

APPROVAL OF RESERVED MATTERS;

Planning (Northern Ireland) Order 1991

Application No: **P/2014/0673/RM**

Date of Application: **13th August 2014**

Site of Proposed Development: **55 Metres North West of 24 Lurganconary Road
Kilkeel.**

Description of Proposal: **Farm dwelling**

Applicant: **Sarah J Carvill**
Address: **24 Lurganconary Road
Kilkeel
BT34 4LL**

Agent:
Address: **12 Leestone road
Kilkeel
BT34 4NS**

Drawing Ref: **01, 02REV1, 03,**
Outline Application Number: **P/2009/0432/O**

With respect to the above proposal for development, being matters reserved in the outline planning permission specified above, The Department of the Environment in pursuance of its powers under the above-mentioned Order and in accordance with your application

HEREBY APPROVES

the said reserved matters subject to compliance with the following conditions which are imposed for the reasons stated:

1. As required by Article 35 of the Planning (Northern Ireland) Order 1991 the development to which this approval relates must be begun by whichever is the later of the following dates:-

- i. The expiration of a period of 5 years from the grant of outline planning permission; or
- ii. The expiration of a period of 3 years from the date hereof.

Reason: Time limit.

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing N0 02Rev1 site layout bearing the date stamped 27-10-14 prior to the commencement of any other development hereby permitted. 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.

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

3. The access gradient to the dwelling hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

4. No development shall commence until a Consent to Discharge Sewage Effluent from a septic tank has been granted by the Northern Ireland Environment Agency (NIEA) under the Water (Northern Ireland) Order 1999, or any legislation that revokes and amends this legislation in the future.

Reason: In the interests of public health and so as not to create or add to a pollution problem.

Informatives

1. This decision notice relates to drawing Nos 01 and 03 which were received on the 13th of August 2014 and drawing No 02REV1 that was received on the 27th of October 2014.
2. Northern Ireland Water (NI Water) advises the applicant of the following:
 - i. The onus is on the developer to find out if there is existing water and sewer infrastructure within their property. Details of such can be obtained from NIW under Articles 257 and 258 of the Water and Sewerage Services (Northern Ireland) Order 2006. There is a nominal charge for this service.
 - ii. It is an offence under Article 236 of the Water and Sewerage Services (Northern Ireland) Order 2006, to build over or near watermains, sewers, pipes and associated works owned and maintained by NI Water unless with the prior consent of NI Water.
 - iii. Where existing water and sewer infrastructure is located within a property and the proposed development of the site interferes with the public watermains, sewers and associated works, the householder / developer may make a Notice under Article 247 of the 2006 Order to have the public infrastructure diverted, realigned. Each diversion and realignment request is considered on its own merits and approval is at the discretion of NI Water. The applicant is required to meet any financial conditions for realignment or diversion of the water and sewer infrastructure, including full costs, company overheads, etc.
 - iv. It is the responsibility of the developer to establish if existing public watermains, foul/storm sewers, together with appropriate waste water treatment facilities, have adequate capacity to serve the proposal. To establish how best any development may be served by existing public water and sewerage infrastructure, a Pre Development Enquiry (PDE) would require to be submitted. There is a charge for this service.
 - v. If the proposed development is not near a public watermain, foul sewer or surface water sewer and surface water cannot be discharged to a natural watercourse the applicant may consider making a requisition Notice asking NI Water to extend the public watermain or foul/storm sewer system to service the development. This can be done by requisitioning a watermain under Article 76 of the 2006 Order and sewer under Article 154 of the 2006 Order. The developer may have to contribute to the cost of extending the watermains and/or sewers.
 - vi. Septic Tank emptying: The applicant should provide a hard standing area with a 3.5 metres wide access capable of supporting the weight of a sludge tanker within 30 metres of the septic tank.
 - vii. If you wish to find out more about what you can or cannot do if there is existing water or sewer infrastructure in, over or under your property, or you want to find out how your proposed development can be serviced contact NI Water staff on the

Developers Services Business Line 08458770002 and ask for the Developers Services Co-Ordination Team. Copies of the relevant application forms can be obtained by contacting the Developers Services Business Line or by downloading from our web page www.niwater.com/servicesfordevelopers.asp.

3. An application to install a septic tank should be made to the Environmental Health Department of Newry and Mourne District Council.
4. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is Cecil St Newry . A monetary deposit will be required to cover works on the public road.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

5. This planning permission is granted for a dwelling on the farm as provided for in Policy CTY 10 of Planning Policy Statement 21 - Sustainable Development in the Countryside. The applicant is advised that planning permission will not be granted for a dwelling under this policy if a dwelling or development opportunity has been sold off from the farm holding within 10 years of the date of this decision. For the purposes of this policy, 'sold-off' will mean any development opportunity disposed off from the farm holding to any other person including a member of family.

Dated: 14th January 2015

Authorised Officer

