



## OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: LA11/2021/0362/O

Date of Application: 24th March 2021

Site of Proposed  
Development:

Approx 20m North of 72 Letterbrat Road  
Letterbrat TD  
Plumbridge  
Co Tyrone  
BT79 8DN

Description of Proposal:

Site for infill dwelling

Applicant:

A Blee

Agent:

Desmond O'Neill

Address:

72 Letterbrat Road  
Letterbrat TD  
Plumbridge  
BT79 8DN

Address:

17 Main Street  
Dromore  
Omagh  
BT78 3AE

Drawing Reference: 01 (Rev 1)

The Council in pursuance of its powers under the above-mentioned Act hereby

### GRANTS OUTLINE PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Planning Authority, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Planning Authority.

3. The proposed dwelling shall have a ridge height of less than 6 metres above finished floor level and the depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity and to ensure that the proposal is in keeping with the character of the rural area/AONB.

4. A site plan shall be submitted to the Planning Authority at Reserved Matters stage indicating the existing ground levels and proposed site levels, the finished floor level of the proposed dwelling and the position, height and materials of any retaining walls.

Reason: To ensure the development takes account of the site's natural features and integrates into the landform.

5. A landscaping scheme shall be submitted to and approved by the Planning Authority showing the location, numbers, species and sizes of trees and shrubs to be planted on all boundaries of the site and to the rear of the visibility splays. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development and shall be permanently retained. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

6. No development shall take place until the vehicular access, including visibility splays of 2.4 x 65 m and forward sight distance of 65 m are provided in accordance with drawing 01 (Rev 1) which was received on 18 May 2021. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter. A scale plan and accurate site survey at 1:500 shall be submitted as part of the reserved matters application showing the access to be







constructed and other requirements in accordance with the RS1.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawing No.s 01(Rev 1) which was received on 18 May 2021.

Reason: To ensure the development is carried out in accordance with the approved plan.

#### Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. The applicant's attention is drawn to form RS1 and the statement regarding an accurate, maximum 1:500 scale survey which must be submitted as part of the Reserved Matters application.
5. The application site is located approx. 608m SE of a hard rock quarry at 79 Letterbrat Road. The Environmental Health Department of Derry City and Strabane District Council have advised the applicant or future occupants of the dwelling that they may suffer intermittent disturbance and loss of amenity as a result of noise and dust associated with the existing hard rock quarry.
6. **Construction Noise and Dust**  
The proposed dwelling is located close to existing residential properties. Should planning permission be granted the applicant should be advised to ensure that adequate steps are taken during construction to control noise and dust. Consideration should be given to BS5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites during the construction phase. Adequate arrangements should also be place for the storage and disposal of waste.







7. In order to protect amenity, the developer should under no circumstances burn any waste materials on the site. Such actions are contrary to the provisions of the Clean Air (Northern Ireland) Order 1981 and the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

8. **Septic Tank**

The applicant/agent should satisfy themselves that the proposed dwelling can be provided with an effective means of foul effluent treatment, and disposal of final effluent to a watercourse or underground stratum. A consent to discharge sewage effluent must be obtained from NIEA, Water Management Unit, as required by the Water (Northern Ireland) Order 1999. Attention should be paid to British Standard BS 6297:2007 Code of practice for design and installation of drainage fields for use in wastewater treatment (+A1:2008) (incorporating Corrigendum No.1) which states that sewage treatment works should be situated as far from habitable buildings as is practicable. The Environmental Health Service would recommend a separation distance of 15m between the location of the septic tank and the dwelling where possible. BS 6297:2007 stipulates an absolute minimum separation distance of 7 metres for septic tanks serving single domestic dwellings.

9. A legal agreement will be required in relation to lands used in connection with any septic tank/drainage arrangement where such lands are outside the ownership of the applicant or outside the area marked in red which is the subject of this application. This agreement must ensure that the lands in question will always be available for the intended purpose and also that any occupier/owner of the proposed dwelling will have access to these lands for maintenance/improvement works as required.

10. **Radon**

The applicant should be aware that an updated Atlas of Radon Affected Areas in NI has been published in August 2015, via Public Health England. A radon affected area is defined as 1% probability or higher of present or future homes above the action level 200Bq/m<sup>3</sup> (annual average radon concentration). The indicative atlas 2015 suggests the proposed development is within a Radon Affected Area with up to 5-10 percent of homes at or above the action level.

The applicant is strongly recommended to access the updated atlas at:

<http://www.ukradon.org/information/ukmaps> and

<https://www.gov.uk/government/publications/radon-indicative-atlas-for-northern-ireland>.

Building Regulations (NI) 2012 Guidance Technical Booklet C Site Preparation and Resistance to Contaminants and Moisture, October 2012: Section 3 provides further information on the level of protection required and directs to the Building Research Establishment (BRE Reports) which provide detailed guidance on protective measures relevant to new dwellings in NI).

Technical Booklet C can be accessed at: <http://www.buildingcontrol-ni.com/regulations/technical-booklets>







11. The applicant is advised to contact NIW through its Customer Relations Centre on 08458 770002 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this decision notice to discuss any areas of concern.
12. If during the course of developing the site the developer uncovers a pipe not previously evident NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 08457 440088.
13. The applicant's attention is drawn to the attached information note from Northern Ireland Water.
14. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Planning Authority or other statutory authority.

Dated: 26th July 2021

Authorised Officer

