predominantly residential locality. The priority in residential areas is to maintain local character and environmental quality and to protect the amenity of residents. The size, scale and intrusive nature of poster panel displays therefore make them generally unacceptable. An exception may be made for the display of a poster panel on bus shelters in residential areas where there will be no significant impact on the amenity of adjacent residents.

Predominantly Commercial Areas

In commercial areas the scale of buildings may be sufficiently large to accommodate poster panel displays without adverse effect on visual amenity. The scale of commercial and industrial surroundings in our cities and towns can however vary greatly, often within short distances. It will be expected therefore that the scale of advertisement displays should respect the scale of adjacent buildings and the wider area.

Where an area is in mixed use, with shops and offices interspersed with residential properties, poster panel displays may on occasion be acceptable. They should be carefully related to the size and scale of surrounding buildings and designed in a manner that will not damage visual amenity or prejudice public safety.

Freestanding Advertisement Displays

Large freestanding panels (generally 48 sheet displays or greater) are commonly used to screen derelict and untidy land. These sites can be a potential eyesore and in many cases a carefully designed scheme for screening that integrates advertisement panels can often prevent fly tipping, vandalism and help ensure security.

Such schemes need to be well maintained and will generally only be acceptable on a temporary basis. Freestanding displays are also often found at airports, ports and other gateway locations where they generally provide information on the locality, local events and services.

Design Guidelines:

- The number, scale, proportion and design of freestanding advertisement panels should respect the site and its surrounding area. In particular, where these are situated at the back edge of the pavement, or in other prominent locations, care will be needed to ensure that their effect on pedestrians is not overwhelming;
- Panel displays should be integrated into a well designed scheme of good quality screening which allows for visual breaks between each panel. Areas to the sides of and around the hoardings should be considered with as much care as the display itself;

- Wherever possible, good quality hard and soft landscaping should form part of the proposal and should be of sufficient scale to assist integration of the overall display; and
- Where the rear of the advertising panel is visible from surrounding roads or properties it should be appropriately treated.

Gable Mounted Advertisement Displays

Large scale poster panels (generally 48 sheet displays) located on gables are a common feature in the predominantly commercial parts of our towns and cities and may offer benefits, such as screening an untidy gable. Care however needs to be taken with such proposals to ensure they are not over dominant and relate well to the building on which they are proposed to be positioned.

Design Guidelines:

- The form, design, size and proportions and siting of a wall mounted poster panel should be sympathetic to the building to which it is to be attached;
- The panel should generally be above ground floor level on which it is to be positioned;
- Interesting features, for example architectural details, should not be obscured or destroyed; and
- Windows should not be covered and the normal functioning of the building should not be adversely affected.

Tiers of advertisement poster panels affecting the gable or flank wall of a building should be avoided as they can have a significant detrimental impact over long distance views, whilst more local views can appear cluttered.

The guidance above also applies to large electronic screen displays and to freestanding panels in front of a gable or flank wall of a building.

Shroud Advertisement Displays

Shroud advertisement displays are a relatively new form of advertising. They are known by a variety of names such as meshes, wraparounds or blow-up signs. They range in size, but are generally large-scale and can cover the whole of an elevation of a building. They can even be used to present an image of what a building will look like when alterations, renovations or building works have been completed. In view of their scale and size, shroud advertisements have the potential to seriously conflict with the visual amenity of the buildings upon which the display is situated and the area in which buildings are sited. Accordingly, proposals for this type of advertisement are only likely to be acceptable in commercial areas, where they are to be attached to scaffolding surrounding a building or development site and where a contract has been drawn up for the building or renovation works. To prevent clutter, account will be taken of the number of similar proposals located within the vicinity of the site and others that have the benefit of advertisement consent.

Signs on Commercial Premises

Signs and advertisements on commercial premises are important in announcing the presence of a business in the street and in directing customers to that location, and can assist the vibrancy of our city and town centres and other commercial areas. When sympathetically sited and designed they can contribute positively to the distinctive visual amenity of an area by giving a sense of quality and permanence.

The most common signs on commercial premises are fascia signs and projecting signs, either box or hanging. Their design should always complement the design of the shopfront and building and respect the wider locality. An excessive number of signs or those which are too large can dramatically affect the premises on which they are sited and have an adverse impact on the general character of the area.

Blinds and Awnings

Originally the function of blinds was to protect perishable goods from deterioration due to strong sunlight. Today however blinds, awnings and canopies are increasingly used as a means to provide additional advertising.

Blinds that are well designed can improve the attractiveness of a building or street. Poorly designed or prominently located blinds or canopies displaying advertising can however detract from the appearance of buildings, the surrounding neighbourhood, and can result in clutter. They are particularly obtrusive when located above windows on upper floors and should be avoided.

Design Guidance

- Blinds and awnings should be retractable, made from non-reflective material and be designed to integrate with the appearance and constriction of the shopfront as a whole; and
- Such blinds should be a minimum of 2.25m above ground level in interests of public safety.

Advertisements on Upper Floors

Where commercial premises occupy the upper floors of buildings the need to advertise their whereabouts can be important to their viability. Great care needs to be taken in considering how this can be achieved without the exterior of the building appearing cluttered.

Fascia signs, panel style signs, canopies, flags and banners are generally out of place on upper floors.

Design Guidance

- Advertising on upper floors should be printed or etched onto the glass or on to the internal window blinds. As an alternative, individual letters rather than an advertisement panel may be suspended behind the glass.

High Level Signs

High level signs generally relate to those vertical or horizontal signs on the walls of tall, single use buildings such as hotels. If not treated with great sensitivity they have the potential to give the appearance of clutter within the local street scene and be obtrusive and dominant over long distances particularly when located on roofs.

Design Guidance

- High level signs will generally only be appropriate where they relate to the scale and primary use of the host building;
- They should be designed to be read as part of the building and should not detract from any architectural feature;
- They should not project above the eaves or parapet of the host building;
- They should have only the lettering illuminated.

Offices in Former Residential Properties

In predominantly residential areas, where offices occupy part or all of a former residential property, it is essential that advertising remains unobtrusive in order that the residential amenity of the area is not prejudiced. Even in situations where offices occupy a row of former residential properties it will generally still be important to retain the overall residential appearance of the area. A more flexible approach will however be considered in those areas where, through ongoing change, surroundings have become mainly commercial.

- The advertisement of offices in former residential properties should be by means of nameplates made of metal or other suitable materials and should be fixed to the doorway pilaster, or if there is no pilaster, they may be fixed to the masonry beside the front door; and
- Painted or etched lettering on a front window will also generally be acceptable.

Signs at Retail and Business Parks

In retail parks and business parks the uncoordinated display of advance advertisements or ad hoc directional signs to individual businesses, which bears no direct relationship to the building, land or structure upon which it is displayed is often confusing, untidy and detrimental to the appearance of an area.

There is great potential for all advertising associated with retail or business parks to be undertaken in a planned and co-ordinated manner. Ideally the fascia signs for individual premises should form an integral part of the building, while a single carefully designed directory board located at the entrance to the park or in other acceptable locations can avoid a proliferation of advance signs.

- All new buildings in a retail or business park should incorporate a signing zone as part of the design;

- Fascia and projecting signs should be in scale with the host building and surrounding buildings and be consistent across the whole unit; and
- Advance signage should be provided in the form of a combined directory board within a proposed or existing landscape area designed and integrated as one scheme.

Signs at Filling Stations and on Forecourts

Signage at filling stations usually comprises a combination of a canopy, a pole/pylon, and shop fascia signage together with a number of smaller forecourt signs. In view of the range of signs involved there is often potential for their cumulative effect to result in clutter. To help prevent this a co-ordinated approach should be taken when bringing forward proposals, particularly where existing signage is being replaced.

Particular care is needed in assessing proposals for illuminated advertisements at filling stations located adjacent to or near residential properties.

Design Guidance

- All signs should be in scale with their surroundings and not detract from the amenity of the surrounding area;
- Illumination should generally be restricted to the sign lettering and logo; and
- Freestanding signs should be located so as not to interfere with or obstruct sightlines.

Pylon and Pole Mounted Signs

Pylon and pole mounted signs are a common feature at petrol filling stations. Increasingly they are found in association with drive-through restaurants, supermarkets, retail warehousing, retail parks and car showrooms.

The height, size and levels of illumination of these signs may result in visual intrusion within the locality where they are situated. They can be extremely dominant over long distances and detract not only from the character and appearance of the area in which they are sited but also that of the area from which they are viewed. In addition where they are proposed close to residential properties they can be detrimental to amenities enjoyed by local residents.

Design Guidance

- Pylon and pole mounted signs should be in scale with their surroundings and they should not significantly exceed surrounding building heights;
- They should not detract from the visual amenity or character of the surrounding area;
- They should not be sited adjacent to, and wherever possible should not directly face residential properties;
- Illumination should generally be restricted to the sign lettering and logo.

9.0 Shop Fronts and Signage

This guidance provides general advice on design quality requirements for shop fronts and signage. This guidance acknowledges that most alterations and improvements to shop fronts will require permission. More than one type of permission may be required. Repair works do not normally require consent however you are advised to consult with the Council's Planning Department in advance of any changes.

Shop Fronts

Planning permission is required for the insertion or creation of a new shop front or for works which materially affect the external appearance of a shop. For example:

- modifying the entrance door by means of a different design or material, relocation or size;
- removing or installing steps or a ramp;
- installing an awning or security shutters/grilles;
- modifying the shop window area including the fascia;
- changing facing materials; or
- altering the alignment of the frontage.

Signage and Advertisements

- Fascia signs, blinds, awnings and other external features, such as 'A' boards and pavement signs, may require advertisement consent.
- Illuminated signs will require advertisement consent (see 8.0 Outdoor Advertisements).

Listed Building Consent

Historic shop fronts: Alterations to shops in listed buildings will usually require listed building consent. This applies not only to the shop front, but also to internal alterations and installation of fascias, signs, blinds, lights, shutters and burglar alarm cases. Where a historic shop is not listed, there will be a presumption in favour of retaining and refurbishing the whole shop front or any historic parts which remain.

Building Control Approval will be required for any structural alterations or the provision of services/fittings.

Principles of Good Shop Front Design

Good shop front design brings many benefits. It will attract attention (and trade) to the business and enhance townscape quality. Good shop front design will be sympathetic to its setting, both in terms of its immediate building frontage and the wider streetscape.

Good shop front designs which protect and enhance local distinctiveness, for example, through the retention of original features, are often appreciated by residents and visitors to our towns. Our towns retain many original shop units, which should be protected. This is particularly important within our conservation areas and areas of townscape character.

High standards of construction and installation are particularly important. It is therefore recommended that professional advice is sought from suitably qualified architects and experienced shop fitters and installers are always used when altering or installing shop fronts.

Protection of Traditional Buildings and Shop fronts

It is important that the historic character and features of the host building, both at street level and the floors above, are identified and preserved. The design of the shop front should avoid obscuring these features and should be adapted to fit the overall architectural scheme, for instance bay division, openings or decorative features.

Traditional materials should be used in Conservation Areas and Areas of Townscape Character, e.g. painted timber fascia, hand painted lettering or individually applied metal lettering. UPVC is not appropriate in the construction of doors or windows.

Traditional features are an extremely important part of shop fronts. Special features on existing shop fronts such as decorative ironwork, carved or moulded timber, decorative plasterwork, terracotta tiling, stonework, glazed tiles and coloured glass should be retained, and restored where necessary.

Advice should be sought from the Council's Planning Department when dealing with historic buildings or Conservation Areas.

Further information on the Conservation Area Design Guides are provided on the Department for Infrastructure's website at: www.infrastructure-ni.gov.uk/articles/conservation-area-guides-z-list

Shop Fronts in Modern Buildings

Where the preservation of the character of a traditional building or historic area is not a significant material consideration, the emphasis will be on the enhancement of the street scene. New shop fronts should aim to be in character with the building and the street scene.

Many of the principles of good design found in traditional shop fronts can be applied to new shop fronts, without resorting to poorly executed "pastiche"

copies. Considerations will usually include modern interpretations of pilasters, fascia and stall riser.

Good modern design is welcome provided it contributes to the overall streetscape setting as well as being aesthetically pleasing in its own right.

In certain areas, good modern shop front design is likely to be more appropriate. A modern shop front design approach might be appropriate, for instance using applied lettering and minimal modern window and doorway design, rather than trying to impose a 'heritage' shop front on a frontage that was never intended to take such a feature.

As a general principle the Council will normally only give sympathetic consideration to alter, extend or provide new shop fronts if they comply with general shop front design principles:

- A shop front should not be designed in isolation but considered as part of the architectural composition of the building.
- The design should complement the period and style of the building onto which it is fitted and reflect the planning status of the area in which it is located, e.g. a designated conservation area or area of townscape character.
- Shop front elements should emphasise the division of the building and visually suggest a method of support for the facade above.
- Shops operating from more than one adjacent unit should retain the sub-division of the shop fronts to respect the integrity of the individual buildings.
- Materials should be appropriate to the context.

The main principles of shop front design, for each of the key shop fronts elements, are set out below, i.e. Window, Mullion, Window Cill, Stall riser, Pilaster/Cornice, Console Bracket/Corbel, Fascia, Door and Access. Other features include canopies and awnings and security measures.

Window, Mullion, Fanlight, Window Cill

- Large plate-glass shop fronts without any visual support for the upper part of the premises can have a detrimental effect.
- The window should reflect the proportions of the building and be slightly recessed within the frame.
- Large expanses of glass are expensive to replace and will look out of place in older areas. Vertical timber mullions and glazing bars should be used to break up the window into smaller compartments, where appropriate.

Stall risers (panelled fronts on the bottom of shop windows)

- The stall riser provides a visual and structural base for the shop front and is an essential element of the design.
- Where stall risers exist, they should be retained as they are part of the overall shop front design. Where they have been removed from older shop fronts, their replacement is encouraged.

- They should be at least 500mm high, or to the top of the pilaster base. It should have a moulded projecting sill beneath the glazing and be of solid construction. A stall riser brings the base of the window up to table level, improving the visibility of the goods displayed within.
- Stall risers are often panelled in timber with a deep moulded skirting or finished in glazed tile or marble.

Pilasters and Console Brackets

- Console brackets and pilasters are a feature which frame the shop front and provide vertical emphasis between adjacent shop fronts, while the cornice defines the top of the shop front.
- Pilasters and consoles should be designed to reflect the level of detail used in other elements of the shop front and treated in the prevailing material of the building, usually timber, painted stucco or render.

Fascia

- The appearance of a building will be affected by the width, length, depth, materials, colour and design of its shop fascia. For good appearance, the fascia should be designed as an integral part of the shop and building. It should be contained within the shop front, separated from an adjacent fascia by pilasters. If a shop front runs across two or more buildings the integrity of each building must be respected. This can be achieved by creating what appears to be 2 or more separated but related shop fronts. The shop front should not extend, uninterrupted, across a number of buildings.
- An unnecessarily deep horizontal fascia can appear to divide a building in two and mar the street scene. Sometimes a fascia that is too deep is used to hide a suspended ceiling within a shop. This can be avoided by stopping false ceilings short of the glazing. As a general rule, fascia boards should integrate within the scale of the shop front at ground floor about 400mm-600mm deep, (measured from top of cornice to window frame below). They should not encroach on first floor windows.
- The colours used in the fascia should not clash with the colours of an adjacent fascia. The use of acrylic or fluorescent materials in signs is inappropriate and not acceptable.
- Traditional materials should normally be used in Conservation Areas. These include elements such as painted timber, applied metal lettering or hand painted signs.
- Modern materials such as plastics, aluminium, perspex and stainless steel are not normally acceptable for listed buildings or in conservation areas or areas of townscape character because of their incompatibility with traditional building materials and their tendency to disrupt the visual unity of the street scene. Modern materials in modern shop fronts should be used with care.

Doors and Access

- The design of the entrance door itself must reflect the design of the other elements which make up the shop front. Particular attention should be given to the windows such that the bottom panel of the door is of the same height as the stall riser and both door and window frames are of the same material.
- If there is a separate access to upper floors, it should be retained to allow continued independent use of these floors.
- Painted timber, two-thirds glazed doors are recommended for shop entrances. Solid unglazed panelled doors are appropriate for access to living accommodation above the shop.
- On many traditional shop fronts the entrance is recessed and the floor of the recess decorated with mosaic or tiles. Where it remains, this feature should be retained. For safety and security, recessed entrances should be lit. Where the doorway is recessed, the recess should be square, or angled sharply (long runs of angled shop window should be avoided).
- Appropriate door furniture should always be used.
- To be accessible to disabled people, entrance doors and access ramps should comply with current Building Control standards.

Canopies and Awnings

- Retractable canopies or blinds, when well-designed and sensitively located, can provide interest and colour in the street scene, add to the attractiveness of shops and provide protection from the weather. They should be designed to fit in with the style of the shop front and the character of the building, both when opened and closed.
- Traditional horizontal blinds that fold back into the fascia will normally be preferred. Where existing horizontal blinds and blind boxes exist, every encouragement will be given to retain and restore these in their original position. All canopies and blinds should clear the pavement by 2.3 metres.
- Plastic or fixed blinds are not acceptable and nor are 'Dutch' blinds. Blinds and canopies at first floor level and above are rarely satisfactory and will be resisted.
- Blinds and canopies should usually be the same width as the fascia but should not cover architectural details.
- Lettering may be acceptable where a retractable roller blind obscures the fascia when in use. When included, lettering or symbols should be limited in size. Consent to Display may be required.

Security

- The Planning Department is concerned to balance the security needs of shopkeepers against the detrimental effect on the appearance of streets caused by certain types of shutters.
- Security should be an integral part of the design stage and when proposed, security shutters should be fully integrated into the frontage of the building. A well-designed shop front can be marred by inappropriate or 'bolt-on' security

measures which fail to consider the character of the building or the general townscape.

- In new build or refurbishment, the shutter box should be recessed behind the fascia and the guide rails concealed within the shop front surround or window reveals.
- Surface mounted shutters will not be granted planning permission.
- Internal lattice shutters are a visible form of security that does not compromise the external appearance of the shop. They allow for a window display while not creating a dead frontage at night.
- Shutters shall be perforated or lattice type and colour coated to match the shop front. Unpainted galvanised shutters will not be granted planning permission.
- Shutters should not cover the whole of the shop front, only the glazed areas. For a large shop frontage a number of smaller shutters applied to individual window openings should be used rather than a large single shutter.
- All security apparatus, including surveillance systems, lighting and alarms, should be part of the design concept and located in unobtrusive positions. They should not interfere with architectural detail.

Fascia, Projecting and Hanging Signs

Signs form a significant part of the overall appearance of the street frontage. The principal factors to be considered in the design of signs are the scale, the relationship with the design of the building, the style of the sign, the materials and the colour.

- Highly reflective and brightly coloured plastic signs are generally inappropriate, particularly in Conservation Areas and Areas of Townscape Character.
- On traditional shop fronts, fascias are made of timber and are often no more than 400mm-600mm deep. Traditionally, fascia signs were either hand - painted or had individually applied letters. This type of sign can be designed to suit the building.
- Fascia signs should not extend above or below the original fascia panel, and should not conceal or damage original architectural features. The fascia sign is a good place to incorporate the street number of the property.
- Internally illuminated signs will generally not be acceptable or projecting signs in coloured plastic. Plastic and projecting box signs will not be permitted on buildings in Conservation Areas or Areas of Townscape Character. Elsewhere, fascia box signs should not protrude more than 100mm and should not be internally illuminated.
- If a fascia sign is to be lit, it must be done discreetly so as not to detract from the character of the building. Shop fronts can be disfigured by a clutter of swan-neck or long-stemmed projecting lamps or crude internally lit fascias. The use of concealed spot or wash-lighting to highlight signs is acceptable. Back lit or halo illumination of fascia signs may be acceptable, if well designed. Where lighting is proposed, full details of the fitting, method of fixing and luminance will be required in support of the application.

- The lettering should reflect the proportions of the fascia and the quality and character of the shop front. The best option for signs is to use individual letters restricted to the shop name. Oversized lettering can give a cluttered and unattractive appearance to the streetscape. Clear well-spaced letters are as easy to read as larger oversized letters.
- Hand-painted or individually fixed lettering (e.g. brass or other metal) will be encouraged. Samples of lettering should be supplied with applications.
- Letters or logos should not be affixed directly to the glazing of any shop or business window. Sign displays should be set back from the window and be significantly subsidiary in scale to the window area.

Projecting and Hanging Signs

- Often of painted wood and ironwork, these can add originality and interest to the shop front and street. Hanging signs and their supporting brackets should be designed and positioned so as not to damage or conceal architectural features.
- They should not normally be placed below fascia level, or above first-floor window-sill height. Projecting signs are usually unsuitable for traditional shop fronts, especially when internally illuminated, for older areas. Projecting signs, on modern shop fronts, should be positioned within the fascia panel.
- The need to avoid clutter in the streetscape will be a material consideration in assessing any planning application for a hanging sign.
- Projecting signs should be sympathetic to the design of the building where they are to be displayed and respect fascia signage.
- Box signs should be located at the fascia level and are generally best situated at the end of the fascia.
- Hanging signs may be acceptable at first floor level and are generally best situated in a central position between windows.
- Internal illumination should preferably be in the form of individually backlit letters.
- Where external illumination is proposed trough lighting is preferred with the trough painted out.
- Projecting signs should generally project no more than 1 metre including fixings, with a maximum end width of no more than 0.1 m in the case of box signs.
- Projecting signs should be a minimum of 2.25m above ground level in the interests of public safety.
- Illuminated projecting signs are generally unacceptable immediately adjacent to a neighbouring residential property.

Lettering

There are a large number of traditional and modern fonts which can be used in shop front signage. The choice of style will depend upon factors such as the message being conveyed, the type of business and the visibility of the location. The design of the shop front and the building to which it is attached are also important factors,

although lettering is an area where contrast can work as well as complement. Historic buildings do not always require a conservative font. Similarly, traditional lettering can work well on a modern façade.

Generally speaking, lettering should be contained by the architectural frame of the fascia panel and should be in proportion with it. Colours should harmonise with the detailing and character of the building and surrounding area.

10.0 Taxi Offices

This guidance provides general advice on the planning issues that arise concerning applications to establish taxi offices, however described, and sets out the criteria which the Council will consider when determining such proposals.

The operation of all taxis in Northern Ireland is governed by the requirements of the Road Traffic (Northern Ireland) Order 2007 and by regulations and byelaws made thereunder. The Order empowers the Department for Infrastructure (DfI) to lay down standards for the licensing of drivers and their vehicles and, amongst other matters, to designate taxi ranks.

The taxi-cab trade in Northern Ireland is separately licensed as private or public hire. The private hire taxi is licensed to operate from registered offices or other premises and may only be indirectly booked by telephone or other prior arrangement. This form of taxicab is forbidden to ply for hire in public streets.

The public hire taxi may apply for hire or reward on public streets. Such taxis may lawfully operate only from ranks designated by DfI (outside Belfast) or, when mobile, with a "For Hire" sign displayed. This service is not normally subject to planning legislation.

Regarding private hire taxi operations, there are two types, namely those based in taxi offices and those in taxi depots. The Council is mainly concerned with the functions of a taxi office, where staff are employed to take and relay messages and for any other administrative purposes.

In considering applications for such offices the Council will consider their proper location, their effect on adjoining property including the effect of noise and disturbance, and car parking requirements.

Proposals for taxi offices in wholly residential areas are unlikely to be favourably considered by the Council. This is primarily because of the noise and disturbance which is likely to be incurred by taxicabs arriving late at night to collect customers who have called at the offices. It should be noted that taxi services tend to have their peak hours in the evening, from approximately 6.30 pm to 2.00 am. There may be some minor 'peaks' during the day, due perhaps to the arrival of a passenger ferry in a local port or, in the evening, due to visitors at a local hospital. However, normally, the busiest hours for taxi services are outside the peak hours for traffic.

Within an area which is predominantly residential but perhaps with some commercial land uses, the Council will carefully consider the effect of the proposed development on adjoining residential properties.

The fringe of the central area of a town, within an area of mixed land uses but primarily of a commercial nature, can be an ideal location for a taxi office. A secondary shopping area within a town centre may also be a suitable location. However, a prime shopping area will generally not be regarded as acceptable because of the loss of a potential retail outlet.

Regarding taxi depots, where the taxicabs are stored on the premises, the standard should be the same as for small offices plus one car space for each cab to be stored.

Radio masts are often associated with taxi offices. These are not permitted development under the Planning (General Development) Order (Northern Ireland) 2015 and require a separate planning application. In some instances, a temporary planning permission of one year only may be granted for a taxi office in order to gauge the effects of possible interference on local radio and television transmission from any associated radio mast.

11.0 Public Houses

This guidance provides general advice on the planning issues that arise concerning applications to establish public houses and sets out the criteria which the Council will consider when determining such proposals.

Public houses do not fall within any particular Use Class and require planning permission whether it is a proposed new building or a change of use from another form of development.

Public houses are defined in Section 5 of the Licensing (Northern Ireland) Order 1996 as premises in which the business carried on under the licence is the business of selling intoxicating liquor by retail for consumption either in or off the premises. Public houses may also be subject to additional licensing requirements, for example, public entertainment or for the sale of food. In addition, the Council's Environmental Health Department is responsible for the control of excessive noise emissions.

The effects of noise and disturbance and traffic safety are the main planning considerations in relation to public houses. There may be a number of suitable locations provided that problems of noise can be minimised and other amenity and traffic considerations are met. For example, a suitable location for a public house may be on the edge of a residential estate, in an area of mixed land uses or within a neighbourhood shopping centre. A public house may also be suitable in a town centre area or a rural area, although the proposal would be subject to the Council's policies for the control of development in countryside areas. However, a public house will not generally be acceptable within a wholly residential area. This is because of loss of amenity, including the problems of noise and disturbance which may arise, and also the possible traffic hazards associated with heavy lorries delivering supplies, and customers arriving and leaving by car in the latter part of the evening.

The amount of car parking provision required for public houses is dependent upon their location and size. Proposals should be in compliance with the requirements of the Departmental publication 'Parking Standards' available at <https://www.infrastructure-ni.gov.uk/publications/parking-standards>. Whilst this set standard will be used as a guide each application will be considered on its merits and consultation with DfI Roads will be carried out as part of the planning consideration. It should be noted that since heavy lorries are likely to be delivering supplies to a public house, rear servicing of the establishment is preferable to on-street delivery.

Public houses can be a source of annoyance to the occupants of neighbouring properties due to problems of noise and disturbance, and this is a valid planning consideration in terms of loss of amenity. However, it is possible to reduce the likelihood of excess noise emanating from a public house by the use of such measures as sound proofing and self-closing doors on entrance and exits. Where the proposed public house involves a change of use of an existing building, modifications to meet acceptable noise levels may not be possible, or if possible, may not be

economic. In such circumstances the applicant may be asked to indicate what feasible measures he proposes to take to reduce noise and the Council will consider these measures in consultation with its Environmental Health Department.

Noise from live entertainment and discos in public houses can also be a source of annoyance to neighbours. The control of such forms of entertainment is the responsibility of the Council's Environmental Health Department. However, noise from such a source is also a valid planning consideration when determining whether or not to grant permission. The Council will be particularly concerned about such noise where the proposed public house would be in the vicinity of residential property.

Any possible loss of amenity due to external noise is also a valid planning consideration, and the problems of noise and disturbance likely to be caused by customers, and the arrival and departure of delivery lorries are more difficult to resolve. For this reason, a public house will only in exceptional circumstances be allowed to locate in an area which is 'noise sensitive', for example, opposite or adjacent to residential property.

A proposed extension to a public house requires planning permission regardless of the size of that extension. When considering such extensions account will be taken of the likely effects of the intensification of the existing use on the surrounding area. In particular, the suitability of any existing access and parking facilities will be carefully considered as well as any loss of amenity due to an increase in noise and disturbance.

12.0 Amusement Centres

This guidance provides general advice on the planning issues that arise concerning applications to establish amusement centres however described (whether they comprise slot machines, bingo halls and other amusements as well as pin tables and video games) and sets out the criteria which the Council will consider when determining such proposals.

Casinos or premises used for gaming may provide forms of gambling which are illegal. Planning applications for development which comprises illegal activity cannot be considered.

The development of an amusement centre, whether by new construction or by the material change of use of existing premises, requires planning permission. In addition, an Amusement Permit will also be required. Planning permission is concerned with matters relevant to the development and use of land. District Councils have wide powers under The Pollution Control and Local Government (Northern Ireland) Order 1978 to control and abate nuisances arising from noise and litter. These are problems often associated with amusement centres. As such matters can influence the amenity of an area, they also fall for consideration under the planning code.

The factors which call for consideration on a planning application for an amusement centre are its effects on the amenity and character of its surroundings, and its effects on road safety and traffic flow. The latter merit special consideration where the premises front on to a busy traffic route or are near an awkward road junction or are so sited that many visitors arriving on foot will have to cross a busy road or use an inadequate footway. The highways effects will depend to some extent on the activities to be carried on. For example, large concentrations of people at the beginning and end of bingo sessions held at an amusement centre would have a different effect from the same number of people arriving and departing over a longer period.

The effects on amenity and the character of the surroundings are more diverse. They will usually depend on the location of the proposed amusement centre in relation to other development, its appearance, the kind of amusement to be provided, the noise likely to be produced and the hours of operation. As regards the location, amusement centres are not normally acceptable near residential property nor are they good neighbours for schools, churches, hospitals, or hotels. They are out of place in conservation areas or other places of special architectural or historic interest, except perhaps where these cover a wide area. In areas where one amusement centre may not be out of place, it would be permissible to consider the effect of larger numbers on the character of a neighbourhood.

In Towns where there is no provision for areas for amusement or entertainment, amusement centres are usually best sited in area of mixed commercial development. In areas where shopping is the predominant use, the likely effect of the development on the character of the shopping centre is relevant. An important consideration will be whether an amusement centre would break up an otherwise continuous shopping frontage; and although this can be mitigated by attention to the design of the facade and entrances, it may nevertheless be a serious objection in some shopping streets.

The kinds of amusement offered will determine the number of people visiting the centre at any one time and the likelihood of crowding and disturbance. As noted earlier, sessional events such as bingo cause greater concentrations of people at certain times than casual forms of amusement.

Hours of opening are important in some cases. An amusement centre may be disturbing to occupants of nearby property if it stays open late in the evenings and at weekends. One which is only open during the day may, in certain areas, be more acceptable than one which stays open late at night. These matters are, however, relevant only insofar as they affect proper planning considerations, e.g., amenity. Amusement centres can be associated with increased levels of noise pollution. Although it may be possible to minimise noise by sound proofing and by limiting the area open to the street, the amount of noise likely to be caused directly or indirectly and its effects on nearby development should always be considered regarding the siting of an amusement centre. This may, however, be of less consequence in an area where there is already considerable noise from other sources, including

amusement and sporting activities. Some activities, such as shooting galleries, are particularly noisy.

Conditional Permissions. It is sometimes reasonable to give permission for an amusement centre subject to conditions regulating the form of construction or the use of the premises. Examples of conditions which may be imposed for the reasons given above - in addition to any others that may be necessary - are a prohibition of shooting galleries or the playing of games of a sessional character; a restriction on the times during which the premises may be open to the public; or a requirement that certain works should be carried out to control the emission of noise, such as sound proofing walls or ceilings and requiring external doors to be self-closing

13.0 Bookmaking offices

This guidance provides general advice on the planning issues that arise concerning applications to establish bookmaking offices, however described, and sets out the criteria which the Council will consider when determining such proposals.

A proposal to develop a bookmaking office, whether by new construction or by the material change of use of existing premises, requires planning permission.

Bookmaking offices are expressly excluded from the definitions of both "shop" and "office" given in the Planning (Use Classes) Order 2015 so that a change in the use of either type of premises will require the consent of the Council.

Additionally, to operate within the law, bookmaking offices require to be licensed under the Betting, Gaming, Lotteries and Amusements (NI) Order 1985. It is a matter for an applicant to decide in what order he will seek a licence and apply for planning permission. Normally, however, planning permission is sought first. Planning permission cannot be withheld solely on the grounds that the premises have not been licensed.

The two forms of control, i.e., planning control and licensing are quite distinct and should not be confused. The Council's Planning Department in determining a proposal will deal only with those aspects of the proposal which are relevant to planning.

In considering applications for bookmaking offices the Council will consider their proper location, their effect on adjoining property, the question of noise, litter and disturbance, car parking, and design especially where the proposal lies within an existing or proposed Conservation Area.

Proposals for bookmaking offices are unlikely to receive favourable consideration from the Council if located in a predominantly residential area. In such locations noise, litter, general disturbance and the generation of additional traffic both vehicular and pedestrian would be likely to give rise to conditions which would have an adverse effect on amenity and cause inconvenience to neighbours.

Areas of mixed (commercial and residential) land uses where there are concentrations of other leisure facilities e.g., public houses, may be suitable

locations. Such areas are often to be found on the periphery of a town or city centre or in secondary shopping streets. In some areas of mixed land uses, e.g., in a village or small town or in a Conservation Area, amenity value may be higher and here the major consideration will be the effect of the proposal upon the general character of the area.

Additionally, bookmaking offices may be acceptable in a town centre or out-of-town or edge-of-town shopping centre.

The question of loss of retail floor space and the fact that the proximity of bookmaking offices may discourage the location of certain types of retail outlet will be considered when appropriate. In some instances, it may be possible for bookmaking offices to locate on the upper floors of a building thus avoiding the problems associated with breaks in the continuity of shopping frontage. However, cognisance will need to be taken of Section 7 of the Betting and Lotteries Act (NI) 1957. It will be necessary to ensure that the premises do not form part of premises licensed for the sale of intoxicating liquor, and that it does not communicate internally with other premises.

Bookmaking offices by the nature of the activities carried on generate a certain amount of noise, litter and disturbance which may be detrimental to the amenities of an area. These factors are valid planning considerations. In dealing with proposals to establish such premises the Council will consult its Environmental Health Department which has appropriate powers under its own legislation. Its advice will be considered when deciding whether to give permission and when formulating any conditions to be attached to a planning permission.

The amount of car parking provision required for bookmaking offices is dependent upon their location and size. Car parking standards differentiate between the centres of large towns where no provision would be required, and premises situated outside town centres where a standard of one car space per premises plus one car space per 60 square metres would be required. Whilst this set standard will be used as a guide each application will be considered on its merits. For more detailed information on Parking Standards please refer to the Departmental publication 'Parking Standards' available on <https://www.infrastructure-ni.gov.uk/publications/parking-standards>

In considering proposals for bookmaking offices in shopping centres and streets, and particularly in Conservation Areas, the Council will pay particular attention to design to ensure that it does not mar the street frontage and that the nature and colour of the external finishes are compatible with the surrounding properties. This can be achieved by the provision of shop-window type display and a fascia and lettering that is compatible with surrounding retail outlets. Designs which are fundamentally alien to the existing character of an area or building are not acceptable, e.g., blank frontages with high level windows.

14.0 Restaurants, Cafes and Fast-Food Outlets

This guidance provides general advice on the planning issues that arise concerning applications relating to the location of restaurants, cafés and fast-food outlets and sets out the criteria which the Council will consider when determining such proposals.

Its specific objectives are:

- i) To clarify when planning permission is required for proposals involving the establishment, alteration or extension of buildings for the sale of food for consumption on the premises, or the sale of hot food for consumption off the premises.
- ii) To set out clearly the planning criteria which will be considered in determining a planning application for such development.
- iii) To assist those who intend to establish such uses in deciding if premises are suitable for the use, and in assessing the measures which may be required to make proposals acceptable in planning terms.
- iv) To ensure consistency in the provision of planning advice and decisions

This section explains the criteria and technical standards which the Council considers when dealing with proposals for restaurants, cafés and fast-food outlets. It applies throughout the district to development proposals (including new buildings and changes of use) for the sale of food for consumption on the premises or of hot food for consumption off the premises. The guidance does not apply to premises such as sandwich bars selling cold food for consumption off the premises as these are classified as shops.

Use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises is excluded from any class specified in the Planning (Use Classes) Order (Northern Ireland) 2015 and use for the retail sale of hot food is explicitly excluded from Class 1 (Shops) of the Schedule to the Order. In terms of their uses, restaurants, cafés and fast-food outlets are therefore distinct from retail shops.

The conversion of a shop to a restaurant, café or fast-food outlet is a material change of use that requires express planning permission.

Although many of the planning considerations applicable to a fast-food outlet apply equally to a café or restaurant, a change of use of part of either of these premises to incorporate a 'carry-out' facility also requires planning permission. However, if the 'carry-out' facility is only of a very minor nature and obviously ancillary to the main use of the premises, planning permission will not normally be required. The test for whether a use is ancillary is outlined in Appendix D.

Need for planning permission

Planning permission for a restaurant, café or fast-food outlet will be required in the following cases:

- i) The erection of a building for use as a restaurant, café or fast-food outlet
- ii) A material change of use of premises used for any other purpose e.g., from an office to a restaurant.
- iii) The extension of premises currently in use as a restaurant, café or fast-food outlet.
- iv) Any alteration to a building which has a material effect on its external appearance e.g., a replacement shopfront or the installation of external shutters.
- v) the variation or discharge of a condition or conditions attached to a previous grant of planning permission e.g., changes to an opening hours condition.

A person applying for planning permission in any of the circumstances referred to above should recognise that any future extension of the use or extension of the premises is likely to be subject to further planning applications which will be judged on their merits.

In addition to the categories above where planning permission is required, there are other circumstances in relation to proposals for restaurants, cafés and fast-food outlets, where the need for planning permission is a matter of fact and degree. These are referred to below and include mobile hot food vehicles and hot food sales from shops.

Mobile hot food vehicles

The casual or temporary parking of a mobile hot food vehicle, whether it be in a street or main road, or on any other land is not likely to be development i.e., a material change of use and is therefore not likely to need planning permission. However, the regular parking of such a vehicle for long periods may create a material change in the land on which it is stationed. Permitted development rights granted by the Planning (General Permitted Development) Order 2015, Part 5 – Temporary Buildings and Uses, Class B, relates to 'the use of any land for any purpose for not more than 28 days in total in any calendar year... and the provision on the land of any moveable structure for the purposes of the permitted use'. Therefore, if a mobile food vehicle is parked for more than 28 days it ceases to be regarded as temporary, and planning permission may be required.

Hot food sales from shops

Hot food sales from shops will require planning permission only if excluded by a planning condition or if beyond an ancillary level. Primary uses of land often embrace one or more ancillary activities i.e., uses which are closely linked and subservient to them. As discussed previously, any test for whether a use is ancillary to another is a matter of fact and degree, and each case has to be determined on its particular merits.

Delivery services

Delivery services per se may not require planning permission unless at a level where they dominate the existing restaurant or café use.

Outdoor dining

Regarding outdoor or 'alfresco' dining, planning permission is not likely to be required where it is proposed to place tables and chairs on the forecourt or any open land within the curtilage of a restaurant, where that land forms part of a planning unit. It may, however, be necessary to obtain licences from other authorities.

Other Consents

Other consents that may be required include:

- i) Listed Building Consent. This is required for the execution of any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.
- ii) Conservation Area Consent. This is required where it is proposed to demolish a building which lies within a designated conservation area.
- iii) Advertisement Consent. This is required for new signs or alterations to existing signs.

Further details regarding the above consents can be obtained from local planning offices.

In addition to planning permission, and the types of other consents referred to above, other approvals may also be necessary, for example, Building Regulation approval and compliance with Environmental Health regulations. Applicants should contact their local council for further details.

Locational Considerations

In its broadest sense, retailing refers to the sale of goods individually, or in small quantities to consumers, and it would therefore include the sale of food for consumption on the premises, or hot food for consumption off the premises. In accordance with Strategic Policy RS1 Retail Hierarchy and Policy RET1 Town Centre First retailing will generally be directed to existing settlements of appropriate size and the development of inappropriate retail facilities in the open countryside will be resisted. Certain retail facilities that may be considered appropriate outside the development limits of settlements are listed, and these will normally be required to be located within existing buildings. Outside Green Belts and Countryside Policy Areas, new buildings or extensions may be acceptable if they are small in scale and can be satisfactorily integrated into the landscape and preferably into groups of buildings.

Strategic Policy RS1 Retail Hierarchy sets out the town centre first approach whereby the Council recognises the value and importance of established shopping areas in

town, local centres, and is therefore committed to protecting their vitality and viability. Preferable locations for restaurants, cafés and fast-food outlets include:

- town centres; and
- local centres.

In conservation areas, any proposed development should preserve or enhance the character and appearance of the area.

Any planning application received for a restaurant, café or fast-food outlet, which is not in any of the above locations, will be determined on its particular merits, in accordance with broader rural policy, relevant development plans and other material considerations. The latter are dealt with in the next section, and include impact on amenity in relation to noise disturbance, smells and fumes, refuse and litter etc.

Town Centres

Restaurants, cafés and fast-food outlets complement the primary shopping function of town centres by contributing to the range and choice of facilities available to residents and visitors, and they also support tourism.

Within primary retail cores, the Council will control non-retail uses at ground floor level. Applications for change of use from shop to local services, such as building society offices, banks and estate agents, restaurants or hot-food take-away premises may be acceptable except where:

- i) there would be a significant loss of retail floorspace at ground level.
- ii) a clustering of non-retail uses is created; or
- iii) the area overall is tending to be dominated by non-retail uses.

Within town centres, but outside the primary retail core, proposals for local services, offices and food uses will be determined on their merits.

Assessment of proposals in Town Centres

Considering the locational guidance set out above, the assessment of proposals for new restaurants, cafés or fast-food outlets, or for the change of use of the ground floor of established shops to such uses, in primary retail core areas, will involve consideration of a number of factors including:

- i) The impact of the proposal (including any extension to an existing use), by itself or cumulatively, with other non-retail uses, on the role, character, vitality and viability of the town centre. While, restaurants, cafés and fast-food outlets contribute to the variety and attraction of town centres, the intrusion, proliferation and/or clustering of new or additional uses of this nature can also be seriously detrimental to the character and vitality of the primary retail core. Where a primary retail frontage has been identified within the town centre, restaurants, cafés, or fast-food outlets are unlikely to be permitted where it is considered that the integrity and continuity of the existing retail frontage would be eroded. Proposals for such uses in frontages

where there are concentrations of existing and/or approved similar uses are unlikely to be acceptable.

- ii) The impact in terms of the size of the premises and whether they can be absorbed without dominating the prime retail frontages in visual terms.
- iii) The quality and attractiveness of the proposed development, as the design and appearance of town centre shop fronts and signage are matters to which the Council attaches considerable importance. Proposals should avoid giving the appearance of a 'dead' frontage and should therefore pay particular attention to:
 - the scale of the proposal.
 - the materials, colours and lettering to be used.
 - the design and appearance of security shutters and grilles.
 - the design and appearance of signage and means of illumination.
 - the design and appearance of the ground floor in terms of its relationship to upper floors.
 - the implications for access to upper floors.
 - the relationship to adjoining buildings.
 - the character of the surrounding area.
- iv) The likely effects on the amenity of the shopping area and residents within it. This will involve consideration of the potential of the proposal to adversely affect the ambience of the shopping area for other reasons, for example, unsightly litter or excessive late-night noise. Concern over such issues may be of particular significance in sensitive areas such as conservation areas where litter and smells could spoil the enjoyment of visitors or discourage residential occupation within the conservation area, thereby harming its character.
- v) Compliance with development plan policies.
- vi) The possibility of the proposal causing parking and/or traffic difficulties with associated congestion and inconvenience, thereby jeopardising the safety of road users.
- vii) The period for which the premises have been vacant, and the general level of vacancy in the area. This will be dependent on the merits of each individual case.

If a proposed restaurant, café or fast-food outlet, can be shown to cause demonstrable harm to interest of acknowledged importance, particularly in relation to the issues outlined above, the application is likely to be refused.

Local Centres

The primary role of local centres is the provision of locally accessible convenience goods.

Assessment of proposals in Local Centres

When dealing with applications relating to new buildings, or the change of use of retail/non-retail premises to restaurants, cafés and fast-food outlets in local centres, a number of factors need to be considered:

- i) The impact of the development on the vitality and viability of the centre, and the need to retain local retailing. The proposal should not by itself or cumulatively with other non-retail uses, undermine the primary role of the 'centre' in providing for local convenience shopping needs. In this respect, the following will be regarded as particularly relevant:
 - a. the level and nature of existing non-retail uses; and
 - b. the number of unimplemented valid planning permissions for change of use to restaurants, cafés and fast-food outlets
- ii) The impact in terms of the size of the premises and whether they can be absorbed without dominating the local centre in the visual sense.
- iii) The quality and attractiveness of the proposed development. In order to avoid giving the appearance of a 'dead' frontage, attention should be paid to:
 - a. The scale of the proposal.
 - b. The materials, colours and lettering to be used.
 - c. The design and appearance of security shutters and grilles.
 - d. The design and appearance of signage and means of illumination.
 - e. The design and appearance of the ground floor in terms of its relationship to upper floors.
 - f. The implications for access to upper floors.
 - g. The relationship to adjoining buildings.
 - h. The character of the surrounding area.
- iv) Adverse impact on the amenity of any adjoining residential areas in terms of noise disturbance, smell, fumes or litter. If it is not possible to reduce amenity impacts, for example, from late night activity, smells and fumes to a level acceptable in such locations, this could render the premises unsuitable for restaurants, cafés and fast-food outlets.
- v) Likely impact on the amenity of the centre itself. This will involve consideration not only of the matters referred to above but also the potential of the proposal to adversely affect the ambience of the centre for other reasons, for example, problems with litter or excessive late-night noise.
- vi) The possibility of the proposal causing parking and/or traffic difficulties with associated congestion and inconvenience, thereby jeopardising the safety of road users.
- vii) The period for which the premises have been vacant and the general level of vacancy in the area. This will be dependent on the merits of each individual case.

If a proposed restaurant, café or fast-food outlet can be shown to cause demonstrable harm to interest of acknowledged importance, particularly in relation to the issues outlined above, the application is likely to be refused.

Other Considerations

Applications for restaurants, cafés or fast-food outlets generally give rise to a number of issues and objections which are specific to these particular categories of land use. As a result, the likely impact of such proposals on the character and amenity of the adjoining or surrounding area will be an important concern when

determining applications. In assessing this impact, a number of factors need to be considered i.e.

- i) noise disturbance.
- ii) smells and fumes.
- iii) refuse and litter.
- iv) traffic considerations and car parking; and
- v) provision for people with disabilities.

The use of planning conditions is often paramount to the control of restaurants, cafés and fast-food outlets, particularly in relation to the above considerations. The impact of many proposals which would otherwise be rejected, may be mitigated by the imposition of such conditions. Preventative measures can be taken through the development control process by for example restricting opening hours and dealing with the technical aspects of noise and fume attenuation. The Environmental Health Department of the Council will be consulted as appropriate during the processing of planning applications and in the formulation of any conditions considered necessary for the approval of the development. The Council have an important reactive role to play and have extensive regulatory control of restaurants, cafés and fast-food outlets, especially in relation to food and hygiene aspects.

Noise Disturbance

Whilst residential areas are likely to be sensitive to noise disturbance, it can also be a serious problem in town centres and in areas where commercial activities dominate but where there may be residential accommodation beside or over the proposed use.

Noise associated with restaurants, cafés and fast-food outlets emanates from a variety of sources, the main ones being:

- i) vehicles - starting, revving of engines, screeching of tyres, sounding of horns, radios playing, opening and closing of doors, manoeuvring.
- ii) people - the comings and goings of customers and staff (talking, shouting).
- iii) use of equipment associated with catering establishments.

These sources of noise are especially noticeable in the late evening when local residents have a legitimate expectation that surrounding background noise levels will remain low. In that respect, take-away uses, which often generate frequent vehicle and pedestrian movements, can be particularly annoying and unacceptable. The weight that the Council will attach to noise disturbance will be greater where there is an increased likelihood that customers will seek to park close to the premises, or in nearby residential streets.

Objections to planning proposals, based on the harmful effects of noise, may, however, be overcome by means of planning conditions attached to a grant of permission in appropriate cases. If the Council is not satisfied that such objections can be overcome by the imposition of conditions, the application will be refused. Conditions designed to prevent noise disturbance will generally involve or require some, or all of the following:

- i) Restrictions on hours of opening (in predominantly residential areas).
- ii) Restrictions on Sunday opening.
- iii) Restrictions on the use of land within the curtilage of the premises e.g., open areas at the front or rear of the premises.
- iv) Soundproofing of the premises i.e., walls and ceilings.
- v) Double-glazing of windows and installation of self-closing external doors.
- vi) The prevention or restriction of live or amplified music.
- vii) The installation and maintenance of any necessary equipment.
- viii) Restriction on customer numbers/floorspace.
- ix) Restrictions on servicing.

Smells and Fumes

Objections based on the likely impact on amenity of smells and fumes, particularly in relation to nearby residential property, are among the most common objections to which proposed restaurants, cafés and fast-food outlets give rise.

Although nuisance caused by the unpleasant effects of smells and fumes emanating from food preparation areas can be considerably reduced by modern filtering and extraction equipment, residual odour often proves detrimental to residential amenity, particularly if there are several such uses near one another. The problem can be exacerbated if ducting cannot be installed to a height sufficient to ensure efficient dispersal of smells or if topographical and atmospheric conditions combine to impair such dispersal. Where high levels of odours or inadequate odour dispersal are anticipated, an active odour abatement system may be required e.g., activated carbon or the use of electrostatic precipitation combined with odour neutralisation after the main grease filters in the canopy. The adoption of such a system coupled with atmospheric dispersion and dilution represents the best practicable means of mitigating odour nuisance.

If unacceptable smells and fumes cannot be prevented by means of effective low or high-level ducting, or if ducting cannot be installed without significant detriment to visual amenity, planning permission will be refused.

Generally, conditions to prevent smell nuisance will involve or require the following:

- i) Approval by the Council of a scheme for the extraction of cooking odours.
- ii) Installation of equipment before commencement of the use and maintenance thereafter.
- iii) Appropriate siting and design of ducting and other external equipment.

Refuse and litter

Litter is inherently unsightly and causes considerable annoyance to residents and adjoining businesses. It can also be prejudicial to regeneration efforts, particularly within town centres. The fact that litter will be a consequence of a proposed use of land, particularly a take-away premise use, is therefore a material planning consideration.

Inadequacy of storage facilities for refuse can result in harm to visual amenity as well as serious risk to public health, and it is important to ensure that there is

sufficient physical space for its accommodation. Proposals for restaurants, cafés and fast-food outlets should therefore include adequate facilities on the premises for the storage/disposal of refuse generated by the business. Refuse should not be left outside the premises, for example, on forecourts or on the public road (except for collection purposes) but should be stored in containers within an enclosed area of the premises. Suitable access must also be provided for the collection of refuse. Applicants should note that failure to comply with environmental legislation in relation to the storage/disposal of refuse could result in prosecution by the local council. More information on the storage and collection of refuse can be obtained from local councils.

Typically, conditions to prevent nuisance arising from refuse and/or litter will involve or require:

- i) Provision of space within the premises for the storage of refuse in containers.
- ii) Prohibition on the use of public footpaths and/or roads for the storage of refuse (except for collection purposes).
- iii) Provision of litterbins both inside and outside the premises.

Traffic considerations

Restaurants, cafés and fast-food outlets often give rise to concerns about their effect in terms of traffic flow, road safety and car parking, and the following matters will be considered by the Council in coming to its decisions on applications for restaurants, cafés and fast-food outlets.

- i) The planning history of the site.
- ii) The existing use of the site.
- iii) Existing traffic conditions.
- iv) The availability of public transport.
- v) The availability of public parking provision.
- vi) The implications for the amenity of the surrounding area (particularly if predominantly residential).
- vii) The availability of private parking provision, where required.

Fast food outlets are often located on busy urban or suburban main roads, and experience has shown that a significant proportion of their trade is car borne and short stay. Where there is limited or no parking, either outside or in the immediate vicinity of the premises, customers may be tempted to indulge in short stay parking of an opportunistic and possibly dangerous nature, for example, near to junctions and traffic lights or within the approaches to pedestrian crossings. Combined with the manoeuvring of vehicles (in order to park in a confined space, for example) and the additional movements of vehicles stopping at and leaving the premises, the free flow of traffic on the main roads can be obstructed, causing congestion and inconvenience and jeopardising the safety of other road users.

In such circumstances, the Council may have to refuse planning permission or to impose conditions on a restaurant use, for example, to prevent its use as a take-away (this will be inappropriate where the use is ancillary). Applicants may therefore wish to consider other options such as locating on secondary roads or a location not

directly fronting onto a highway, which would satisfy traffic/car parking considerations.

Car parking

Inadequate car parking provision may also lead to an increase in parking in adjacent streets where parking problems may already exist, causing inconvenience to residents. Restaurants, cafés and fast-food outlets cause most parking problems in the evenings and at weekends when the demand for on-street parking spaces by residents is heaviest. The Council will have regard to the availability of kerbside spaces and any off-street parking provision. Planning permission may be refused if customer and staff car parking would prevent residents from parking their cars near to their homes.

Adequate arrangements must also be made for the servicing of the premises, both by delivery vehicles and for refuse collection. Ideally this should occur away from the main road.

It is important that each case is decided on its own specific merits and that advice from DRD Roads Service is fully considered.

Provision for people with disabilities

The Disability Discrimination Act 1995 gives disabled people new rights in a number of areas including access to goods, facilities and services, and the Act will require physical alteration to premises by October 2004.

The suitability of access to buildings for use by the public, which includes people with disabilities, is a matter of public interest and is a material planning consideration. Furthermore, the Council would draw the attention of applicants to the need to satisfy the provisions of Disability Discrimination Act 1995, and the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.

Private transport is the preferred travel mode for many people with impaired mobility. Therefore, where appropriate, conditions will be attached to the grant of planning permission requiring development, whether new development or a change of use of an existing building, to provide the following in order to facilitate people with impaired mobility:

- i) suitable means of access to the building.
- ii) suitable means of access between buildings where the planning application relates to more than one building.
- iii) appropriately designed means of access to the building from other parts of the development, such as external car parks.
- iv) Appropriate proportion of designated, appropriately positioned, designed and sized car parking spaces (where new provision is required)

In addition, applicants are strongly encouraged to consider the following:

- i) the provision of a section of the counter within takeaway and self-service restaurants at an appropriate height for wheelchair users; and
- ii) the provision within cafés and restaurants of sufficient space around seating areas to allow for the movement of wheelchairs and the provision of some tables without permanent seating to accommodate wheelchairs.

Further guidance is set out in Policy PSU 7 'People with Disabilities' contained in "A Planning Strategy for Rural Northern Ireland" (DOE 1993) and Development Control Advice Note No. 11 'Access for People with Disabilities'.

Further Guidance: Planning Applications

In order that Council can consider applications, it is recommended that, in the first instance, applicants read the following leaflets:

- i) Explanatory Notes on Applying for Planning Permission, Approval of Reserved Matters and other Planning Consents.
- ii) Notes on the Completion of Form P1.
- iii) Planning Fees – Explanatory Note for Applicants.

In addition, applicants for restaurants, cafés and fast-food outlets will be required, where appropriate, to submit the following details:

- I. 1:50 scale drawings of the location and siting of any proposed external ventilation ducting and any other mechanical plant indicating clearly its design and dimensions and relationship to existing and proposed windows and architectural features.
- II. Indicate on the submitted drawings clearly the location of the fan and motor elements within the ducting, specifying details of silencers or other sound attenuation measures, including anti-vibration mountings and acoustic cladding.
- III. Confirm that the proposed ventilation ducting will achieve a minimum of 30 air changes per hour and/or 0.2-0.5 metres/second across the canopy face or 1.5-2.0 metres/second across the filter.
- IV. Provide details of proposed refuse storage and collection arrangements (particularly the storage/disposal of putrescible waste material). All refuse should be stored in suitable containers within an enclosed area, which should be clearly identified on the submitted drawings.
- V. Provide details of L.P.G. storage arrangements and provision of grease traps to the drainage system.
- VI. Give details of any off-street parking provision. If on-site car parking spaces are proposed, these should be clearly identified on the submitted drawings.
- VII. Give details to show that all glazed areas which could result in noise nuisance will be double glazed and non-openable, and that all external doors will be self-closing. Where windows are required to be fixed, a suitably silenced mechanical ventilation system will be required.
- VIII. Give details of the size of the restaurant. The area proposed for the use of customers should be clearly identified on the submitted drawings and the number of covers should be confirmed.
- IX. Indicate whether the use is primarily for a restaurant, café or take-away.

- X. Specify details of the intended days and hours of operation including servicing and deliveries intended to take place outside normal opening hours.
- XI. State the anticipated staffing levels.
- XII. Give details of any delivery service.
- XIII. Give details of those areas of the premises where entertainment may take place and/or live or amplified music played together with any sound attenuation measures to be incorporated in order to reduce noise breakout.
- XIV. The Council may request further information regarding the application such as the sound power levels of individual pieces of machinery (e.g., fan and motor units) which is obtainable from manufacturers and suppliers, and details of the calculated sound pressure level and the background sound level, both levels being measured one metre from the boundary of the site and predicted back to one metre from the façade of the nearest noise sensitive premises.

Further Guidance: Other Relevant Legislation

In addition to the planning control exercised by the Council in respect of restaurants, cafés and fast-food outlets, there is extensive regulatory control of premises on which food is prepared, particularly in respect of the quality of the food sold and food hygiene. The Food Safety (NI) Order 1991 allows local councils to appoint authorised Environmental Health Officers. This legislation makes it an offence to sell food which does not comply with food safety requirements, and which is not of the nature, substance or quality demanded by a purchaser. In circumstances where the health risk condition is fulfilled, an authorised officer may serve an emergency prohibition notice on the proprietor of a food business. This has the effect of closing premises or a process. Environmental Health Officers are concerned about such matters as water supply, toilet and washing arrangements for staff, provision of facilities for washing food and equipment, discharge of cooking fumes and the provision of sludge boxes and grease traps in order to protect the sewerage system. In all these matters the primary concern of the Environmental Health Officer is with the cleanliness of the premises. The Food Safety (General Food Hygiene) Regulations (NI) 1995 set minimum structural and operational standards for persons carrying on food businesses.

The Pollution Control and Local Government (Northern Ireland) Order 1978 confers powers on local councils in relation to such matters as litter, disposal of waste, noise and atmospheric pollution. However, external ducting to deal with expelled cooking smells can only be required under planning powers. It is important to stress that the powers of the local council are reactive; preventative measures are only possible through the development control process by the imposition of conditions or by the refusal of planning permission. The Litter (Northern Ireland) Order 1994 also empowers local councils to issue street litter control notices.

Under the Licensing (NI) Order 1996, a licence is required for the serving of alcohol in places of public entertainment and in restaurants. The hours during which alcohol may be served are controlled by the same Order.

Under Article 5 of the Local Government (Miscellaneous Provisions) (NI) Order 1985, local councils may serve a closing order to limit late night trading by premises selling food for consumption on or off the premises (subject to certain exceptions) if neighbouring residents complain of being disturbed by: - persons resorting to the premises; or - by the use of the premises. However, there are exemptions and closing orders cannot take effect before midnight nor cease later than 5:00 a.m.

Under Article 3 and Schedule 1 to Local Government (Miscellaneous Provisions) (NI) Order 1985, places of public entertainment require a licence from the council for the district in which the place is situated. Entertainment licence conditions can be used to control noise arising from entertainment so that persons in the neighbourhood are not unreasonably disturbed. If a music and dancing licence is already in force, a restaurant licence may be extended by the grant of a special hour's certificate under the Licensing Act 1964.

Planning controls in respect of the storage of hazardous substances complement but do not override the requirements of the Health and Safety at Work (NI) Order 1978 and its relevant statutory provisions (defined at Article 63 of the 1991 Order) which are enforced by the Health and Safety Executive Inspectorate of the Department of Enterprise, Trade and Investment.

The Disability Discrimination (NI) Order 2006.

Approval may be required to ensure that the proposed works comply with the Building Regulations 2000.

15.0 Homeworking

This guidance provides general advice on the planning issues that arise concerning applications for homeworking and sets out the criteria which the Council will consider when determining such proposals.

Many small businesses are started by people working in their own homes, and technological innovations are likely to increase the incidence of homeworking. This will be particularly important in rural areas where modern communications permit businesses to be located without any major disadvantage.

Homeworking does not necessarily require planning permission. Permission is not normally required where the use of part of a dwellinghouse 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 or the provision of a childminding service.

With regard to this latter example, the Council considers that persons who wish to use their homes for childminding will not normally require planning permission where the number of children does not exceed six. This is based on the maximum

number of children between the ages of 0-12 years (including their own children) that childminders registered by Health & Social Services can care for.

Those considering working from home are advised to seek the advice of the Council at an early stage. 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 use is clearly secondary to the main use of the property as a dwelling house;
- the use is carried out totally within the building;
- there will be no loss of amenity for neighbouring residents, for example, from noise, advertising, impact on visual amenity or traffic generation; and
- the use is not one which by its nature would attract more than occasional visitors.

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 for which planning permission is required is likely to have taken place. The likelihood of there having been such a material change of use may be indicated where the following have occurred:

- a significant alteration to the appearance of the dwelling;
- a significant increase in the volume of visitors or traffic;
- a significant increase in noise, fumes or smell;
- the installation of special machinery or equipment not normally found in a dwelling; and
- the laying out of rooms in such a way that they could not easily revert to residential use at the end of the working day.

16.0 Assessing Flood Risk and Drainage Impact

This guidance provides general advice on assessing flood risk and drainage and supports Policies FRD1-FRD6 Flood Risk and Drainage.

In accordance with FRD1 – FRD 6 a proposal must be accompanied, depending on the sources of flooding, by a Flood Risk Assessment (FRA) and/or a Drainage Assessment (DA). The detail of the Assessment should be proportionate to the scale and nature of the proposed development and the risks involved. The applicant should appoint a suitable qualified and competent professional to carry out the assessment.

A FRA must consider the flood risk from all sources of flooding where the proposed development is located within or in proximity to the fluvial (river) flood plain, the coastal flood plain or the flood inundation area of a reservoir. It should then identify measures that can be adopted to control and mitigate the flooding to the development or elsewhere as a result of the development.

The main sources of flooding¹ (under the implementation of the EU Floods Directive in Northern Ireland) are:

- Fluvial – flooding from watercourses, either natural or man-made and either open or culverted. Such flooding is normally caused when channel or culvert capacity is exceeded and water flows out-of-bank onto the natural flood plain.
- Coastal – flooding from the sea when water levels exceed the normal tidal range and flood onto low lying areas along the coastline.
- Pluvial – flooding which results from excessive rainfall, generating overland flow that overwhelms existing drainage systems and / or collects in low lying areas.
- Reservoirs – flooding which occurs to the surrounding area as a result of reservoir failure, overtopping or the controlled release of water via spillways during periods of high flows.

A Drainage Assessment should consider the flood risk mainly from pluvial flooding where the proposed development is located beyond the fluvial and / or coastal flood plain or a reservoir flood inundation area. It should then identify measures that can be adopted to control and mitigate the risk of flooding to the development or elsewhere as a result of it and include for the safe disposal of surface water runoff from the site.

When is a Flood Risk Assessment required?

When a more accurate definition of the Flood Plain and Extents is needed

Due to the nature of the Strategic Flood Map for Northern Ireland the geographical extent of predicted flood areas cannot be precisely defined. In some cases reservoir inundation maps may not be available. A FRA to determine a more accurate extent of flooding is therefore necessary for development proposals located in proximity to the margins of the predicted flood plain, irrespective of whether the site lies just outside or just inside (wholly or partially) the extent as depicted on the Strategic Flood Map. In these circumstances it is sufficient for the FRA to identify the sources of flooding and the resulting flood extents. For some sites the applicant may be able to demonstrate through a combination of local knowledge, photographs of historic flood events or a level survey that the site or part of the site lies outside the flood plain and would be suitable for development from a flood risk aspect. For other sites, a more detailed river model may be required. Preliminary discussion with DfI Rivers is advisable to ascertain the type of information required. Should the outcome of this exercise confirm that the development site or part thereof lies within the flood plain, then the applicant should consider a more suitable alternative location.

¹ Infrastructure failure should also be considered as a potential source of flooding, which may occur as a result of a blockage or collapse within a watermain, culvert or sewer system.)

When the proposed development is within the (fluvial/coastal flood plain/reservoir flood inundation area) and is otherwise acceptable under the policy

In circumstances where the proposed development is acceptable in principle under the policy, for example where it constitutes an exception to policies FRD1 – FRD6 ; a FRA must still be submitted to the Council as part of the planning application, so as to ensure the identification of all sources of flooding, the resulting flood extents and the means by which flooding is to be controlled and mitigated. A FRA should not be undertaken when a proposal is clearly unacceptable in principle under the policy as this will invariably result in nugatory work and expense on the part of the developer.

17.0 Telecommunications Systems Information

This guidance provides general advice on telecommunications and supports Policies TCU1-TCU3 Telecommunications and other utilities.

Accommodating Telecommunications Infrastructure in New Development

The Council wishes to ensure, as far as is practicable, that telecommunication needs are accommodated in an appropriate fashion in the design and layout of new development.

Prospective developers of new housing areas, retail and office developments, community buildings and industrial areas should therefore consider at initial design stage with telecommunications operators how the future needs of occupiers will be met. Developers should provide adequate ducting for telecommunications cables (and for other services where appropriate) to be installed at the outset both underground and in the structure of the buildings proposed, sufficient to meet foreseeable demand for competitive services likely to be provided to those developments. This will help to minimise the disruption and expense if provision has to be made later.

The development or alteration of tall buildings may provide the opportunity to incorporate antennas as an integral feature of the design of their building and developers are encouraged to consult on this matter with the telecommunications operators.

Telecommunications Systems

The following paragraphs describe the principal telecommunications systems and the physical developments associated with them. Each system has different antenna types, siting needs and other characteristics which need to be taken into account in assessing proposals.

Fixed-link Systems

Fixed-link systems operate through cable connections (copper wire or optical fibre), and radio signals transmitted through line-of-sight antennas or satellites.

The trunk networks may use fixed radio links as well as underground or above ground cables. These radio links require the provision of radio relay stations. A station usually consists of a small building to accommodate the radio equipment and a tower normally of up to 60 metres in height supporting a number of antennas. Antennas can also be located on buildings or other structures. Fixed radio link antennas are round 'dishes', with typical diameters of 0.3, 0.6 and 1.2 metres, although reflectors may be of other shapes and sizes.

Fixed radio links operate at frequencies which require direct line of site, with range diminishing as frequency increases. The radio links must be free from obstruction, such as hills, buildings, trees or large moving objects. These factors, together with the need to take account of the curvature of the earth and differing atmospheric conditions, affect the siting and height requirements of antennas. To cover long distances, or to circumvent obstacles, intermediate repeater radio stations are often necessary. They require at least two antennas, one to receive and the other to relay the signal; other antennas may be required for additional capacity or for fallback use.

The antennas used for transmitting and receiving radio signals via satellite should not be confused with satellite television antennas. Television broadcasters use fixed links to distribute programmes and to link to studios and some businesses also use them for private commercial networks. Another example of a fixed-link system is the local cable network which is installed underground and requires the erection of usually small junction boxes at intervals.

Third and Fourth Generation Mobile ('GSM' Global System for Mobile)

Digital Cellular GSM systems are provided on the current mobile networks to cater for mobile telephone users. Fifth generation (5G) mobile systems are evolving and their rollout is commencing. With this rollout the Council would encourage operators to continue to re-use existing sites, wherever practicable, in order to minimise the need for new base stations. Coverage for each cellular system is provided by a network of radio base stations.

A base station is a facility that provides transmission and reception for radio systems and each covers a certain area known as a cell.

- Macrocells provide the main structure for the base station network. The base stations for macrocells have power outputs of tens of watts and communicate with phones up to about 35 kilometres (22 miles) distant.
- Microcells are used to infill and improve the main network, especially where the volume of calls is high. They are sited in places such as airports, railway stations and shopping malls. The microcell base stations emit less power than those for macrocells and their range is a few hundred metres.
- Picocell base stations have a lower power output than those of microcells (a few watts) and are generally sited inside buildings.

These systems are demand-led. Increase in the use of mobile phones has meant that operators are continually expanding their networks to accommodate customer

requirements of service and quality. The greatest need for base station sites is usually in built-up areas where there is the greatest density of mobile users, and within a mile or two of the main roads, where the demands on network capacity are greatest.

The size of each cell is planned by the network operators. It is determined by a number of factors, but particularly the number of subscribers expected to require access to the system during the peak usage period. In areas where usage exceeds the limits of the network, capacity can be expanded either by introducing new base stations (macrocells or microcells), or by splitting existing cells, thus effectively doubling capacity. Cell splitting requires the erection of additional antennas at an existing base station.

The location of transmitter antennas is important, as signals from one cell will interfere with nearby cells on the same frequency. To avoid blind spots from buildings and hills, antennas must usually be placed high up. In urban areas antennas are often best placed on existing buildings.

Cellular operators typically use vertical multiple pole type antennas about 1-3m in length, some with reflectors attached, mounted on a mast or other supporting structure. In addition, a number of small terrestrial microwave antennas (0.3m-1.2m) may be required, for example to provide links from the base station to the exchange. Associated equipment housing is usually between 4 and 35 cubic metres in volume.

Terrestrial Trunk Radio System (TETRA)

TETRA is an advanced digital technology standard, promoted by Europe. It is a digital standard used by the Emergency Services and ideal for Public Access Mobile Radio or for private network users needing multichannel operation (such as road breakdown services, use at airports or for large construction sites). TETRA base stations operate in a similar way to mobile phone base stations; in that they can be configured in cellular patterns.

Other National and Local Networks

In addition to those mentioned above there are national public networks for data and paging, national networks for maritime, aeronautical, defence, police and a number of other official services. There are also public interest national networks for rail, road breakdown, utility support, and regional networks for local health authorities, local government and many private networks (e.g. for road haulage, retail, security, taxis and couriers, agriculture and so on).

Radio is also used for hobby and leisure purposes. Amateurs have to pass examinations to be licensed to operate but may then install fixed antenna subject to planning rules. Because many want to use low shortwave frequencies, these need long wire type antenna.

Satellite Television Broadcasting

Television signals are beamed direct-to-home from the satellite to individual receiving antennas, the more common ones known as satellite dishes. Antennas have to be in direct line-of-sight of the geostationary satellite, and almost always have to be mounted outdoors.

The location of a satellite dish on a building will depend on the direction of the satellite. The size of the dish will depend on the technology used and the strength of the broadcast signal. New developments in antenna technology bring to the market new kinds of antennas with different visual characteristics.

Terrestrial Broadcasting

Digital terrestrial broadcasting uses existing TV rooftop aerials for domestic reception. Rooftop aerials need to be in range of the transmitter to ensure good quality reception. The construction of new buildings or other structures, such as wind turbines, can interfere with broadcast and other telecommunications services, and the possibility of such interference can be a material planning consideration.

Wirescape

Wirescape is a term that refers to pylons and poles carrying overhead wires for telephone or electricity services. Such wirescape can be visually obtrusive. In areas of landscape or townscape sensitivity, such as Areas of Outstanding Natural Beauty or Conservation Areas, the Council will seek to ensure proposals assessed against Policies LA1 – LA4 will enhance the visual amenity by encouraging the removal of all unnecessary wirescape, either overhead or on building elevations. For example, when new paving and footpaths are being laid, consideration should be given to undergrounding existing services with new proposals.

Further guidance is provided in the following Departmental Guidance Documents; Creating Places – achieving quality in residential developments, Provision of Services, page 99 – 101; Living Places – An Urban Stewardship and Design Guide for Northern Ireland, Serviceability, page 51; and The electricity transmission system operator for Northern Ireland (SONI) Guidance Document; Transmission Development Plan Northern Ireland 2021 – 2030.

18.0 Travel Plans, Transport Plans, Transport Assessments and Statements

This guidance provides general advice on travel plans, transport plans and transport assessments and supports Policies TRA1 Creating an Accessible Environment and TRA6 Transport Assessment.

What are Travel Plans, Transport Assessments and Statements?

Travel Plans, Transport Assessments and Statements are all ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development. They are required for all developments which generate significant amounts of movements.

What are Travel Plans?

Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel (such as promoting walking and cycling). They should not, however, be used as an excuse for unfairly penalising drivers and cutting provision for cars in a way that is unsustainable and could have negative impacts on the surrounding streets.

Travel Plans should where possible, be considered in parallel to development proposals and readily integrated into the design and occupation of the new site rather than retrofitted after occupation.

Where there may be more effective or sustainable outcomes, and in order to mitigate the impact of the proposed development, consideration may be given to travel planning over a wider area.

What are Transport Assessments and Statements

Transport Assessments and Statements are ways of assessing the potential transport impacts of developments (and they may propose mitigation measures to promote sustainable development. Where that mitigation relates to matters that can be addressed by management measures, the mitigation may inform the preparation of Travel Plans).

Transport Assessments are thorough assessments of the transport implications of development, and Transport Statements are a 'lighter-touch' evaluation to be used where this would be more proportionate to the potential impact of the development (ie in the case of developments with anticipated limited transport impacts). How do Travel Plans, Transport Assessments and Statements relate to each other? The development of Travel Plans and Transport Assessments or Transport Statements should be an iterative process as each may influence the other.

The primary purpose of a Travel Plan is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives eg walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to thereby reduce the demand for travel by less sustainable modes. As noted above, though, they should not be used as way of unfairly penalising drivers.

Transport Assessments and Transport Statements primarily focus on evaluating the potential transport impacts of a development proposal. (They may consider those impacts net of any reductions likely to arise from the implementation of a Travel Plan, though producing a Travel Plan is not always required.) The Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts. Travel Plans can play an effective role in taking forward those mitigation measures which relate to on-going occupation and operation of the development.

Transport Assessments and Statements can be used to establish whether the residual transport impacts of a proposed development are likely to be “severe”, which may be a reason for refusal, in accordance with the National Planning Policy Framework.

Why are Travel Plans, Transport Assessments and Statements important?

Travel Plans, Transport Assessments and Statements can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

They support national planning policy which sets out that planning should actively manage patterns of growth in order to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

What key principles should be taken into account in preparing a Travel Plan, Transport Assessment or Statement?

Travel Plans, Transport Assessments and Statements should be:

- proportionate to the size and scope of the proposed development to which they relate and build on existing information wherever possible;
- established at the earliest practicable possible stage of a development proposal;
- be tailored to particular local circumstances (other locally-determined factors and information beyond those which are set out in this guidance

- may need to be considered in these studies provided there is robust evidence for doing so locally);
- be brought forward through collaborative ongoing working between the local planning authority/transport authority, transport operators, rail network operators, Highways Agency where there may be implications for the strategic road network and other relevant bodies. Engaging communities and local businesses in Travel Plans, Transport Assessments and Statements can be beneficial in positively supporting higher levels of walking and cycling (which in turn can encourage greater social inclusion, community cohesion and healthier communities). In order to make these documents as useful and accessible as possible any information or assumptions should be set out in a clear and publicly accessible form:
- the timeframes over which they are conducted or operate should be appropriate in relation to the nature of developments to which they relate (and planned changes to transport infrastructure and management in the area);

When is a Detailed Transport Assessment is Required?

As a guide, proposals exceeding the following parameters may have sufficient transport impacts to require the completion of a detailed Transport Assessment.

Figure 3: Detailed Transport Assessment Thresholds

Use	Thresholds above which a Detailed Transport Assessment may be required
Food retail	1,000m ² Gross Floor Area
Non-food retail	1,000m ² Gross Floor Area
Cinemas and conference facilities	1,000m ² Gross Floor Area
Leisure facilities	1,000m ² Gross Floor Area
Business	2,500m ² Gross Floor Area
Industry	5,000m ² Gross Floor Area
Distribution and warehousing	10,000m ² Gross Floor Area
Hospitals	2,500m ² Gross Floor Area
Higher and further education	2,500m ² Gross Floor Area
Stadia	1,500 seats
Housing	100 dwellings

Source: DfI TRANSPORT ASSESSMENT Guidelines for Development Proposals in Northern Ireland

Size: the size thresholds set out in the table below.

Location: sites that do not conform with Development Plan policy or accessibility criteria that may be contained in the Development Plan. These sites are likely to be those only easily accessible by car, generally located on the edges of urban areas, out-of-town, near motorway junctions. Applicants should refer to the LDP Housing Policy and Transport Policy.

Activity: 100 or more vehicle movements in the peak hour.

Other considerations: where the Council's Planning Department and the Roads Service consider the proposals raise significant transport implications, such as where the development is likely to:

- generate significant traffic at peak times in a congested area, a sensitive location or an important traffic route or road junction;
- generate significant freight movements;
- generate traffic late at night in a residential area, particularly lorries;
- raise significant concerns over road safety.

The guidance outlined above also refers to developments involving changes of use, alterations or intensification of an existing use.

19.0 Waste Management

This guidance provides general advice on waste management and supports Policies WM1-WM5 on Waste.

Waste Management Hierarchy: is at the centre of European waste management policy. The hierarchy indicates the relative priority of different methods of managing waste and provides instruction to waste management policy and planning initiatives on how to progress towards sustainable waste management policies.

Waste Management Strategy: published on 20th March 2000, this document's main purpose is to provide a framework for the development of regional waste management facilities in Northern Ireland.

Waste Management Plans (WMPs): the principle mechanism for implementation of the Waste Management Strategy that requires councils to prepare WMPs in line with the timetable contained within the Strategy. Article 23 of the Waste & Contaminated Land Order 1997 imposed a duty on councils to prepare WMPs detailing what arrangements were appropriate for dealing with the recovery, treatment and disposal of controlled waste arising in their districts.

Waste Management Licence (WML): a licence granted by the Northern Ireland Environment Agency under the Waste & Contaminated Land Order (Northern Ireland) 1997.

Waste Legislation

A number of European Community Directives are relevant to land-use planning policy on waste management. In particular:

The Framework Directive on Waste

The statutory framework necessary to implement the Waste Framework Directive 75/442/EEC (as amended by 91/156/EEC and 91/692/EEC) is contained in the Waste and Contaminated Land (Northern Ireland) Order 1997 and its 2011 amendments. The Directive requires Member States to prepare waste management strategies to

ensure the development of an integrated network of regional waste facilities. The Directive also introduces the polluter pays principle and the need for licences and registration of carriers.

Waste Management Plans prepared by the councils provide a basis to implement this Directive. The Waste and Contaminated Land (Northern Ireland) Order 1997, which implements the Directive in Northern Ireland, includes the requirement for a waste management strategy and integrated network of regional facilities, together with the introduction of a duty of care, registration of carriers and comprehensive provisions for new waste management licences. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999 establish a system for registration of carriers of controlled waste. These controls make it a criminal offence for any person who is not registered as a carrier to transport controlled waste and enable the seizure and disposal of vehicles used for illegal waste disposal. The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 came into force on 1st October 2002 and non-compliance will be a criminal offence.

The Landfill Directive

The EC Landfill Directive 1999/31/EC aims to harmonise controls on the landfill of waste throughout the European Union. It came into force in July 2001. It contains two main elements:

- three progressive targets for Member States to reduce the amount of biodegradable municipal waste (BMW) going to landfill. These are aimed at reducing the amount of methane (a powerful greenhouse gas) emitted from landfill sites. They also reflect the UK's wider and legally binding target for the reduction of greenhouse gases agreed at Kyoto in December 1997; and
- the introduction of more stringent operational and technical regulatory requirements on waste and landfills.

The Directive also places restrictions on the co-disposal of hazardous and non-hazardous waste. The Waste Management Strategy for Northern Ireland provides the basis for meeting the BMW targets.

The Hazardous Waste Directive The Directive on Hazardous Waste (91/689/EEC) requires that hazardous wastes be included within the scope of waste management strategies and plans. Its requirements are implemented by the Special Waste Regulations (Northern Ireland) 1998 which introduce a new definition of special waste and require a tracking system to control the movement of hazardous waste from its point of production to its final destination for disposal or recovery.

The Groundwater Directive

The Groundwater Directive (80/68/EEC) seeks to protect groundwater against pollution caused by specified dangerous substances. This Directive is implemented by the Groundwater Regulations (Northern Ireland) 1998 that control discharges of List I (Substances which possess carcinogenic, mutagenic or teratogenic properties in or via the aquatic environment) and List II (Substances which have a deleterious

effect on the taste or odour of groundwater, and compounds liable to cause the formation of such substances in such water and to render it unfit for human consumption) substances to groundwater.

The Assessment of the Effects of Certain Public and Private Projects on the Environment

This Directive (the EIA Directive 85/337 EEC as amended by Directive 97/ 11/EC) requires formal consideration of the environmental effects of certain projects and is implemented by the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.

Integrated Pollution Prevention and Control (IPPC)

Council Directive 96/61/EC on integrated pollution prevention and control lays down measures designed to prevent or, where that is not practicable, to reduce emissions in the air, water and land from certain listed activities including some waste management facilities. Transposing legislation is currently being prepared, and this will replace the current arrangements in the Industrial Pollution Control (NI) Order 1997.

The Urban Wastewater Treatment Directive

The Urban Wastewater Treatment Directive (91/271/EEC) defines treatment standards and monitoring requirements for urban wastewater. It is implemented by the Urban Wastewater Treatment Regulations (Northern Ireland) 1995. Council Directive 2000/76/EC sets out stringent requirements and operational controls for waste incinerators and co-incinerators. It includes standards of management, control and monitoring and determination of emission limits.

Planning and Environmental Considerations

Planning focuses primarily on whether the development itself is an acceptable use of the land rather than on the control of the processes or substances involved. The planning process will regulate the location of the development, in order to avoid or minimise adverse effects on people, the use of land and the environment. It should not duplicate other statutory controls or be used to achieve objectives relating to other legislation.

Planning decisions must be made on the basis that the pollution control regimes will be properly applied and enforced. Planning is not an appropriate means of regulating the detailed characteristics of potentially polluting waste management activities. However, matters relevant to a pollution control authorisation or licence may be material planning considerations.

Pollution Control

The pollution control regime is concerned with the control and regulation of proposed operations and processes and with their day-to-day operation. The objective is to ensure that the waste is disposed of or treated without endangering human health or causing harm to the environment.

Integrated Pollution Prevention and Control (IPPC) is a regulatory system that employs an integrated approach to control the environmental impacts of certain industrial activities. [Guidance is available on the DAERA website](#) where it refers to Environmental Permitting Regulations (EPR) rather than IPPC and relates to industry activity including landfill, land spreading, waste incineration, waste recovery and waste treatment. There is also a link to a series of Environmental Permitting technical guidance available from the [Environment Agency](#) which outlines how to comply with the Environmental Permit for each activity.

Environmental Considerations

Environmental Impact Assessment (EIA) is a method of ensuring that the likely effects of new development on the environment are fully understood and taken into account before planning permission is given for the development to proceed. The [Planning \(Environmental Impact Assessment\) Regulations \(Northern Ireland\) 2017](#) set out a range of developments within two Schedules – 1 and 2 that respectively will require or are likely to require environmental impact assessment. It is mandatory for all proposals which fall within Schedule 1 to submit an Environmental Statement. Under the terms of Schedule 2 the need for an EIA is determined for a proposal on the basis of a screening process.

Further advice on environmental protection, screening and Environmental Impact Assessment is contained in Development Control Advice Note 10 which can be found under the [Planning Guidance section](#) of the DfI Planning website. Pre-application discussion with the Council will address whether a full EIA is required following consideration of the sensitivity of the receiving environment, including adjacent land uses and potential regulation.

Waste Management Licence

A Waste Management Licence is required under the Waste and Contaminated Land (Northern Ireland) Order 1997 and the Waste Management Licensing Regulations (Northern Ireland) 2003 if you deposit, keep, treat or dispose of waste. A licence may have specific conditions attached to it, depending on the type of waste and it is dealt with and authorised by the Northern Ireland Environment Agency. Planning permission is required before a new waste management licence is granted. Further details on the licence process can be found on the [General guidance for applying for a waste management licence](#) on the DAERA website.

Planning Conditions

When planning permission is given for a waste management facility, the Council may impose conditions or negotiate agreements in order to address particular environmental concerns. Where appropriate, the Council may attach a range of conditions to planning approvals in relation to the following issues.

Waste Management Planning Conditions

Table 4: Waste Management Planning Conditions

Planning Conditions	
Transport modes, access and routing arrangements, and the volume of traffic generated.	The hours of operation where these may have an impact on neighbouring land-use.
The physical nature of waste acceptable or excluded, insofar as this might affect local amenity or neighbouring land-use.	The timescale of the operations and any phasing of uses on a site.
The level of noise.	The plant, buildings and ancillary development.
Landscaping of operational areas and facilities.	Minimising nuisance from dust, birds, vermin or litter.
The historic environment, industrial heritage and archaeological remains.	The protection of surface and underground water.
Removal, handling and preservation of topsoil and subsoil, and their replacement at the restoration stage.	Precautionary measures against the risks of sites suffering from or causing land instability.
The area to be filled.	Restoration and aftercare.
Parking and servicing arrangements.	Any other significant impact on the environment or human health.

This is not an exhaustive list and other considerations may apply based on site-specific circumstances. It should be noted that where such issues cannot be satisfactorily addressed through mitigating measures, permission is unlikely to be granted.

Waste Minimisation in New Development

Waste minimisation is concerned with reducing the quantity of waste that is produced, and which would otherwise require treatment or disposal by one of the other options in the waste hierarchy. The main benefits of waste minimisation are the lower environmental and economic costs associated with production and waste disposal. The Council wishes to ensure, as far as is practicable, that waste minimisation is incorporated in an appropriate fashion in the design and layout of new development.

Prospective developers of new housing areas, retail and office developments, community buildings and industrial areas should therefore consider at initial design stage the waste implications and requirements of future occupiers of such development.

The extent to which the Council can influence waste minimisation is limited. Nevertheless good design can ensure that communal and large-scale developments occupied or used frequently by people may provide the opportunity to incorporate recycling facilities such as Bring Banks and to separate, recycle and recover as many waste outputs as possible.

Waste and Agricultural Permitted Development

Under the Planning (General Development) Order (Northern Ireland) 1993, a planning application is not required for the carrying out, on agricultural land comprised in an agricultural unit, of engineering operations reasonably necessary for the purposes of agriculture.

Agricultural land improvement can fall into this category provided the Council is satisfied that the following conditions are met:

- The development is on an agricultural land holding of at least 0.5 hectares in area;
- No part of the development is within 24 metres from the nearest part of a special road, or within 24 metres of the middle of a trunk or second-class road or 9 metres from the middle of other classes of road;

In deciding whether or not such land improvement is reasonably necessary for the purposes of agriculture or amounts to a separate land use activity in its own right the Council will take the following considerations into account:

- whether the amount of material brought onto the site is the minimum required to achieve the needed improvement; and
- the nature of the material being deposited; and
- the extent, scale and duration of the operations involved; and
- the quality of the agricultural land being filled; and
- whether the landowner is a farmer actively engaged in farming operations on the holding.

The Council will consider the circumstances of each case very carefully to ensure that the proposed development is required for genuine agricultural purposes. The introduction of Landfill tax has led to a number of applications to deposit waste on agricultural land to avoid payment of the tax. Farmers should confirm with HM Customs and Excise whether or not landfill tax is payable or should register with the District Council as an exempt activity.

Glossary of Terms

Biodegradable Municipal Waste (BMW): the portion of the municipal waste stream [see definition of municipal] that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste, and paper and paperboard.

Civic Amenity Site: site for the collection of recyclable materials and bulky household waste.

Commercial Waste: waste from premises used for the purpose of trade or business, sport, recreation or entertainment.

Compost: organic matter decomposed aerobically or anaerobically and used as a fertiliser or soil conditioner.

Construction/Demolition Waste: masonry and rubble wastes arising from the demolition or construction of buildings or other civil engineering structures.

Contaminated Land: land which has been subject to the addition of a material or materials to such a degree as to render it unfit for its intended purpose.

Controlled Waste: refers to household/municipal, industrial and commercial waste.

Environmental Impact: the total effect of any operation on the surrounding environment.

Essential Interim Landfill Capacity: the Waste Management Strategy provides for the development of additional landfill capacity to meet essential capacity needs identified by councils prior to the establishment of an integrated network of waste management facilities.

Groundwater: water held in water-bearing rocks.

Hazardous Waste: a waste that, by virtue of its composition, carries the risk of death, injury or impairment of health, to humans or animals, the pollution of waters, or could have an unacceptable environmental impact if improperly handled, treated or disposed of. The term should not be used for waste that merely contains a hazardous material or materials. It should be used only to describe wastes that contain sufficient of these materials to render the waste as a whole hazardous within the definition given above.

Household Waste: waste from a domestic property, caravan, residential home or from premises forming part of a university or school or other educational establishment; premises forming part of a hospital or nursing home.

Hydrogeology: the study of water in rocks. Incineration – the burning of waste at high temperatures. This results in a reduction in bulk and may involve energy reclamation.

Industrial Waste: wastes from any factory, transportation apparatus, from scientific research, dredging, sewage and scrap metal. Inert Waste – waste material that does not undergo any significant physical, chemical or biological transformations when deposited in landfill. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater.

IPPC: Regulations to transpose the requirements of EC Directive 96/61 on Integrated Pollution Prevention and Control (IPPC). The Regulations are designed to protect the environment through the prevention of or reduction in pollution of air, water and land caused by emissions from industrial installations. Under the Directive Specified Waste Management Activities which includes most landfill sites and certain types of hazardous waste treatment will require permits.

Landfill Gas: a gas produced by the decomposition of biodegradable waste. It consists primarily of a mixture of methane and carbon dioxide.

Land Improvement: the deposition of inert waste on land for the purposes of improving agricultural land, for example where steep gradients are reduced and the land re-graded with an adequate surface layer of topsoil; land reclamation for necessary development; preparing other land for necessary development, or landscaping, screening or regrading other land.

Landfill Site: the controlled deposit of waste to land generally involving the infilling of voids following mineral extraction.

Land Raising: involves the deposit of waste above ground, e.g. in naturally occurring depressions or as part of reclamation schemes.

Land Spreading: the application of waste or sludges to the land and thereby facilitating their degradation and incorporation into the top layer of soil. Fertiliser is usually added to assist aerobic breakdown.

Leachate: liquid that seeps through a landfill site and by so doing extracts substances from the deposited waste.

Municipal Waste: household waste and any other waste under the control of councils or their agents acting on their behalf.

Proximity Principle: highlights a need to treat and/or dispose of waste in reasonable proximity to the point at which it is generated.

Putrescible: liable to decompose or rot with an offensive smell.

Recovery: the reclamation, collection and separation of waste materials from the waste stream.

Recycling: the recovery and re-use of materials from the waste stream.

Re-use: the repeated utilisation of an item/material for its original (or other) purpose.

Self-sufficiency: is a central tenet of EC legislation which requires all member states to apply this principle in their waste management practices at national level and, as far as is practicable, also at regional and sub-regional levels.

Special Waste: waste which contains substances deemed to be dangerous to life as defined by the Special Waste Regulations (Northern Ireland) 1998. Waste – the unwanted by-product of industrial, commercial and domestic activities or anything otherwise discarded.

Waste Disposal: the process of getting rid of unwanted, broken, worn out, contaminated or spoiled materials in an orderly, regulated fashion.

20.0 Renewables

This guidance does not provide general advice but instead provides reference to Departmental Supplementary Planning Guidance for renewable energy proposals which are regional in focus and will be retained unless replaced by the relevant Government Department:

- Best Practice Guidance to Planning Policy Statement 18 'Renewable Energy' (2009) published by the Department for Infrastructure
- Wind Energy Development in Northern Ireland's Landscapes (2010) published by the Northern Ireland Environment Agency (NIEA)
- Draft Supplementary Planning Guidance to PPS 18 'Renewable Energy' – Anaerobic Digestion (2013) published by the Department for Infrastructure.

Further updates from the Department for Infrastructure, such as the Review of Regional Strategic Planning Policy on Renewable and Low Carbon Energy (Public Consultation April 2023) will be available on the DfI website at www.infrastructure-ni.gov.uk

Environment: Protecting and Enhancing the Historic and Natural Environment

21.0 Trees and Development

This guidance provides general advice on the planning issues that arise concerning applications relating to the location of trees and development and sets out the criteria which the Council will consider when determining such proposals.

The importance of trees

Increasing public concern about environmental and sustainability issues are focusing attention on the importance of trees in towns and cities as well as in our countryside. Trees create a landscape which is attractive to industry and commerce, an environment where people want to live and work. Apart from their visual amenity value, trees enhance views, help to define character and promote a sense of place, add colour and seasonal interest, support a wide variety of wildlife flora and fauna, provide screening and privacy, soften hard surfaces, absorb noise, improve air quality, provide a cooling effect, reduce noise, and the release of oxygen.

Studies have shown that people find houses with mature, landscaped gardens and properties on tree lined avenues more attractive places to live. They also tend to attract a higher market value. Small groups of trees can be a well-known local landmark but even where there is just one mature tree this too can have a very high landscape value. Young trees are also important as these will become the visually significant or specimen trees of the future.

The Design Stage

Careful retention of existing trees, hedgerows and shrubs as part of a development can ensure that new buildings will be integrated into a mature landscape, thus raising the overall quality of the scheme. To maximise such benefits, it is essential that existing trees are protected through the design and construction phase until the completion of the scheme. Taking appropriate measures at the design stage can prevent damaged or dying trees becoming a source of complaint and concern later in the planning process.

Caring for existing trees at development sites

Existing trees can be cared for at development sites by;

- i) Carrying out a site appraisal, noting all natural features.
- ii) Commission a detailed tree survey. This should be undertaken by a qualified Arboriculturist.
- iii) Analyse the survey findings and design your proposals in relation to all existing trees highlighting those trees to be retained or removed.

- iv) Ensure that the scheme layout properly integrates new buildings, roads and car parks into the existing landscape.
- v) Check with your local Planning Office to ascertain if the trees are protected by a Tree Preservation Order or are to be retained as a condition of a planning approval.

Root Cutting

If you need to carry out any tree surgery or felling of protected trees you should request and receive written permission from the Council prior to any works being carried out. Failure to do so can result in a fine through the courts.

Remember that locating buildings as far away as possible from trees helps prevent root damage and requests for tree removal or tree surgery due to safety or amenity considerations.

Plan routes for underground services that are as far as possible from trees (preferably outside the crown spread) in order to avoid damaging sensitive root systems.

Design considerations for new planting

Ensure the continuance of the tree cover by incorporating a mix of existing trees and new planting in the design.

Design for a hierarchy of different types of planting including avenue planting, trees in gardens, boundary planting and open space planting.

Consider the size and species of trees to be planted. Often a mixture of sizes is best. Planting larger trees creates an instant effect but young trees and whips transplant better and will develop faster

The Construction Stage

Trees are sensitive living organisms that are easily damaged or destroyed. Healthy roots are essential for their stability and to provide food and moisture for growth. Sensible precautions must therefore be taken when working near trees. Where it is unavoidable that services are to be located under the crown spread of trees all trenches should be dug by hand and tree roots protected. Any planning permission will normally have conditions attached for the protection of existing trees which must be adhered to.

Before work on site commences

Erect temporary fencing around trees to be retained at the outer limits of the crown spread or at a distance equal to half the height of the tree, whichever is greater. Fencing should be at least 1.2 metres high cleft chestnut pale (or alternatively chain link), well braced to resist impacts.

Ensure that the fencing is maintained during development and that all staff and contractors know the ground within the fenced area is protected. Attaching warning signs to the temporary fencing can also be helpful.

Caring for trees during construction

Avoid excavations, changes in level or tracking of machinery within or close to the fenced area at all times. These can seriously compromise the long-term survival of trees due to the impact on roots.

Do not use the ground within the fenced area for site roads or site offices, stockpiles of soil or fuel and material storage, storing machinery or parking of vehicles, debris or building materials, fires, anchoring purposes in connection with winching.

New Planting

Most planning applications will need to be accompanied by a detailed planting plan. Landscape proposals are an integral part of the development process and frequently are covered by conditions of a planning permission. Attractive planting schemes will improve as the trees and shrubs mature and help integrate new developments. Developers should submit with planning applications a plan for the initial maintenance and long-term management of all landscape proposals.

Recommendations for successful planting

- i) Retain and replace any topsoil stripped from the site during development. This should be stockpiled at a maximum height of 1 metre at locations well away from existing trees.
- ii) Keep heavy vehicles, materials and storage areas off land to be planted.
- iii) Rotavate compacted soil prior to planting.
- iv) Plant bare rooted trees between November and March (containerised trees and shrubs can be planted outside this period but may be more expensive.)
- v) Follow good working practice for the storage and transport of plants.
- vi) Ensure that all new trees and shrubs and other plant material are from a reputable source and have a high-quality specification. 10 11 Aftercare
- vii) Weed control is essential, especially in the first few years.
- viii) Use mulches or herbicides.
- ix) In the first few years, trees and shrubs may need wind firming and watering during summer months.
- x) Ties used to stake larger trees must be loosened as the trees grow and removed when the tree is well established (usually 2-3 years).
- xi) Replace any trees and shrubs that do not survive.
- xii) Woodland planting will need to be selectively thinned as it matures.

A Quality and Sustainable Environment

Well considered landscape design will enhance the quality of our built environment. The retention of existing vegetation coupled with new planting can contribute to

people's health, well-being and quality of life. It will also help raise awareness of, and appreciation for, our environment.

22.0 Tree Preservation Orders

This guidance provides general advice for tree owners, conservation groups and the general public on protected trees. It has been prepared for guidance only and should not be taken as an authoritative statement of the law. If you have any concerns regarding legal issues relating to trees you should contact a solicitor.

A Tree Preservation Order (TPO) is a statutory protection afforded to trees under the Planning Act (Northern Ireland) Act 2011. More information on the relevant legislation and associated regulations can be found at www.infrastructure-ni.gov.uk.

A TPO prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction
- cutting roots

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, is also a prohibited activity and requires the authority's consent.

Value of trees

Trees can have a high amenity value and can make an important contribution to the environment, creating a varied, interesting and attractive landscape. They can help define the character of an area and create a sense of place. Trees also provide wildlife habitat and contribute to the health and well-being of humans. TPOs are imposed in order to protect selected trees or woodland if their removal is likely to have a significant impact on the local environment and its enjoyment by the public.

What types of trees are covered by a TPO?

The TPO can cover anything from a single tree to a woodland and all types of trees can be protected. Unless a woodland TPO is proposed, only trees over 3.5m in height are considered for a TPO. Hedges, bushes and shrubs will not be protected.

Woodland TPO

A Woodland TPO protects all trees within the defined area, including natural regeneration - seedlings and saplings i.e., trees less than 3.5m in height are not excluded.

How are TPOs initiated?

All requests for a TPO, from an elected representative, a member of the public or an interest group, should be sent to the Council's Planning Department. Additionally, the Council itself may initiate TPOs as a result of a planning application, the Development Plan process or in response to any threat.

How does the Council decide which trees to protect?

The Council may make a TPO for the purpose of:

- i) Protecting trees considered to be of special value in terms of amenity, history or rarity, which may or may not be under threat.
- ii) Ensuring the continuance of a woodland area which may be felled subject to consent, by securing the replanting of trees, where this is considered necessary.

To be considered for a TPO trees must be of high amenity value and in reasonable condition.

The following criteria will be used when assessing the merits of a potential TPO;

Potential Threat: Priority will be given to the protection of those trees deemed to be at immediate risk from active felling or damage from development on site. All other requests will be assessed and prioritised accordingly.

Visibility: The extent to which the trees or woodlands can be seen by the general public will inform the assessment of whether the impact on the local environment is significant.

Individual Impact: The mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The tree's particular importance will be assessed by reference to its size and form, its future potential as an amenity should also be assessed considering any special factors such as its screening value or contribution to the character or appearance of an area. In relation to a group of trees or woodland, an assessment will be made of the collective impact.

Wider Impact: The significance of the trees in their local surroundings will also be assessed, considering how suitable they are to their setting, as well as the presence of other trees in the vicinity.

Historical Importance: Certain trees because of their age, association with the setting of listed buildings or the contribution they make to the special character of a conservation area may require consideration for TPO protection.

Rarity: There may be occasions where a tree(s) may be considered for TPO protection solely on the grounds of its rarity. The priority of the consideration will reflect the rarity of the species.

How are TPOs processed?

In most cases the Council will impose a Provisional TPO, which takes effect immediately on the date specified in the notice sent to the owner and provides protection for the trees for a period of six months. During this six-month period a detailed assessment of the trees is carried out by the Council's appointed arboriculturist, and a decision is made as to which trees, if any, should be protected. The Provisional Tree Preservation Order will then be confirmed on those trees which are deemed worthy within the six months or allowed to lapse if it is considered, as a result of the detailed assessment, that they are not worthy of protection.

Alternatively, a Full TPO may be served in circumstances where the Council considers it unlikely that there is any significant risk to the trees. The Council may give notice to the owner and occupiers of the land that it proposes to make a TPO within a 28-day notice and representation period. Within this period a detailed assessment of the trees is carried out by the council and a decision is made as to which trees, if any, should be protected. The Full Tree Preservation Order will then be imposed on those trees which are deemed worthy, within the 28-day period, or not proceeded with if it is considered, as a result of the detailed assessment, that they are not worthy of protection. At the time a TPO is served on the owner a copy of the order will be attached to a protected tree in an obvious location and neighbours will also be notified by letter.

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Are trees in a Conservation Area protected?

Trees in a Conservation Area are also subject to protection as if a TPO is in place. In a Conservation Area anyone proposing to carry out works to trees must apply to the Council which has 6 weeks to consider the proposal and respond. Work cannot proceed until the Council has responded or the 6-week period has expired. If the Council considers that the proposed works should not be carried out it will impose a formal TPO to cover the specific trees. In exceptional circumstances, where there is imminent danger, the applicant may proceed, at risk, with works immediately but must satisfy the Council by submitting evidence in the form of a report and photographs.

Objecting to or commenting on the imposition of a TPO

Comments and representations may be made by anyone within 28 days from the date of a Provisional TPO or from the date of issue of the letter of notification for a Full TPO. Representations will be considered by the Council before deciding whether the TPO is to be confirmed. All representations will be acknowledged.

TPO Register

The Council holds details of all Orders, and these can be made available for inspection by contacting the Council's Planning Department. An official search of the local land charges register can be made before you purchase a property, and this should reveal if there are any TPOs affecting the property. This search will also indicate if the property is in a Conservation Area.

Carrying out works on protected trees

If you wish to carry out works to protected trees you must first seek the Council's consent to do from its Planning Department. You must clearly specify the trees involved, identify their locations, the extent of the work you wish to carry out and the reasons why you wish to carry out the work. The Council will consider the application and may grant approval, subject to condition or refuse consent. Should an application for consent be refused or granted subject to conditions applicants have the right to appeal in writing to the Planning Appeals Commission (PAC) within 6 months of the decision stating the grounds on which your appeal is based. The PAC then decides on a date for a hearing and requests written representations in the form of a statement of case. Please note that anyone can apply to carry out works, even if you are not the owner. If approval is granted you would, however, require the owner's consent prior to entering his land or carrying out works on or from his property.

Carrying out works to protected trees without consent

It is a criminal offence to cut down, lop, top, uproot or wilfully damage a protected tree in a manner likely to destroy it, without the consent of the Council and on summary conviction you could be fined up to £100,000 (and on conviction on indictment, to an unlimited fine).

Dead or dangerous trees

Currently consent is not required for the removal of dead or dangerous trees. The Council has the right, however, to require the replanting of trees of an appropriate size and species in the same location as soon as is reasonable. The owner must ensure that he has proof that the tree is dead or dangerous. It is recommended that the Council is made aware of the proposed works prior to them being carried out. Anyone who is unsure as to the condition of a tree is advised to obtain the advice of a qualified arboriculturist.

Can I obtain prior consent from the Council for certain routine and anticipated works to my protected trees?

The Council encourages you to enter into a Tree Management Agreement which may provide you with prior consent for anticipated and agreed tasks over a 5 – 10-year period. To do this you should contact the Council.

TPO effect on normal garden maintenance

Normal garden maintenance can continue to be carried out and can include hedge trimming, weeding beds and the removal of germinated tree seeds (seedlings) and saplings less than 3.5m in height from any location unless the TPO imposed is a Woodland TPO which protects the woodland's natural regeneration.

Responsibility for TPOs

The landowner remains responsible for the trees, their condition and any liability in relation to damage they may cause.

23.0 Alteration, Extension and Maintenance of Listed Buildings

This guidance provides general advice for the consideration of owners and their agents in the preparation of applications for listed building consent and planning applications for change of use, extensions or alterations to listed buildings.

In view of the considerable variety in the character and type of listed buildings these guidelines cannot be comprehensive. Nevertheless, they do summarise the characteristics and features which make up the special interest of most listed buildings and will therefore be given full weight in the process of judging listed building consent applications alongside other considerations and in assessing grant applications. Every listed building has its own characteristics which are usually related to an original or subsequent function, and these should as far as possible be respected when proposals for alteration are put forward. It must also be remembered that marks of special interest appropriate to a particular type of building are not restricted to external elements.

General Considerations

It is always important to differentiate between statutory requirements, recommendations and the corporate policies of owners, insurers and others as the boundaries are often confused. Listed buildings are bound by the same statutory rules as is any other building unless the statute provides for an exemption or a waiver. For example, the Council has the power to relax certain requirements of the Building Regulations where their strict application would be unreasonable in a particular case. The Council would similarly encourage the Fire Authority for Northern Ireland to adopt a sympathetic approach when exercising their responsibilities under fire safety legislation in respect of listed buildings. While British Standards are not statutory the Council would commend the advice and guidance set out in BS 7913:2013 'The Principles of the Conservation of Historic Buildings'. It will often be possible therefore for proposals to meet the requirements of statutory regulations and other standards in a way which does little or no damage to the character of listed buildings and the Council will expect applicants for listed building consent to have fully investigated these matters.

The Guiding Principles for Conserving Historic Buildings

There are three main guiding principles that will ensure that the character of the listed building is safeguarded when changes to its fabric are being proposed: The first principle is that of minimum interference and every scheme should therefore aim to conserve a maximum of the original fabric of the listed building, whether or not it will be seen. An historic building is like a coded book and every inch of it speaks to us about its past, its owners, its builders, fashions, customs, times of plenty and times of scarcity. Each piece of its fabric lost is like tearing a page out of this history book. A certain amount of replacement is inevitable, but the practicalities of repair must always be weighed in the balance before that decision is finally made.

The second principle is that the listed building in its original form should remain the dominant feature in relation to any additions or extensions proposed to it. There are certain historic buildings where any extension would be damaging and such works will therefore not normally be acceptable.

The third principle relates to architectural styles when altering or adding to the listed building. Sometimes it will be essential for new work to match the existing architectural style. This would certainly be true where a relatively minor alteration, for example making a window into a door, was to be made to a building of one definite architectural style. However when more extensive changes are being considered, for example the addition of a substantial wing, then it may be acceptable for the new work to make its own architectural statement which could contrast, but must never compete, with the original building.

Where an extension wishes to copy the original building it is critical that it does so accurately. A poor copy will always be unsatisfactory and can never exist in harmony with the original building. Whichever stylistic path is chosen, if the new work will finally form part of the architectural perception of the listed building then the most important factor in the design is that the quality of the new work is a match for the old.

Building Elements

The following paragraphs will look at each building element in turn and examine the general criteria that will be applied in assessing proposals for works to listed buildings. It is impossible to describe every situation and problem that can arise and the guidance does not purport to be a manual of good conservation practice and should not be used as such. Those seeking more detailed information about any aspect of conservation work referred to briefly in this guidance should contact the Historic Environment Division, Department for Communities, where further advice will be available.

Roofs

The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important. Natural slate and lead are the most common materials to be found on the roofs of listed buildings in Northern Ireland. Other roofing materials include thatch, tiles and copper. These traditional roof coverings should be retained wherever possible and their replacement with modern substitute materials will not normally be acceptable. The relationship of the roof to the supporting walls at verges, eaves and parapets are also important features and part of the historic character of most listed buildings. Such details should not be altered during renovations. Where original timber or metal framing remains in a roof this too can contribute greatly to the historic interest of the building as a whole.

The provision of roof ventilation will normally require listed building consent as it is likely to alter the appearance of the building. Where such work is proposed it should be undertaken without disfigurement to the roof, so thought will be required before deciding on a suitable method. There is a wide range of manufactured items to choose from. If it is the intention to use a standard item then it will be helpful if a section of trade literature is submitted with the listed building consent application in order that the precise item type, material, colour etc. can be established. An alternative is to copy the design of traditional ventilators.

Dormers and Rooflights

Original dormer windows should be retained and carefully repaired. If beyond repair they should be reconstructed with all details reproduced. Enlargement of existing dormers on principal elevations should normally be avoided. Any decision as to whether new dormers or roof lights can be added to a roof must be approached carefully. Historic roof structures must not be damaged by their insertion. This can be difficult to achieve as original ties and braces can get in the way and where alterations would result in large scale loss of original fabric they will not be acceptable. New dormers should not upset a symmetrical design of an historic building, while in terraces their introduction may be inappropriate in townscape terms. New roof lights may provide an alternative in such cases, although they should be in flush fittings and not located on prominent roof slopes.

Chimneys

These are essential elements for most listed buildings and are important to their silhouette and three-dimensional character. In some instances, they will be part of the formal architectural composition. In terraces and groups, the exact form and detailing can be critical to the overall architectural concept. In many cases chimneys also perform a vital structural function and they should generally be kept whether or not they continue to have a functional use. When it is necessary to build a new chimney it must be considered as a positive part of the listed building. A stainless-steel tube bracketed to the wall can only detract from the character and quality of the parent building. Chimney pots, especially in groups and terraces, are often an

important architectural element in their own right and a traditional roofscape may be damaged if they are removed.

Rainwater Goods

Rainwater goods should not interfere with any mouldings or decorative features. The profile of guttering and the positioning of downpipes are often part of the formal architecture of a listed building and are to be respected in any scheme of work. Where the contribution of the guttering is less formal it will still be important to keep to original profiles and to use traditional materials.

External Wall Finishes

Most listed buildings are stone, brick or rendered, a few are faced in faience or terracotta or are half timbered. Of these finishes, render is the one most prone to inappropriate changes. The character of an historic building can be considerably altered by choosing a render that has not been based on a proper study of historic mixes. To render over stone and brick finishes will not normally be acceptable because of the resulting change to the building's character. Equally it will be wrong to strip render to expose stonework if it is clear that the building was historically rendered. When considering a new render particular attention should be given to the choice of sand and aggregate in the mix, as this choice will affect both colouring and texture. Modern rendering techniques such as dry dashing are rarely appropriate.

Inscriptions and Other Features

Inscriptions, date stones, coats of arms etc. are all an important part of the history of a building and such features should be retained in situ wherever possible. Signs and advertisements will require listed building consent. Where considered acceptable in principle they should be carefully designed and positioned with appropriate fixings that will not damage the building.

Windows

As a rule, windows in historic buildings should be repaired, or if beyond repair should be replaced 'like for like'. In considering listed building consent applications for additional windows it is important that their design, scale and proportion should be sympathetic to the character of the building. The fact that owners so often wish to alter windows demonstrates that windows attract the attention of practically anyone who objectively looks at a building. They are the eyes of the building and they catch the eye. The finish, the material from which they are made, the method of opening, the subdivisions of the glass, the characteristics of the glass, the interplay of panes, the profiles of each component, the relation of sills, architraves, encasements, shutters etc. all play their part in the overall character of the window. The window plays a vital role in the overall appearance and character of the building internally as well as externally.

Old windows were generally made of sturdy materials, they may look shabby and rundown, and they may fit badly and admit drafts but nevertheless it is possible, more often than not, to repair and restore the original units. Repair rather than replacement should be the first aim in any scheme for a listed building. Original timber sliding box sash windows and casement windows can be fitted with seals, gaskets and improved ironmongery to provide a performance that will match any modern window type.

Within the broad window types such as sash or casement there is a wide variation of detail according to date, function and region. Standardisation to one pattern should be avoided. The thickness and moulding of glazing bars, the size and arrangement of panes and other details should be appropriate to the date of the building or to the date when the aperture was made.

Replacement Windows

The insertion of factory-made standard windows of all kinds, whether in timber, aluminium, galvanised steel or plastic is almost always damaging to the character and appearance of historic buildings. In particular, for reasons of strength the thickness of frame members tends to be greater in plastic or aluminium windows than in traditional timber ones. Modern casements with top-opening or louvered lights or asymmetrically spaced lights are generally unsuitable as replacements for windows in historic buildings. Such alterations will not therefore be permitted be allowed. Architects' drawings and specifications should make clear the manner in which new windows are intended to open.

It is usually impossible to install double-glazed units in existing frames without altering the character or appearance of a listed building. Listed building consent is quite likely to be refused for such an alteration because the form and detailing of windows is so often a key architectural element of historic buildings. The more complicated the glazing pattern the more difficult it will be to double glaze and for the installation to meet acceptable conservation standards. Conversely, where there is a simple undivided single sheet of glass in each frame double glazing can usually be fitted without any appreciable change to the appearance and character of the window.

Where there are difficulties, the first step is to discover, by calculation, whether or not double glazing would provide a material benefit in controlling heat loss. Traditional internal timber shutters and good quality curtains will give an equal performance during the hours of darkness. However, heat may be lost through other routes. Commonly this is via the air gaps around badly fitting frames. The installation of draft strips and weather seals is a simple and very effective procedure. Reglazing with thicker single sheet glass or the installation of secondary glazing are other options that will not normally require listed building consent. Plastic strips simulating glazing bars and sandwiched into the cavity of the double-glazed unit are not an acceptable conservation option.

In certain circumstances trickle ventilation will be a statutory requirement. There are a variety of ways to modify the designs of traditional windows to make this provision and there are ventilators available that have been specially designed to meet conservation criteria.

Where difficulties arise it is as well to remember that the purpose of the ventilator is simply to ventilate the room; it is not a requirement that it be provided through the window. Other locations should therefore be assessed in difficult circumstances.

Doors Original doors, both external and internal, and their encasements are important elements in listed buildings and wherever possible they should be retained. Their replacement or defacement is often entirely unnecessary. The main features that characterise doors are their size, shape, proportions, the method of construction and individual details such as fanlights or knockers. Timber doors may be sheeted or panelled. The panels may be flush, recessed, fielded and may be decorated with mouldings. Finishes are important as are ironmongery and fittings. Replacement doors should copy the original in the materials, the detail of design and the paint finish. Modern off-the-peg doors are not generally acceptable for use in listed buildings, nor are doors with incongruous design features such as integral fanlights, or furniture such as knockers, letter boxes or moulded details should not be removed or mutilated but retained even if the doorway is redundant.

A modern threat to original doors is protection against fire. Consideration should always be given to ways of retaining original doors. These may include fitting a second door to create a lobby, providing additional escape routes, or investigating a fire engineering approach. Sometimes work to original doors cannot be avoided, but there are techniques that provide the required fire ratings with only minor loss of character. It should also be noted that it is now possible to obtain a waiver for listed buildings from the requirement under fire safety legislation to raise door heights to modern standard heights.

Changing Openings

Door and window openings establish the character of an elevation and should not generally be altered in their proportion or details. Alterations will only be considered where all reasonable alternatives for continued use have been carefully examined. Sometimes such alteration is unavoidable, but it should be noted in load bearing masonry walls this will almost always create a structural weakness for all time. Where it is proposed to close existing openings, it will be important that evidence of that opening is featured in the new work. Sometimes this will entail the retention of the window or door and blocking in behind. This is particularly important in terraces for the sake of the overall design of the terrace. On other occasions it may be acceptable to simply recess the blocking to maintain the outline of the old opening or to conserve a sill or an architrave as evidence of the change. In this way the pattern of change can add to the historic interest of the building.

Shop Fronts

Old shop fronts are already very rare. Wherever shop fronts of merit survive they should be retained, and any alterations will require the greatest care and attention. Features of value such as blinds in blind boxes, shutters in shutter boxes against an upright and stall-risers should be retained. Often such features are concealed behind later alterations and premises where works to shop fronts are proposed should be checked for the possible survival of such features. The major threats to old shop fronts are security, fashion, advertising and the corporate image. However, there are almost always ways to meet reasonable working needs without resorting to wholesale change and increasingly, in the commercial world, it is now being recognised that individualism, when it is of good quality, is often better for business than thoughtless standardisation.

Shop Blinds and Security Grilles

Retractable apron blinds covered in canvas are often characteristic features of historic shopfronts and should be retained. Modern plastic canopies are not acceptable. External steel roller shutters are not suitable for historic shopfronts. Acceptable alternatives include laminated glass and internal shutters.

New Shop Fronts

New shop fronts should be designed in sympathy with the rest of the elevation and incorporate any ground floor details of interest. Large inserted plate-glass shop fronts without any visual support for the upper part of the premises can have an unfortunate effect, and shop fronts should not extend into the storey above or alter the proportion of first floor windows. Modern materials such as plastics are to be avoided as facings. The fascia board should not be out of scale with the building as a whole and should usually be finished at the top with console brackets and a cornice or other capping. Not only is this the traditional treatment for shop fronts but the cornice provides an architectural division between the modern shop front and the old upper floors.

Depending on the nature of a proposed commercial or office use, it is very often unnecessary to provide display windows and thus alter an intact ground floor. Existing openings should be retained wherever possible, and if alteration is necessary, it should only be to the minimum extent required. Standard corporate shop fronts are seldom appropriate for historic buildings, nor are internally illuminated fascia boxes or signs. The prestige value of listed building premises and their distinctive detailing can be emphasised instead.

Ironwork

Where original ironwork exists, it is often an important feature sometimes giving unity to a group or terrace of historic buildings. Local foundries and blacksmiths developed individualism in their work and this local flavour can give a particular character to an area or locality. Broken cast iron can be repaired, and damage

should not be regarded as an excuse for removal. In some areas there is pressure to convert gardens and yards to parking but if this means loss of ironwork or other important features or if the proposal intrudes into a unified landscape, proposals are likely to be refused.

Conservatories

A new conservatory is a new extension and the same criteria for a successful listed building consent application pertain as for any other extension. The first consideration is the relationship of the proposed new structure to existing architectural features. The second is the intrinsic quality of the new design and the third is the sympathetic choice of materials and finishes. The design can be thoroughly traditional or thoroughly up to date. Whichever is chosen it must have a quality that will equal the qualities of the parent building.

Parapets and Other Features

Parapets (solid or balustrade), pediments, parapeted or coped gables and saddlestones, eaves, cornices and moulded cappings are essential terminal features in the articulation of an elevation of an historic building. If they have to be replaced, it should be in facsimile and in the same materials.

Porches

Porches are sometimes the dominant feature of an elevation; their detailing should always be respected. Open columned porches of the classical type should not normally be enclosed (e.g. with glazed sides and doors to the front), but should be left open. In those instances where new porches are considered acceptable, their design should be undemonstrative and should not challenge the integrity of the facade.

Balconies and Verandas

Balconies and verandas are very often formal components in the design of an elevation. They should be maintained and repaired wherever possible; and if they have to be replaced, facsimiles should be erected using matching materials. As with porches they should not normally be enclosed with glazing.

Interiors

Doors have been discussed separately at E19 above. Equally important to the special interest of many historic buildings are other internal features such as original floorboards, stairways, dadoes, balustrades, panelling, skirting, chimneypieces, chimneybreasts, decorative plasterwork and in some of the more important interiors the paintwork, gilding, gesso etc.

Very often important early features may be brought to light during refurbishment works. Fittings too are often of considerable historic and/or architectural importance;

for example, curtain fittings, early light fittings, sanitary and kitchen fittings, mirrors and built in paintings. While it is more difficult to generalise about interiors than the external elements of an historic building, all internal features and fittings of interest should be respected and left unaltered as far as possible.

Minor Additions to Listed Buildings

There are also some external fixtures that require listed building consent when they affect the character of a listed building. These include satellite dishes and aerials, burglar alarms, sensors, exit signs, security and other floodlighting. Only non-damaging and visually unobtrusive positions for such fixtures will normally be permitted. The principle when proposing such fixtures will be to put the building first and maximum use should be made of existing cavities and clearways such as disused flues, roof spaces and cellars. Where it is unavoidable that such features will be seen, they should be designed to integrate with the older features of the building by the careful choice of fitting, location and colour. Acceptable alternative locations for satellite dishes include outbuildings, yard and garden walls and separate and detached purpose built low level mounting cradles.

Escape Stairs in Case of Fire

The requirement for escape stairs may originate in a change of use or the need for a fire certificate. If additional stairs have to be provided then listed building consent will be required. The preferred option will always be to provide escape stairs in a new extension to the building where this is acceptable in principle. The next best option will be to locate them discretely inside the envelope of the listed building while the least satisfactory solution will be to provide a staircase externally. Any external staircase comprises an extension to a listed building and a location and design that is sympathetic to the character of the listed building will be required. The use of appropriate materials and finishes as well as a positive relationship to existing architectural features will be critical considerations. A well designed staircase can be a positive enhancement, but a cheap, basic steel ladder will never be appropriate.

Ramps and Access for People with Disabilities

It is often essential for the continuing use of historic buildings that people have access to them. In many cases provision of access for people with disabilities is mandatory. Alterations to a listed building to provide such access will normally require listed building consent. Many listed buildings have been designed to have elevated processional entrances. Often these are the most impressive elements of the entire architectural composition. In these instances the greatest care must be taken in the design of the new works. Where there is symmetry it is essential that this is maintained. Where there is a natural slope across a site it may be possible to take advantage of this in the design process. In some cases permanent ramps to optimal standards are just not practically or aesthetically acceptable and in these instances alternatives will have to be investigated. Such alternatives include, the use of a temporary ramp, a hydraulic platform lift, a chairlift, assisted access or access by way of another entrance.

Cable Services

If the installer holds a licence granted under the Telecommunications Act 1984 then the installer is bound to notify the Historic Environment Division, Department for Communities, in advance of any proposed works that may alter the appearance of a listed building. If the installer does not hold such a licence then listed building consent will normally be required. The design for such an installation should be formulated with the aim that it will have a minimal impact on the appearance of the listed building. There will however be the occasional instance when the prospective impact will be so great that the installation cannot be approved.

External Cleaning

Cleaning a building normally requires listed building consent. This is not only because cleaning can have a marked effect on the character of buildings, but also because cleaning processes can affect the historic fabric. The cleaning of a building within a homogeneous terrace would obviously affect the appearance of the terrace as a whole. Certain efforts to clean historic buildings have created long term problems of discoloration and decay. It is equally true that some historic buildings have been enhanced by good quality cleaning. The pros and cons for cleaning buildings are therefore the basis for an ongoing debate. The keyword is care; care in assessing the work at the start, care in specifying methods and materials and care in execution and supervision.

Protection of Listed

Buildings during Building Works Protection is always necessary to a greater or lesser extent when work to a listed building is underway. This may be as little as providing a few dust sheets and sealing communicating doors to prevent dust and dirt from invading the whole building. Especially vulnerable features will need greater protection. Stairs are one element commonly damaged and abused during building work. If work is so extensive that the user has to leave the building empty, then security measures against vandalism and theft must be considered; this may entail the removal of important and valuable fittings to safe storage elsewhere. Due consideration should always be given to the wording of the Building Contract to protect fittings and features during the works.

24.0 Conservation Areas and Areas of Townscape Character

This guidance provides general advice for applications relating to Conservation Areas and Areas of Townscape Character (ATCs) and supports Policies HE11-HE13.

General Criteria

General issues to be taken into account in assessing development proposals in designated areas, including Conservation Areas and Areas of Townscape Character, include the appropriateness of the overall massing of the development, its scale (the expression of size indicated by the windows, doors, floor heights, and other identifiable units), its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complementary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape. It should also, as far as possible, fit into the 'grain' of the area, for example, by respecting historic layout, street patterns or existing landform. It is also important where new uses are proposed that these respect the unique character and general ambience of an area, for example certain developments may adversely affect the character of a designated area through noise, nuisance and general disturbance.

New Buildings

The development of new buildings in a designated area should be a stimulus to imaginative, high-quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore, while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area in other cases modern designs sympathetic and complementary to the existing character of the area may be acceptable.

Alterations and Extensions

Proposals for the alteration or extension of properties in a designated area will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and will not prejudice the amenities of adjacent properties. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration will be required for alterations and extensions affecting the roof of a property as these may be particularly detrimental to the character and appearance of the area.

Change of Use

In assessing applications for the change of use of a property within a designated area consideration will be given to both the general land use policies of the Council and the impact of the proposed use on the character and appearance of the area. New uses will normally only be acceptable where any associated external alterations, for example new shopfronts, are sympathetic to their setting and relate in scale, proportions and materials to the remainder of the building and the local street scene.

Trees

Trees often make an important contribution to the appearance and character of designated areas. In assessing development proposals affecting a designated area the Council will therefore take into account their potential impact on existing trees. Where such trees make an important visual, historic or amenity contribution to the area and should be retained the Council will seek appropriate protection measures through the imposition of planning conditions or may consider making a Tree Preservation Order (TPO). In some instances development may be acceptable subject to conditions requiring new tree planting or replanting.

Appendices

Appendix A – Space Standards for Dwellings

The following table must be used to calculate minimum dwelling sizes in new developments. The space standards represent the required area of internal floor space.

Space Standards			
Type	Single Storey/ Flat (m²)	Two Storey (m²)	Three Storey (m²)
1 – Person / Bedsit	30/35	-	-
1 – Person / 1 – Bedroom	35/40	-	-
2 – Person/ 1- Bedroom	50/55	-	-
3 – Person/ 2 - Bedroom	60/65	70/75	-
4 - Person/ 2 – Bedroom	70/75	75/80	-
4 - Person/ 3 - Bedroom	75/80	80/85	-
5 – Person/ 3 - Bedroom	80/85	90/95	95/100
6 – Person/ 3 – Bedroom	85/90	95/100	100/105
6 - Person/ 4 – Bedroom	90/95	100/105	105/110
7 – Person/ 4 – Bedroom	105/110	115/120	115/120

Appendix B – Wheelchair Access Standards

General

Avoid differentiating wheelchair dwellings by location, form or detailing to help provide a sense of integration with the community. (Desirable)

Where adaptations are proposed to existing dwellings these should comply with the standards in the Adaptations Design Communications Toolkit. (Essential)

Some wheelchair users also experience vision, hearing or cognitive impairments (e.g. difficulty with memory and wayfinding). Consideration should be given to good practice design elements for these conditions where possible during new build or adaptations in order to aid future proofing. (Desirable)

Wheelchair users may spend more of their time at home and may be less able to regulate body temperature, therefore the heating, insulation and ventilation strategy should be carefully considered. (Essential)

Access

Incurtilage or designated car parking spaces should be a minimum of 2.4m wide x 4.8m long with an additional 1200mm clear access zone to one side and to the rear.¹ (Essential)

The distance from any car-parking space to the home should be kept to the minimum. (Essential)

The approach to all main entrances should be level or gently sloping with a slope not steeper than 1 in 20 (as per NI Building Regulations). (Essential)

A slope not steeper than 1 in 60² for approaches to all main entrances is preferred. (Desirable)

Main entrances should be covered to a min. width and depth of 1200mm and with a 1500x1500mm level area that is laid to a fall, not exceeding 1:50, away from the threshold for effective drainage. (Essential)

An accessible threshold to be provided to all external doors. The threshold should be level. However, where required to prevent water ingress, a threshold may contain one or more upstands, provided that the cumulative height of these upstands is not more than 15 mm. Any upstand more than 5 mm high should have all exposed edges chamfered or rounded. (Essential)

A drainage channel suitable for a wheelchair should be provided between the landing and threshold where surface water is likely to be blown towards the threshold. (Desirable)

Main entrances should be illuminated using fully diffused luminaires activated by a dusk to dawn timer or by detecting motion. (Essential)

Main pathways to be 1200mm wide with a firm even surface. (Essential)

Ramped areas, where provided, must have handrail and safety edges to both sides and infill panels where children are likely to climb on railings. (Essential)

Where required (by OT recommendation), dwellings should have their own covered car space in the form of a carport to provide weather protection whilst transferring to and from a wheelchair. A carport should be at least 3600mm wide and 6000mm long with a min. clear height of 2200mm to the underside of the roof. (Desirable)
Designs should allow for a carport to be erected in future if not provided at the outset. (Desirable)

Carports, where provided, must have direct or covered access to dwellings. (Essential)

Appendix C - Ancillary Use Test

Any test for whether a use is ancillary to another is a matter of fact and degree, and each case has to be determined on its particular merits. However, in practice two principal criteria have emerged in terms of assessing if an activity is ancillary. Firstly, a severability test, i.e. can the ancillary use practically and viably operate on its own were the primary use of the premises to cease, if it could then the use is very unlikely to be ancillary as there is no clear linkage or dependency. Secondly, an environmental impact test can be used to examine the outward effects of the use, in terms of the appearance of the premises, the amenity of the surrounding area or neighbourhood traffic conditions. If it could be shown that there would be a significantly greater impact following from the introduction of the alleged ancillary activity, then it is unlikely it could be described as ancillary.

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