



Derry City & Strabane
District Council

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DERRY CITY & STRABANE DISTRICT COUNCIL

LOCAL DEVELOPMENT PLAN (LDP) 2032



PLAN STRATEGY

Supplementary Planning Guidance (SPG) for Residential Design

(including residential character, extensions and alterations), DRAFT- June 2025

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DERRY CITY AND STRABANE DISTRICT COUNCIL
LOCAL DEVELOPMENT PLAN (LDP) 2032



Supplementary Planning Guidance
(SPG)

Guidance for Residential Design
(including residential character, extensions and alterations)
DRAFT- June 2025

Any reference within this document to legislation, policy or associated guidance should be read as referring to the current publications

Guidance for Residential Design

Quality Residential Environments (Part 1a)

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1. **Introduction**

- 1.1 The purpose of this Supplementary Planning Guidance (SPG) is to give additional advice and guidance to developers, their professional advisors and agents for creating a high quality and sustainable residential environment. It is important that new residential development is balanced against consideration of the impact of such works on the residential amenity of neighbours and the character and appearance of the locality. Every application for new residential development within this Council area will be treated on merit, considering the legislation and Planning policy framework and the guidance in this SPG.

2. **Policy Context**

Regional Planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1 The Regional Development Strategy (RDS) provides regional guidance under the three sustainable development themes of Economy, Society and Environment. RG8 recognises the importance of developing high quality, accessible housing in existing urban areas, without causing unacceptable damage to local character, environmental quality or residential amenity.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.2 The Strategic Planning Policy Statement (SPPS) identifies core principles to assist with plan-making and decision taking. Under the 'Improving Health and Well-Being' core principle the SPPS recognises that adequate private, semi-private and public amenity space is a prime consideration in all residential development and contributes to mental and physical well-being and the strengthening of social cohesion.
- 2.3 The SPPS also acknowledges that there are a wide range of environment and amenity considerations which should be considered by Planning authorities when proposing policies or managing development. It states that amenity considerations arising from development may impact on health and wellbeing, including design considerations, visual intrusion, general nuisance, loss of light and overshadowing.
- 2.4 An additional core principle seeks to support good design and positive place making. With respect to 'Housing in Settlements', the SPPS acknowledges that good design contributes to the creation of safe and attractive places to live and is a key element in achieving sustainable development. It states that Councils should bring forward local Planning policy or guidance for achieving quality in residential development and that help create environments that are accessible to all.

- 2.5 It recognises that design should encompass how buildings and places function in use and over the lifetime of a development, including how the design of a development can minimise energy, water usage and CO₂ emissions. It encourages future proofing developments using modern technology to minimise the need for expensive retrofitting and recognises that landscaping can contribute to biodiversity.

Local Planning policy

Plan Strategy

- 2.6 The LDP 2032 Plan Strategy (PS) provides the strategic policy framework for the plan area, across a range of topics. It sets out the vision for this Council area as well as the objectives and strategic policies required to deliver that vision. It includes a suite of topic-based operational policies, including those relating to Residential Design. This guidance supplements a number of policies including HOU 7 Accessible Housing (Lifetime Homes and Wheelchair Standards), HOU 8 Quality in New Residential Developments, HOU 9 Design Concept Statements, Concept Master Plans and Comprehensive Planning, HOU 11 Redevelopment of Existing Buildings, or Infilling of Sites for Housing, HOU 15 Specialist Residential Accommodation. Policy GDPOL 1 General Development Management Policy is also related and has its own SPG.

3. Quality in New Residential Development

- 3.1 The task of designing new places with a sense of quality and sustainability, and with local distinctiveness, requires considerable skill. There is no single or universal version of quality design. What is right in one place might be quite unsuitable in another.
- 3.2 Quality design will help allow residents to develop a sense of ownership for new housing areas. In larger developments this can be a particular problem, and these should be divided into smaller neighbourhoods, each with its own character and easy access to necessary amenities and other uses.
- 3.3 The quality of a development resides not only in the design of its parts, but also the totality of what is created – its overall character. It is important therefore that new residential development is based on a clear design concept. Ideally this should be based on a network of spaces rather than a hierarchy of roads. This will help ensure the creation of surroundings with an attractive human scale and a distinctive overall sense of place.

4. Site Context

- 4.1 Proposals for new residential development must take account of the specific circumstances of each site. The Council will expect developers in preparing layouts to have greater regard to site context, in particular the characteristics of land form, the

townscape or landscape setting, and the need for these elements to be integrated into the overall design concept.

- 4.2 In recent years, many developers ignored local context and failed to produce designs and layouts that draw inspiration from the special characteristics of an area. The design for a housing development should seek to reinforce and evolve local characteristics that are considered positive and attractive, while those urban design features that undermine the overall character of an area should not be replicated.
- 4.3 The Council considers that analysis of context is particularly important for infill housing, backland development or redevelopment schemes in established residential areas. While such development can usefully contribute to housing supply, great care will be needed to ensure that the individual or cumulative effects of such development proposals do not significantly erode the character and amenity of existing areas, for example through inappropriate design or overdevelopment. Although most residential areas do not have the distinctive character of Conservation Areas or Areas of Townscape Character, this does not mean that their quality of residential environment is unimportant. It will often be of great and legitimate concern to local residents. In assessing housing proposals in established residential areas the Council will therefore need to be satisfied that unacceptable harm will not be caused to the local character, environmental quality or residential amenity of the area. Particular account will be taken of the spacing between buildings, the safeguarding of privacy, the scale and massing of buildings, the use of materials, the impact on existing vegetation and landscape design.
- 4.4 Infill housing in established residential areas will not always be appropriate, particularly in many older residential areas with distinctive townscapes, often dating from the Victorian and Edwardian periods. Here people are attracted by the high quality of these areas and developers will often seek to maximise the amount of floorspace that they can fit onto any given plot. Intensifying the scale and massing of buildings in such areas can however adversely affect local character and lead to a loss of valued open garden spaces, mature trees and shrubs. When combined with the impact of ancillary activities such as car parking and refuse storage, such development, if unchecked, can undermine the qualities that people value, and damage our built heritage.
- 4.5 Accordingly in assessing housing proposals in Conservation Areas and Areas of Townscape Character, the protection of the existing character and distinctive qualities of the area will be paramount. Notwithstanding the Council's broader policy to promote more housing in sustainable locations within urban areas, proposals in the primarily residential parts of these designated areas which involve intensification of site usage or site coverage will not normally be acceptable. Such proposals usually involve demolition, plot sub-division or plot amalgamation which can be particularly detrimental to their character and appearance. Proposals involving intensification in these areas will only be permitted in the following exceptional circumstances. The sympathetic conversion of a large dwelling in appropriate locations to smaller units or the development of a significant gap site within an

otherwise substantial and continuously built up frontage provided this would be of a density and character prevailing in the area.

- 4.6 In all cases developers should note that the demolition of existing property will not create a presumption that permission for more intensive and high density development will be granted. Inappropriate development cannot be justified to remedy an 'eyesore' caused by demolition or the deliberate creation of waste land.

5. **Site Characteristics**

- 5.1 Proposals must respect the individual characteristics and features of the site itself. These include topography, existing buildings, features of archaeological or built heritage and landscape features such as rivers, streams, trees and hedgerows, which make an important contribution to the biodiversity and ecology of an area. Proposals should identify and, where appropriate, protect and integrate heritage and landscape features into layouts in a suitable manner. Further information on the Council's policies for the protection of landscape and heritage features can be found in Chapters 21 and 23 of the Plan Strategy.
- 5.2 Particular care is necessary when preparing layouts on sloping sites to minimise the impact of differences in level between adjoining properties, existing or proposed. The use of prominent retaining walls within and at the margins of sloping sites will be unacceptable. In such cases the Council is only likely to accept low density development which would entail minimal excavation. Developers may wish to consider the use of specific house designs which respect topography, such as split level dwellings. Where changes in ground level between buildings are unavoidable the



Council will generally expect these to be accommodated using planted banks. In all cases developers will need to demonstrate that their proposals will avoid significant overshadowing, overlooking and loss of privacy.

6. **Layout**

- 6.1 The design of house types and other buildings, the relationship between them, their relationship to streets and the spaces created around them will all strongly influence the character of the overall site and its surroundings and contribute significantly to the quality and identity of new residential environments.
- 6.2 Many housing developments in recent years have been designed with little appreciation for local character or a sense of place and have tended to be dominated by roads considerations. Many failed to take account of the need to present an attractive outlook. Too many properties backed onto roads or other public areas and created unsightly views.
- 6.3 The Council now place more emphasis on the layout of houses and other buildings than on road layout to achieve an improved design quality and promote a sense of community, while continuing to ensure that standards of road safety are not compromised. All buildings should be located and orientated to front onto existing and proposed roads to present an attractive outlook. The Council expect to see greater variety introduced into schemes so that the spaces between houses include tree-lined avenues, crescents, mews, courtyards, lanes and greens. Care will be required in the treatment of corner sites and other accessible nodes which should contain bespoke landmark buildings.

7. **Local Neighbourhood Facilities**

- 7.1 The provision of local facilities within residential development is one of the means to increase vitality, provide a sense of community and enhance the social and economic sustainability of the development. Large scale housing schemes must provide necessary services and community infrastructure to enable new growth to be satisfactorily accommodated. Otherwise, they will place further pressure on already overstretched facilities and services and increase the need to travel.
- 7.2 The need for local neighbourhood facilities to be provided in conjunction with proposals for new residential development will be assessed by the Council in consultation with relevant bodies, generally as part of the development plan process. Where such a need is identified it will be a requirement that the developer provides for this need as an integral part of the development. Any provision considered necessary will relate fairly and reasonably in scale and kind to the impact of the development proposed.
- 7.3 Local neighbourhood facilities include social and community uses such as schools, creches, surgeries, local shops and play facilities. Where required, they should be

incorporated into the overall design and layout of the development, designed to a high standard and located to provide focal points and landmark features. The location and design of such facilities should respect the amenities of proposed and existing housing.

- 7.4 The Council is aware that the provision of local facilities and community buildings may impose additional costs on developers. However, the Council considers it reasonable to expect that developers will contribute to the cost of provision of necessary facilities and/or set land aside for development and use by the local community. This may entail developers and landowners entering into a Planning agreement with the Council (see paragraph 20).

8. Form, Materials and Detailing

- 8.1 The design concept for a new residential environment should provide contrast and interest balanced by unifying elements to provide coherence and identity. This will entail a greater diversity of spatial form, dwelling form and type to produce lively streetscapes. For example terraced buildings may be used to enclose a space, while elsewhere a taller building may be used to create a landmark feature. Coherence can be created in the detailed design of the different dwelling types by following the best local traditions of form, materials and detailing. Developers will be required to provide boundary treatment details as this can significantly enhance the quality and character of new housing areas. The Council will expect use of appropriate hedge planting and well-designed walls or railings as opposed to the wholesale use of close boarded fencing.
- 8.2 In assessing schemes in Areas of Outstanding Natural Beauty (AONBs), Conservation Areas and Areas of Townscape Character (ATCs), the Council will have particular regard to any published design guidance (such as [Conservation Area Guides](#)).
- 8.3 Many villages and small settlements in Northern Ireland have an essentially rural character and proposals for housing development in such locations should reflect this in their design, layout and detailing. The scale and density of development proposed should respect the form and character of the settlement.
- 8.4 While the Council considers it important to ensure that all new development fits in well with its surroundings, this does can include quality contemporary design using modern materials. Innovative design and layouts can achieve greater energy efficiency through the orientation of buildings to maximise passive solar gain and the use of renewable energy technologies and sustainable construction techniques. Consideration must be given to the use of sustainable urban drainage systems (SUDS) and more environmentally sound methods of disposing of effluent (see GDPOL 1).

9. Density

- 9.1 The Plan Strategy outlines density bands in Policy HOU 3 (Density of Residential Development) which are to be used as a guide to inform proposed developments within the relevant areas. Planning permission for housing will be granted if it is in accordance with the following density bands:

Density Band 1 (High):	Derry City Centre ¹ and Strabane Town Centre.
Density Band 2 (Medium-High):	Key and link transport corridors including arterial routes and sites adjacent to District and Local Centres inside the settlement limits of Derry and Strabane.
Density Band 3 (as per that area):	Other areas within settlements where the proposed density is not significantly higher than the established residential density of that area.

- 9.2 Development proposals outside these bands will be considered on their merits, relative to the character of that area. Whilst this policy sets out the principle, proposed development will need to be delivered in a sensitive way, striking a careful balance between meeting housing needs whilst ensuring well-designed developments appropriate to their locations. The Council will have regard to the location of the proposal in relation to its context and the overall quality of the residential environment to be created. In established residential areas, great care must be taken that development or redevelopment schemes do not unacceptably harm the local character, environmental quality or amenity of such areas (see paras 4.1 – 4.6).
- 9.3 Development proposals for housing on unzoned ‘greenfield sites’ that are within the settlement limits will not normally be approved as they would undermine the LDP strategy for housing allocation. On large sites a range of densities, building forms and a mix of house types will be required to help enhance quality and sustainability. In all cases however the ‘overdevelopment’ of sites should be avoided. Densities should accord with the relevant density band and respect the characteristics of nearby development and areas.

10. Landscape Design

- 10.1 The provision of public and private open space and landscaped areas is an integral part of residential development. Policy OS 2 (Public Open Space in New Developments) sets out the requirements for open space provision. Policy HOU 8 requires that any new residential development will result in no net loss of biodiversity and preferably contributes to ‘biodiversity net gain’ (see also SPG ‘Providing Biodiversity in New Development’). Landscaping and open space provision creates opportunities to meet this requirement.

¹ For the purposes of interpretation, Derry City Centre means the Designated Flat Zone and its boundary as contained in Map FL 1 in the DAP 2011, or as may be updated / defined in the LDP Local Policies Plan

- 10.2 Existing landscape features such as streams, hedgerows or trees should be identified and, where appropriate, retained and suitably integrated into developments, within the provision of adequate open space to ensure the existing visual setting is protected. Policy NE 3 'Biodiversity or Features of Natural Heritage Importance' notes that all development proposals on sites which contain or are adjacent to trees or hedgerows, will be required to submit a survey and take account of them, protecting them where appropriate, during their design and any future construction stage. Where existing trees are removed the Council will expect the layout to include compensatory tree planting.
- 10.3 The Council will resist proposals for extensions or other ancillary buildings that would result in the loss of significant local landscape features, in particular trees which are the subject of a Tree Preservation Order or which contribute to Conservation Areas or Areas of Townscape Character.
- 10.4 The Council expect to see a hierarchy of different types of planting within developments such as street trees, garden trees, hedges, specimen trees and amenity planting in open spaces. The integration of development at the edges of settlements is important and buffer planting, generally of indigenous species will be required to assimilate new development and soften its impact on the countryside.
- 10.5 Hard landscape design, including paving areas, means of enclosure and street furniture should be carefully considered and the use of high quality materials required. Private driveways, patios, paths, and shared hard landscaped surfaces should be built using permeable paving materials as they provide a means of reducing the risk of flooding associated with surface water run-off. See GDPOL 1 (General Development Management Policy).
- 10.6 Developers will be required to carry out all landscape works associated with their schemes and must provide establishment maintenance and ongoing long term management, unless this responsibility is transferred to an appropriate body in a manner formally agreed with the Council. See Chapter 34 'Developer Contributions and Community Benefits'.

11. Public and Private Open Space

- 11.1 Regard should be given to ways of integrating pleasant, attractive and landscaped areas of public open space, including children's play spaces, as an intrinsic element of any new residential development to meet the needs generated by that development. Open space has recreational and social value and is vital to the design quality of developments. It can help promote biodiversity and contributes to the creation of an attractive, sustainable and varied residential environment, helping to 'green' an area, soften any environmental impact and foster a sense of community. All open space areas should be suitably located, proportioned and planted. Narrow or peripheral tracts which are difficult to manage will not be acceptable. Further information on the

Council's policy on provision of public open space in new residential development can be found in Policy OS 2 'Public Open Space in New Developments'.

- 11.2 A variety of garden sizes and usable open spaces will promote diversity and give greater choice for potential residents. Developers should therefore make adequate provision for private open space in the form of gardens, patios, balconies or terraces, depending on the characteristics of the development proposed and the surrounding context. All houses need some in-curtilage open space. The provision of adequate private garden space is particularly important for new family dwellings – generally dwellings with 3 or more bedrooms. For apartment developments, private open space may be provided in the form of communal gardens where appropriate management arrangements are agreed.

12. Movement

- 12.1 Layouts should facilitate sustainable movement patterns. They should seek to reduce reliance on the private car, foster movement by pedestrians and cyclists, respect existing rights of way and provide convenient access to public transport and local facilities . Such matters must be built into the design from the outset as it would be difficult if not impossible to 'retrofit' this at a later date.
- 12.2 Roads are also public space and an important element in the design of a development. They should be planned and designed to contribute to the overall quality of the development. This can be facilitated by a permeable layout with a network of interconnected carriageways and, where appropriate, a number of access points to the development. Residential developments should incorporate traffic calming measures to keep speeds low, improve safety and help create a better environment. The Council will therefore generally wish to see all access roads within a development designed to a 20mph maximum speed. On minor access roads favourable consideration will be given to the use of sub 10mph 'Home Zones'.
- 12.3 Road layouts should meet technical requirements and pay due regard to the quality of the residential development and the need to foster sustainable movement patterns .
- 12.4 The Council will also consider the need for site layouts to safeguard access to adjoining lands to ensure that the comprehensive development of a site or future development potential is not prejudiced.

13. Parking

- 13.1 The amount of car parking required in any development will be assessed according to the specific characteristics of the development and its location and having regard to DfI's published standards. It should be well designed, convenient and located to allow for informal surveillance. It should not dominate the residential environment. If parking is proposed within the built fabric of a building, such as apartment development, this must not result in a negative impact on the street scene at ground level.

- 13.2 Developers should indicate what arrangements have been made within the development for secure bicycle parking. For apartment developments communal bicycle stands will often be required.

14. Privacy

- 14.1 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 new development is proposed adjacent to existing properties. Proposals should therefore seek to provide reasonable space between buildings to minimise overlooking. This will also assist in providing acceptable levels of daylight to properties.

15. Security from Crime

- 15.1 The design of new developments should seek to provide a feeling of security and a sense of vitality in all parts of the layout. To enhance security from crime, the back gardens of dwellings should be enclosed and back onto each other. Public areas such as open spaces, pedestrian routes and cycle linkages should be overlooked by the fronts of dwellings and other buildings to provide informal surveillance. Narrow, potentially unfrequented or unsupervised routes for pedestrians and cyclists should be avoided.
- 15.2 Secured by Design' is a UK project for promoting the principles of designing out crime from the built environment. Developers and their professional advisers should take account of these principles in preparing schemes and further advice can be obtained from the Police Architectural Liaison Service.

16. Design Concept Statements

- 16.1 Plan Strategy Policy HOU 9 requires the submission of Design Concept Statements and, where appropriate, Concept Master Plans will be required to support all Planning applications for residential development. For a large scheme or a site in a sensitive location, such as a Conservation Area, Area of Townscape Character or Area of Outstanding Natural Beauty, the type of information and detail required for the Design Concept Statement will include some or all of the following:
- an appraisal of the site context highlighting those features in the vicinity of the site which influence the design of the scheme;
 - an appraisal of the characteristics of the site identifying features within the site and how they influence the design of the scheme including landscape features such as trees, hedges and boundary features, an analysis of existing flora and

- fauna or sites of nature conservation importance and the location and value of any archaeological or built heritage features;
 - an indicative layout of the proposed scheme including for example the siting of buildings, existing and proposed public transport facilities, pedestrian and cycle routes, the layout of streets, access arrangements and traffic calming measures proposed;
 - sketch details of the design of buildings;
 - a comprehensive and readily understood structure to the open space and landscape elements of the scheme including arrangements for management and maintenance; and
 - the type and location of any necessary local neighbourhood facilities.
- 16.2 For small housing schemes outside sensitive locations, involving the development of a site of up to 0.25 of a hectare or 5 dwellings or less, a short written statement and a diagrammatic layout will generally suffice. It would still be useful to use the list above as a guide to the matters that should be covered.

17. Concept Master Plans

- 17.1 Where a Concept Master Plan is required, this must indicate in graphic form a scheme for the comprehensive development of the whole area. It should include a written statement, detailed appraisals, sketches, plans and other illustrative materials to address the matters set out in this Supplementary Planning Guidance. The Concept Master Plan should also clearly demonstrate how it is intended to implement the scheme.

18. Additional Information

- 18.1 Advice and guidance on site appraisal and the type of information that will be required to accompany Concept Master Plans and Design Concept Statements is contained in 'Creating Places – Achieving Quality in Residential Developments'.
- 18.2 The submission of a Design Concept Statement or a Concept Master Plan will not preclude the need for other detailed assessments or information in support of a Planning application, for example a Transport Assessment or an Environmental Impact Assessment.
- 18.3 The Council will use its powers contained in the Planning (General Development) Order (Northern Ireland) 2015 to request applicants to supply such additional information as is considered necessary to allow proper determination of Planning applications. Applicants and agents should also refer to the emerging validation checklist where it clearly highlights what is required to be submitted with each application, including any additional information. Where the Council grants outline Planning permission for residential development based on indicative plans, a condition will be imposed requiring that any reserved matters application be based broadly on such plans.

19. Comprehensive Planning

- 19.1 The comprehensive Planning of new or extended housing areas is considered to be of vital importance for quality built design. Piecemeal development may result in the undesirable fragmentation of a new neighbourhood and fail to secure the proper phasing of development with associated infrastructure and facilities.
- 19.2 The Council would encourage land pooling by owners and developers to facilitate the comprehensive development of residential sites. Where this cannot be achieved, developers should have regard to the design of other parts of the site and where comprehensive development of the site would be prejudiced, the Council will refuse the application. The Concept Master Plan will be expected to demonstrate how the comprehensive Planning of the entire zoned area is to be undertaken.

20. Planning Agreements

- 20.1 The Council may be unable to grant permission for major housing schemes, and some smaller developments, in the absence of a Planning Agreement made under Section 76 of the Planning Act (NI) Order 2011. Such agreements may be required to secure local facilities and infrastructure needed as a result of the development or the provision of open space and its long term maintenance. Agreements will need to be established prior to permissions being issued to help guarantee the quality of development required. Developers should therefore consider this matter early in the design process.

Guidance for Residential Design
Safeguarding the Character of Established
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Appendix 1: Space Standards

Appendix 2: Definition of an Established Residential Area

1. **Introduction**

- 1.1 The purpose of this section of the Supplementary Planning Guidance (SPG) is to give advice and guidance to intending developers, their professional advisors and agents to safeguard the character of established residential areas. It must be read in conjunction with the relevant policies contained within Chapter 16 of the Plan Strategy. The objective is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

2. **Policy Context**

Regional Planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1 The Regional Development Strategy (RDS) promotes the management of housing growth to achieve sustainable patterns of residential development within existing urban areas. This requires a two-pronged approach of encouraging compact urban forms, and promoting more housing within existing urban areas. This supports an urban renaissance and investment in main towns whilst conserving their settings and saving and concentrating resources. This will increase the supply of urban housing by recycling land and buildings and making use of other suitable sites, reducing the use of greenfield land.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.2 Under the Strategic Planning Policy Statement (SPPS) core principle of 'Improving Health and Well-Being' recognises that there are a wide range of environment and amenity considerations, including noise, light pollution and air quality, which should be taken into account by Councils when proposing policies or managing development. Adverse impacts on sensitive receptors by means of location, layout and design of new development must be considered.
- 2.3 The SPPS acknowledges that there are other environmental and amenity considerations which should be taken into account that may have potential health and wellbeing implications, including design considerations, visual intrusion, general nuisance, loss of light and overshadowing.
- 2.4 The SPPS acknowledges that good design creates places to live that are safe and attractive, and is a key element in achieving sustainable development. The SPPS states that LDPs should contain specific policy for safeguarding the character of established residential areas.

Local Planning policy

Plan Strategy

- 2.5 The LDP 2032 Plan Strategy (PS) provides the strategic policy framework for the district across a range of topics. It sets out the vision for the area as well as the objectives and strategic policies required to deliver that vision. The suite of topic-based operational policies, include those relating to Residential Design and Safeguarding the Character of Established Residential Areas. This guidance supplements Policies HOU 4 Protection of Existing Residential Accommodation, HOU 8 Quality in New Residential Developments, HOU 11 Redevelopment of Existing Buildings or Infilling of Sites for Housing and HOU 12 Flats and Apartments.

3. Flats and Apartments

- 3.1 To ensure that individual dwellings are appropriate for conversion, a minimum size limit is placed on dwellings which will be permitted for conversion to flats or apartments. At some locations within designated city and town centres, along key and link transport corridors and sites adjacent to main public transportation nodes, the conversion of existing buildings to flats or apartments may be appropriate where an existing property is less than 150m² gross internal floorspace. In such cases a more flexible approach to the floorspace requirement in the policy may be applied.
- 3.2 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 convert an existing dwelling to apartments that adequate amenity space is provided. The level of private open space required for new residential property is detailed in the 'Creating Places' design guide.
- 3.3 Provision for waste and recycling storage should be appropriately screened from public view. Furthermore, proposals involving the replacement of front gardens with hard surface car parking areas will be resisted. HOU 8 explicitly requires that private driveways, patios, paths, and shared hard landscaped surfaces should be built using permeable paving materials.

APPENDIX 1

Space Standards

General Needs Housing - TCI Area/Cost Bands Applicable

General Needs Housing TCI Area/Cost Bands Applicable			
House Type	Single Storey/Flat m ²	Two Storey m ²	Three Storey m ²
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
Shared Dwellings	Up to 25m ² (per person)		
Note			
* Restricted use as dwelling type is not flexible and unpopular with tenants.			
For more detail on TCI see: Explanatory Notes for Measuring Unit Floor Area (TCI Base Table)			
For 'Shared Dwelling' complex: Account must be taken of the special Planning and accommodation requirements applicable to Houses in Multiple Occupation (HMOs).			
Further information is available from www.planningni.gov.uk and www.nihe.gov.uk .			

<https://www.communities-ni.gov.uk/sites/default/files/publications/dsd/hagds-general-needs-housing.pdf>

APPENDIX 2

Definition of an Established Residential Area

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 cities and settlements of over 5,000 population, established residential areas 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. 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.

HOU 11 Redevelopment of Existing Buildings, or Infilling of Sites for Housing

In applying policy HOU 11 consideration will be given to the relevant density bands set out within in HOU 3.

Extensions and Alterations (Part 2)

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Appendix 4: Applications for Planning Permission and Permitted Development

Appendix 5: Choosing an Agent

1. Introduction

- 1.1 The purpose of this section is to provide a consistent basis against which to consider 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.
- 1.2 The guidance is intended to advise home owners on how to extend or alter their property in a neighbourly manner that is sympathetic to the original property, respects the character and appearance of the surrounding area and contributes towards a quality environment. A well-designed extension or alteration can enhance and add value to a property, while a poorly designed extension or alteration can make it difficult to sell.
- 1.3 Although the guidance may not cover all the site specific issues that can arise it covers the main considerations relevant when determining a Planning application. If it is followed, an extension or alteration is more likely to gain Planning permission, and unnecessary delays in processing applications can be avoided.

2. Policy Context

Regional Planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1 Regional Development Strategy (RDS) Regional Guidance part RG9 recognises that the retention and adaption of existing dwellings creates a more sustainable form of housing. Use of recycled material should be encouraged to reduce the depletion of natural resources.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.2 The Strategic Planning Policy Statement (SPPS) recognises the need to support good design creating safe, attractive sustainable places. It states that Councils should bring forward local Planning policy or guidance for achieving quality in residential development, including residential extensions or alterations.
- 2.3 The SPPS recognises that many environment and amenity considerations arising from development have potential health and well-being implications, including impacts relating to visual intrusion, general nuisance, loss of light and overshadowing.

Local Planning policy

Plan Strategy

- 2.4 The LDP 2032 Plan Strategy includes Policy HOU 10 (Residential Extensions and Alterations) includes criteria for residential extensions and alterations. The Council expects the highest standard of design for all development, including for extensions

and alterations. Good design will help promote sustainable development and improve the quality of the environment. It should also support protection of residential amenity.

3. Context and Design


- 3.1 An extension or alteration to a residential property should appear as an integral part of the property both functionally and visually. They should not be designed in isolation solely to provide a required amount of accommodation. Proposals that are badly sited or designed, or are incompatible with their surroundings, can lead to an undesirable change in the residential character of an area. Success depends on a balance between adaptation and sensitivity to the original design.
- 3.2 The aim is to encourage high quality design irrespective of whether a scheme seeks to mirror the style of the existing property or adopts a contemporary modern approach. Any extension or alteration should complement the host building and respect its location and setting.
- 3.3 An extension or alteration should not be so large or prominent as to dominate the host property or its wider surroundings; proposals should be in scale with existing and adjoining buildings. They 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.
- 3.4 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 important to provide easy access to the rear of properties and to allow for maintenance. This will also eliminate the possibility of any part of the extension, including rainwater goods, overhanging neighbouring property.
- 3.5 A 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, proposals of this nature should be 'set back' from the building line or front of the house and 'set down' from the ridge line.

- 3.6 Extensions or alterations to the front of a property require great care as this 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 properties 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.
- 3.7 Alterations or an extension to a dwelling should not infringe upon a neighbour's property. For example, foundations or guttering should not encroach onto and extensions should not overhang or attach to their property. Where an extension abuts or runs close to a property boundary, permission to enter neighbouring land will be required to enable works to be carried out or for future maintenance. It is advisable to discuss proposals with any neighbours before submitting a Planning application. Infringement of property rights is primarily a legal matter between relevant parties.

Garages and other associated outbuildings

- 3.8 Buildings within residential curtilages, 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.
- 3.9 Garages or outbuildings wholly located in front gardens or those that extend in front of the established building line can over-dominate the front of the property and detract from the street scene and will therefore generally be resisted.
- 3.10 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

- 3.11 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.
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- 3.12 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. Rooflights, 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.
- 3.13 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.
- 3.14 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 or extending to the full width of the roof. The size and number of dormers should be minimised 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

- 3.15 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.
- 3.16 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 can be an effective way of integrating any extension or alteration with the existing property.



External finishes

- 3.17 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

- 3.18 The Council wishes to promote and encourage a sustainable approach to development. The extension or alteration of residential properties can provide the opportunity to improve its sustainability in terms of incorporating energy efficiency measures, renewable energy technologies, the re-use of existing materials and measures to enhance biodiversity. For example, additional insulation and rainwater recycling using water butts.
- 3.19 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.

Walls and fences

- 3.20 Walls and fences, 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 (see Annex 1 for further information on permitted development).

The countryside

- 3.21 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. The individual and cumulative effect of extensions and alterations which are disproportionate in size to the existing property, poorly designed or which require the use of land outside the curtilage of the property, can harm rural character.
- 3.22 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.

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

4. Residential Amenity

- 4.1 The Council considers it 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 arise often depends on separation distance, height, depth, mass and location of an extension and window positions. Single-storey extensions to the rear of a semi-detached 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

- 4.2 Except in the most isolated rural location, most households are 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 on side 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 high-level 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 an acceptable solution for windows serving main rooms such as bedrooms, living rooms, dining rooms or kitchens.

- 4.3 Proposals should seek to provide reasonable space between buildings to minimise overlooking. This will 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.
- 4.4 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 a neighbours' property. Generally, this is the closest 3-4 metres of a rear garden, from a residential property.



Dominance

- 4.5 Dominance is the extent to which a new development adversely impinges on the immediate aspect or outlook from an adjoining property. Neighbours 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 often 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.

Overshadowing and loss of light

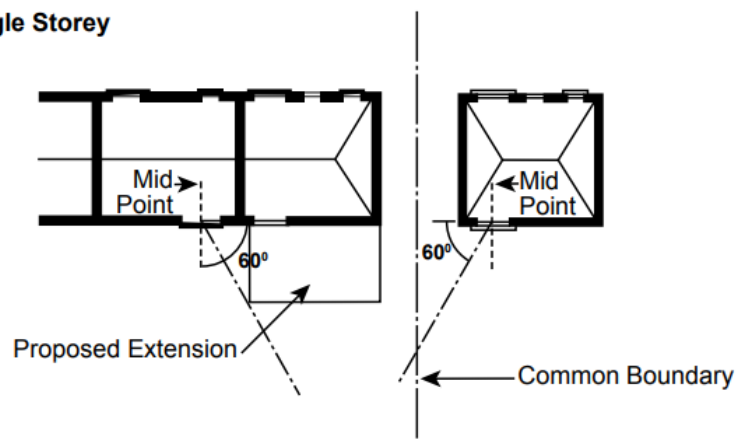
- 4.6 Sunlight and daylight are valued elements in a good quality living environment. Effective daylighting can reduce the need for electric lighting, while sunlight can contribute towards meeting some of the heating requirements of our homes through passive solar heating. In designing a new extension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

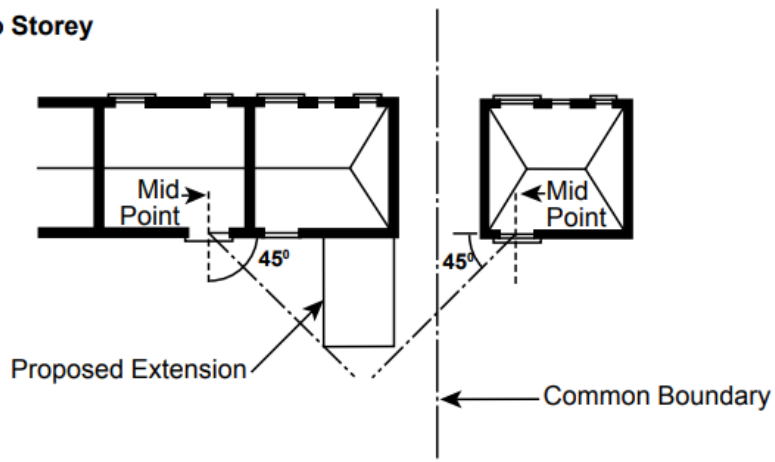
- 4.8 In terms of daylighting, the effect on all rooms, apart from halls, landings, bathrooms and utility rooms will be considered. Where an extension would be likely to reduce the amount of light entering the window of a room, other than those indicated above, to an unreasonable degree, Planning permission is likely to be refused.
- 4.9 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.
- 4.10 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. Where the 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 should be shown on drawings, accurately scaled (in metric measurement) to allow proper assessment of this.
- 4.11 The guidance in Figure 1 is not 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 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 during assessment are :
- (1) The existing form and type of extension prevalent in the area. For example, where most dwellings in a terrace have already been extended in a similar way to the application proposal this will be balanced against any adverse impact on neighbouring properties.
 - (2) 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.

Figure 1
House Extensions

Single Storey



Two Storey



Adjoining development should be shown on plan for the proper assessment of the proposal

- (3) The 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.
- (4) 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.
- (5) 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.
- (6) Provision of an extension or alterations to meet the needs of a person with a disability.

A modest single storey extension required to meet the needs of such a person 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

- 4.12 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 be 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.

5. Landscaping

- 5.1 Landscaping is a vital consideration for all development and should form an integral part of any proposal. It can create a high quality setting, integrate new development into its surroundings and benefit biodiversity.

- 5.2 Proposals for landscaping should 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 often help reduce impacts of an extension on the character of the surrounding area more readily than new 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' A Guide to Best Practice published May 2003. 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 (2005) '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. See also the Council's Tree Strategy.



6. Private Amenity Space

- 6.1 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 needs of present and future occupiers for adequate useable private amenity space.

- 6.2 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. It should enjoy a high degree of privacy from the public street and public places.



- 6.3 In certain Council areas residents may now have up to three bins per household to facilitate recycling. It is inappropriate for these to be stored in front gardens, which generally 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 in paragraph 6.2 above.
- 6.4 Requirements for 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 that would result in refuse and garden equipment being 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.

7. **Access and Car Parking**

- 7.1 An extension or alteration to a residential property that involves the conversion of an attached or integral garage to create additional living space may 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.

- 7.2 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.
- 7.3 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, hardstandings and vehicle turning facilities is set out in the 'Creating Places' design guide.

8. Extensions and Alterations to provide for Ancillary Uses

- 8.1 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.
- 8.2 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 (potentially becoming independent units of accommodation) will not be acceptable.

9. Security and Designing out Crime

- 9.1 When undertaking any building work in the home, it is important to consider how this could affect security. Planning for such works provides an ideal opportunity to review security measures for the property and this can help promote a more secure residential environment.
- 9.2 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 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.psni.police.uk for more information.

10. Works within a Conservation Area

- 10.1 Conservation Area Design Guidance documents provide the basis for the assessment of development proposals in Conservation Areas. Applications should explain how the guidance has been considered in the preparation of a development proposal. This will apply in all relevant cases, including applications that are required to be accompanied by Design and Access Statements.
- 10.2 Within this Council area, five Conservation Areas (CAs) have been designated, three in Derry city ([Historic City, Clarendon Street and Magee](#)), as well as in [Sion Mills](#) and [Newtownstewart](#). See the hyperlinks in the previous sentence for the Conservation Area Guides and maps. They provide important advice for protecting the character of the area, identifying key feature buildings and architectural details, such as doors, windows, dormer windows, fascias and railings. They advise how to blend new development with the old in terms of scale and massing, whilst respecting the setting of the Conservation Area and encouraging quality design.
- 10.3 In Conservation Areas extensions or alterations should where possible be on a 'like for like' basis. The re-use and recycling of building materials is encouraged. Detailing is a fundamental part of the design process. Attention should be paid to design details such as the position, shape, proportion and style of windows, doors and other features (for example, interesting arches, brick detailing and ornamentation) to complement the existing property and respect the character and appearance of the area.
- 10.4 Conservation Area Consent is necessary for consent to demolish, whether in whole or in part, non-listed buildings within a conservation area.



APPENDIX 4

Applications for Planning Permission and Permitted Development

1. Permitted Development

- 1.1 In some cases it is possible to carry out an extension or make an alteration to a dwelling house 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 [The Planning \(General Permitted Development\) Order \(Northern Ireland\) 2015](#). The Council has also produced a guide entitled '**Your Home and Planning Permission**' which provides useful information for householders.
- 1.2 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. In some instances permitted development rights may have been removed from a property by condition or have already been used and you should clarify this with your local Planning office before proceeding with any proposal. It is also possible for Councils to limit permitted development rights in a specified area by serving an 'Article 4 direction'. At the time of writing (May 2025) this has not yet been done in the district.
- 1.3 If you consider the works you propose to carry out are permitted development you are advised to apply formally to the Planning office for a Certificate of Lawful Use or Development before proceeding with the development. Such an application should be made using the appropriate form (LDC1) together with accompanying location map, plans and fee. Full details about the information required are listed on the application form and accompanying guidance notes. Advice on the necessary fee can be obtained from your local Planning office or the [DFI website](#).
- 1.4 A certificate of Lawful Use or Development is a legal determination providing certainty to prospective purchasers of land and buildings. Solicitors representing purchasers of extended or altered residential properties will usually require documentary evidence that the extension or alteration is lawful and such evidence will assist with the sale of property.
- 1.5 Certificates of Lawful use or Development provides evidence that any works being undertaken are lawful if, for example, a neighbour were to make an enquiry or complaint about the work. 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 as building. It also excludes any house or flat in multiple occupation.

Applying for Planning Permission

- 1.6 Should Planning permission be required for your extension or alteration there is a simplified application form for householder development (Form PHD) which needs to be completed, together with drawings (location maps and plans) and the appropriate fee to your local Council office. Further advice on submitting Planning applications can be found on the [DFI](#) and [NI Direct](#) websites.

Online applications can be made through the [Planning Portal](#). You will need to register for an account to use this service.

- 1.7 For proposals affecting flats or Houses in Multiple Occupancy (HMOs), the standard Planning application form (Form P1) should be used. All drawings (location maps and plans) together with the appropriate fee will be needed. Details about the information required are listed on the application form and accompanying guidance notes. Advice on the necessary fee can be obtained from the Planning office or the [DfI](#) website.
- 1.8 Where the application relates to the carrying out of works to provide access for or improve the safety, health or comfort of, a person with a disability, then it may be exempt from a Planning fee.
- 1.9 To avoid unnecessary delays in dealing with Planning applications it is important to submit scaled drawings in metric measurements which are clear and accurate. For applications for full Planning permission both existing and proposed elevations and floor plans are required. The elevations and outline plans of adjoining properties should also be shown on drawings, again accurately scaled in metric measurement.
- 1.10 Before you apply for Planning permission for an extension or alteration it is suggested that you talk to your neighbours so they are aware of your plans. Neighbours are notified as part of the Planning application process and their comments will be considered as part of the decision-making process.
- 1.11 You may also wish to appoint an agent to act on your behalf. This can be an architect, planner, surveyor or other professional advisor. All matters concerning your application will be addressed to them.
- 1.12 Whether Planning permission is required or not you are advised to contact your local Building Control office at the earliest possible stage as many domestic extensions and alterations also require approval under the Building Regulations. Furthermore, you may wish to contact Northern Ireland Water Customer Services Unit at the design stage with regard to water supply requirements, foul water and surface water sewerage requirements, septic tank discharge and, in particular, to ascertain if an existing water main or sewer crosses the site. All appropriate consents should be obtained before you commence any work.

APPENDIX 5

Choosing an Agent

- 1.1 Should you decide to employ an agent, it is important to ensure that you are engaging the right professional to take you through the Planning process, and one that can engage the services of other professionals on your behalf. It often makes sense to employ an agent who is familiar with your local area who has experience in helping to realise works that are similar to your aspirations. The following bodies maintain online directories of independent professionals that serve as useful sources in helping to choose the right agent for your project.
 - **Royal Town Planning Institute (RTPI)**: maintains a directory of Planning consultants.
 - **Architects Registration Board (ARB)**: maintains the official register of UK architects.
 - **Royal Institute of British Architects (RIBA)**: membership organisation with a list of practices and individual architects alongside a Conservation Register detailing specialists in all aspects of historic building conservation, repair and maintenance.
 - **Royal Society of Ulster Architects (RSUA)**: membership organisation with a list of practices and individual architects.
 - **Royal Institution of Chartered Surveyors (RICS)**: maintains a record of chartered surveyors.
 - **Chartered Institute of Architectural Technologists (CIAT)**: maintains a directory of CIAT Chartered Practices and Chartered Architectural Technologists.
 - **Ulster Architectural Heritage**: maintains a Directory of Traditional Building Skills detailing specialists in the field of historic building conservation.
- 1.2 It may be appropriate to consult with more than one independent professional prior to appointing your chosen agent. This will provide you with the opportunity to discuss the project in relation to each individual's experience and capacity to take on your project and to view examples of similar projects they have successfully taken through the Planning process. This will enable you to establish if the individual is the right agent for you in terms of their work and approach.
- 1.3 It is also important to agree with your agent, at the outset, the services they will offer, what other professionals they may have to engage on your behalf, how you will be kept informed throughout the Planning process, what is expected from you and any payment terms.