



PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

Application No: M/2006/0587/F

Date of Application: 27th February 2006

Site of Proposed Development: **Lands approx 280 Metres North East of 125A Legamaghery Road, Fintona**

Description of Proposal: **Proposed dwelling and garage**

Applicant: Mr S Cunningham
Address: 76 Main Street
Pomeroy

Agent: Mr P Bradley
Address: Building Design Solutions
76 Main Street
Pomeroy
County Tyrone
BT70 2QP

Drawing Ref: 01, 02(rev1), 03, 04, 05

The Department of the Environment in pursuance of its powers under the above-mentioned Order hereby

GRANTS 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. As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time limit.

2. 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.

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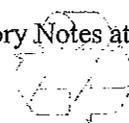
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See also Explanatory Notes attached



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3. All existing trees and hedgerows within the site and on the site boundaries shall be permanently retained intact and no lopping, topping, felling or removal shall be carried out without the prior written approval of the Department unless necessary to prevent danger to the public in which case a full explanation shall be given to the Department in writing within one week of the work being carried out.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

4. During the first available planting season after the occupation of the dwelling hereby permitted, all undefined boundaries of the site, shall be defined by a timber post and wire fence with a native species hedgerow planted in a double staggered row 200mm apart, at 450 mm spacing, on the inside.

Reason: To ensure the development integrates into the landscape.

5. During the first available planting season after the occupation of the dwelling a hawthorn or other natural species hedge shall be planted in a double staggered row 200mm apart, at 450 mm spacing, 500 mm to the rear of the sight splays along the front boundary of the site.

Reason: To ensure the development integrates into the landscape.

6. All proposed planting approved by the Department shall be carried out in the first planting season following the commencement of development on site and any trees or shrubs that die within 5 years of planting shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a comprehensive landscaping scheme is established on the site complimenting the visual amenity of the area.

7. The vehicular access, including visibility splays and any forward sight line, shall be provided in accordance with the approved plans, prior to the commencement of any works or other development hereby permitted.

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

8. 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 before the development hereby permitted is occupied and shall be retained and kept clear thereafter.

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

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Informatives

1. This approval relates to drawings Nos. 01, 03, 04 and 05 which were received on 23-FEB-2006 and drawing 02(rev1) received 23-AUG-2006.
2. A Consent to Discharge effluent from a septic tank will be required under the provisions of the Water (NI) Order and it is recommended that any planning permission granted be conditional upon such a Consent being obtained prior to commencement of the development.
3. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: Main Road Moygashel. A deposit will be required.
4. It is the responsibility of the developer to ensure that surface water does not flow from the site onto the public road and that the existing roadside drainage is accommodated and no water flows from the public road onto the site.
5. Water supply not available.
6. Foul water sewer not available. The use of a septic tank, (on the basis of one for each dwelling) is subject to the necessary written consent being obtained from the Environment and Heritage Service and the approval of the local District Council Environmental Health section.

Where approval to the use of a septic tank disposal system is granted and the applicant wishes the Water service to provide a periodic desludging service the applicant must complete the necessary 'Form of Agreement' and adhere to the construction requirements contained therein. Contact Water Service's Customer Services Unit to obtain a 'Form of Agreement' form, or telephone Waterline on 0845 7440088.

7. Surface water sewer not available. Surface water must not be taken to the foul sewer. Where it is proposed to discharge surface water to a river, stream or watercourse prior written consent for such discharge must be obtained from the Department of Agriculture's River Agency.
8. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 1973, as amended 1993, consultation with Water Service is essential at design stage with regard to the following matters:
 - (a) water supply requirements;
 - (d) septic tank emptying;

Contact Water Service's Customer Services Unit or telephone Waterline on 0845 7440088.

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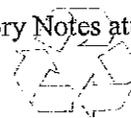
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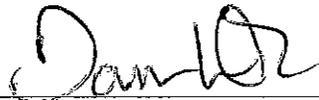


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9. The applicant is advised to contact Water Service through its Customer Service's Unit or Waterline on 0845 7440088 upon receipt of this decision to discuss any issues of concern.
10. If during the course of developing the site the developer uncovers a pipe not previously evident the local Water Service 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.

Dated: 13th September 2006



Authorised Officer

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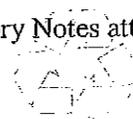
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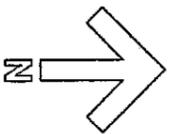


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SITE LAYOUT

1:500

NEW STORM IS TO DISCHARGE INTO EXISTING STREAM

Existing Mature Trees (4m High)

PROPOSED SIGHT LINES TO BE FORMED AT 2.0 X 60M TO BOTH SIDES OF ENTRANCE

POSTS AND WIRE SHEEP FENCE TO SET BACK BEHIND SIGHT LINES

SEPTIC TANK TO BE 15m CLEAR OF DWELLING AND TO HAVE 120m SUB-SOIL IRRIGATION AS SHOWN AND TO BE TO THE SATISFACTION OF THE ENVIRONMENTAL HEALTH DEPARTMENT

FFL OF DWELLING @ 89.500

Existing Mature Trees (5-8m High)

ALL LANDSCAPING TO BE NATIVE SPECIES. WHIPS TO BE PLANTED AT 15m CTRS. WHERE EXISTING HEDGEGRDVS ARE TO BE THICKENED SITE PLANTING TO BE OF SEMI-MATURE TREES OF NATURAL SPECIES. NOTE: CONTRACTOR TO BE AWARE OF ROOT BALL SIZE BEFORE PLANTING WITHIN 6.00m OF DWELLING.