

Title of Report:	DMIN 12 Incidental Use and Ancillary Accommodation
Committee Report Submitted To:	Planning Committee
Date of Meeting:	28 October 2026
For Decision or For Information	For Decision
To be discussed In Committee YES/NO	No

Linkage to Council Plan (2026-31)	
Strategic Theme	Governance, Quality & Continuous Improvement
Outcome	Council maintains its performance as the most efficient of NI's local authorities
Lead Officer	Head of Planning

Budgetary Considerations	
Cost of Proposal	26/27 budget
Included in Current Year Estimates	N/A
Capital/Revenue	both
Code	5301
Staffing Costs	included

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

1.0 Purpose of Report

- 1.1** This Report is to advise Members of the introduction of a Development Management Information Note about Incidental Use and Ancillary Accommodation. Incidental use of a building as an additional activity which does not affect the primary use of the main house as a home. Ancillary use is linked to the main residential use of the dwelling and relies on the main dwelling for its function. The purpose of the guidance is to set out what the Council considers to constitute ancillary accommodation and when planning permission is required.

2.0 Background

- 2.1** Ancillary uses include use as a residential annex or “granny flat”. Ancillary accommodation is that which provides the occupant(s) with some independence from the main dwelling. Such occupants can include an elderly relative (who may or may not require a degree of care) or perhaps a young adult who seeks their own space.
- 2.2** To be ancillary, the use must rely on the main property and share facilities with that property. Examples of shared facilities are a kitchen and/ or bathroom/ shower room.
- 2.3** If an annex is self-contained, it is not ancillary accommodation.
- 2.4** Broadly, planning permission is not ordinarily required for ancillary accommodation where the proposal entails conversion of an established building within the curtilage of the main dwelling. However, planning permission is required where a new building is proposed for this purpose. Likewise, planning permission is not ordinarily required for ancillary accommodation where the proposal entails conversion of part of an established dwelling. However, planning permission is required where the proposal is to extend an existing dwelling for this purpose.
- 2.5** This guidance was suggested by the RTPI/ RSUA group who meet quarterly with the Planning Department.

3.0 Content of the Information Note

- 3.1** The Information Note provides information on the following:
- Difference between incidental and ancillary use.
 - What makes an annex self-contained rather than ancillary.

- Conversion of an established building for use as ancillary accommodation.
- Conversion of part of an existing dwelling for use as ancillary accommodation.
- The fee category and relevant planning policy where planning permission is required.

4.0 Proposals

- 4.1 To publish the Development Management Information Note 12 on Incidental Use and Ancillary Accommodation (See Appendix 1).

5.0 Recommendation

It is recommended that the Committee considers the attached Information Note and agrees to its publication on the Planning Section of Council's website.

Incidental Use and Ancillary Accommodation

Purpose

The purpose of this guidance is to set out what the Council considers to constitute both incidental use and ancillary accommodation. Additionally, it sets out when planning permission is required for ancillary accommodation.

Legislative Background

Planning legislation, specifically Section 23 of the Planning Act (Northern Ireland) 2011, sets out what constitutes development and essentially, where planning permission is required.

The Planning (General Permitted Development) Order (Northern Ireland) 2015 sets out what development can be undertaken without the need for planning permission. This is known as “permitted development”. The relevant assessment is undertaken under Part 1, Class A which relates to the enlargement, improvement or other alteration of a dwellinghouse. While Part 1 of the Schedule “Development within the Curtilage of a Dwellinghouse” refers to “incidental” use, no reference is made to “ancillary” use. They are distinct concepts which cannot be conflated.

Incidental Use

Incidental use of a building is an additional activity which does not affect the primary use of the main house as a home.

For example, incidental uses of a typical domestic garage include: accommodation of motor vehicles; storage of solid fuels; storage of garden and DIY tools; storage of pet paraphernalia; storage of summer garden furniture; storage of children’s toys and; use for domestic laundry purposes.

Other outbuildings, not designed as a typical garage, could be used for similar incidental purposes. Other incidental uses include as a recreational summer house or garden room.

To be incidental, the scale and number of buildings within the dwelling curtilage or plot must be proportionate to the main house.

Ancillary Use

Ancillary use is linked to the main residential use of the dwelling and relies on the main dwelling for its function. Accordingly, an ancillary use cannot exist on its own.

Ancillary uses include use as a residential annex or “granny flat”. Ancillary accommodation is that which provides the occupant(s) with some independence from the main dwelling. Such occupants can include an elderly relative (who may or may not require a degree of care) or perhaps a young adult who seeks their own space.

To be ancillary, the use must rely on the main property and share facilities with that property. Examples of shared facilities are a kitchen and/ or bathroom/ shower room.

If an annex is self-contained, it is not ancillary accommodation.

What makes an annex self-contained?

The following are indicators that use of an annex is self-contained and therefore not ancillary. These indicators may exist individually or collectively.

- All internal facilities to allow day to day living independent from main dwelling including kitchen and bathroom/ shower facilities.
- Scale not proportionate to main dwelling.
- Boundaries creating (partial) individual curtilage/ plot.
- Separate postal address.
- Separate letter box.
- Separate property rating by Land and Property Services.
- Independent utility billing e.g. electricity, telephone/ internet.
- Separate driveway and/ or vehicular access.
- Separate sewerage connection or infrastructure.
- Independent heating system and/ or fuel storage.

Does conversion of an established building within the curtilage/ plot of the main dwelling into ancillary accommodation require planning permission?

No, providing that the ancillary accommodation is not self-contained. The reason for this is that use of an established building within the curtilage/ plot of the main dwelling for this purpose does not constitute a material change of use. Regarding changes of use, planning permission is only required where the change of use is material.

An exception to this is where the building is subject to a planning condition precluding human habitation. A further exception is where the conversion is to a listed building.

Additionally, the conversion must not materially affect the external appearance of the building. If the conversion would materially affect the external appearance of the building, planning permission is required. The reason for this is that Section 23 of the Planning Act (Northern Ireland) 2011, regarding the meaning of development, only excludes works “which do not materially affect the external appearance of the building”. Therefore, any changes to the building to be converted need to be minimal. An example of a minimal change is replacement of a garage door with glazing/ patio doors within the established opening.

Conversion of an established building into ancillary accommodation outside the curtilage/ plot of the main dwelling will always require planning permission.

Can I convert part of my existing dwelling to provide ancillary accommodation?

Yes, providing that the ancillary accommodation is not self-contained. The reason for this, similar to the above, is that such a conversion does not constitute a material change of use. Again, the conversion must not materially affect the external appearance of the building.

Can a building for the purposes of ancillary accommodation be constructed as permitted development i.e. without planning permission?

No. While the legislation allows the provision of a building within the curtilage of a dwellinghouse for a purpose “incidental to the enjoyment of the dwellinghouse”, there is no provision to allow an ancillary building to be constructed. Therefore, planning permission is always required where a new building for the purpose of ancillary accommodation is proposed.

Can a house extension for the purpose of ancillary accommodation be constructed as permitted development i.e. without planning permission?

No. A house extension can only be constructed as permitted development where it is for the purposes of the “enlargement, improvement or other alteration of a dwellinghouse.” Therefore, a house extension can only be constructed for the purpose of extending the primary living accommodation. Therefore, planning permission is always required where a house extension for the purpose of ancillary accommodation is proposed.



What fee category applies to a planning application for ancillary accommodation?

Category 4. This category makes specific reference to “the carrying out of other operations within the curtilage of a dwellinghouse for purposes ancillary to the enjoyment of the dwellinghouse...”

What planning policy applies to a proposal for ancillary accommodation?

The current planning policy that applies is PPS 7 Addendum: Residential Extensions and Alterations Policy EXT 1. Policy EXT 1 provides guidance at Annex A in relation to extensions and alterations to provide ancillary uses. Regional policy will continue to apply until the Council’s new Plan Strategy is adopted.