



APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA07/2018/1666/F**

Date of Application: **1st November 2018**

Site of Proposed Development: **Lands opposite No.9 Rathfriland Road
Hilltown
Co Down**

Description of Proposal: **Proposed two storey detached dwelling**

Applicant:	Dianne, Michelle and Paul Maginn	Agent:	C McIlvar Ltd Chartered Planning Consultants
Address:	10 Rathfriland Road Hilltown Newry BT34 5UR	Address:	Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU

Drawing Ref: 01, 02, 03

The Council in pursuance of its powers under the above-mentioned Act 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. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.



2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawings No 03 bearing the date stamp 22nd February 2019.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

3. The visibility splays of 2.0 metres by 60 metres at the junction of the proposed access with the public road, shall be provided in accordance with the Drawing No 03 bearing the date stamp 22nd February 2019 prior to the commencement of any works or other development.

Reason: No ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not be commenced until any highway structure/ retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993 has been approved in writing with the Planning Authority and agreed to the satisfaction of Transport NI and shall be constructed in accordance with BD2 Technical Approval of Highway Structured: Volume 1: Design Manual for Roads and Bridges. Any telegraph poles/ street furniture are to be re-sited to the rear of sight visibility splays and to the satisfaction of Transport NI.

Reason: In the interests of road safety.

5. The development hereby permitted shall not commence until a Street Lighting Scheme design has been submitted and agreed in writing by the Planning Authority to the satisfaction of the Department for Infrastructure Street Lighting Section.

Reason: In the interests of road safety and convenience of traffic and pedestrians.

6. The Street Lighting scheme including the provision of all plant and materials and installation of same, will be implemented as directed by the Department for Infrastructure Street Lighting Section. (These works will be carried out entirely at the developer's expense)

Reason: To ensure the provision of a satisfactory street lighting system, for road safety and convenience of traffic and pedestrians.

7. All appropriate road markings and associated signage within the development and on the public road shall be provided by the developer/ applicant in accordance with the Departments specification (Design Manual for Roads and Bridges) and as directed by Transport NI Traffic Management Section prior to development becoming occupied by residents.

Reason: In the interest of road safety and traffic progression

8. The gradient of a private access shall not exceed 8% for the first 5m outside the public road boundary and a maximum gradient of 10% thereafter.

Reason: In the interests of road safety



9. The developer/ applicant prior to commencement of any road works shall provide a detailed programme of works and associated traffic management proposals to the Planning Authority to be agreed in writing to the satisfaction of the Department for Infrastructure, Transport NI.

Reason: To facilitate the free movement of road users and the orderly progress of work in the interests of road safety.

10. The development/ applicant will contact Transport NI Traffic Management prior to commencement of works on site to agree suitable positions for any existing road signage and traffic calming measures that will require being relocated as a result of these proposals.

Reason: In the interest of road safety and traffic progression.

11. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out during the first available planting season following occupation of any part of the dwelling hereby approved. Trees or shrubs dying, removed or becoming seriously damaged within 5 years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape

Informatives

1. EXISTING WATER AND SEWER INFRASTRUCTURE

1. The onus is on the householder/developer to find out if there is existing water and sewer infrastructure within their property.

2. 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 Northern Ireland Water unless with the prior consent by NI Water.

3. House owners and developers should obtain details of existing infrastructure from NI Water by requesting a copy of the water and sewer records. Copies of our records are supplied under Articles 257 and 258 of the 2006 Order. There is a nominal charge for this service.

4. Where existing water and sewer infrastructure is located within a property and 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.

5. It is the responsibility of the house builder/builder/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.



6. If your proposed development is not near a public watermain, foul sewer or surface water sewer and you cannot discharge your surface water to a natural watercourse you may wish to consider making a requisition Notice asking NI Water to extend the public watermain or foul/storm sewer system to service your development. This can be done by requisitioning a watermain under Article 76 of the 2006 Order and sewers under Article 154 of the 2006 Order. House builders and developers may have to contribute to the cost of extending watermains and sewers.

7. Septic Tank emptying. The applicant must provide a hard standing area with a 3.5m wide access capable of supporting the weight of a sludge tanker within 30 metres of the septic tank.

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 our Application Forms can be obtained by contact the Developers Services Business Line 08458770002 or by downloading from our web page www.niwater.com/servicesfordevelopers.asp and Forms

2. The Private Streets (Northern Ireland) Order 1980 and The Private Streets (Amendment) (Northern Ireland) Order 1992. Under the above Orders the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the Department to make the roads (including road drainage) in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001. Sewers require a separate bond from Northern Ireland Water to cover foul and storm sewers.
3. Separate approval must be received from DFI Transport NI in respect of detailed standards required for the construction of streets in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.
4. Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from Transport NI, Street Lighting Consultancy, Benson Street, Lisburn. The applicant is advised to contact Transport NI, Street Lighting Section at an early stage. The Applicant/ developer are also responsible for the cost of supervisions of all street works determined under The Private Streets (Northern Ireland) 1980.
5. It is a DFI Transport NI requirement that all structures which fall within the scope of the current version of DB2 Technical Approval of Highways Structures: Volume 1 Design Manual for Roads and bridges shall require Technical Approval. Details shall be submitted to the Technical Approval Authority through the relevant Division.



6. The development shall not be commenced until a certificate issued by a Chartered Structural Engineer certifying that the structure has been designed in accordance with the relevant standards and guidance has been submitted to and accepted by DFI Transport NI. The certificate should state: ' I / We certify all reasonable professional skill and care has been used in the design and check of the above named structure in accordance with the following design standards and advice notes.'
7. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse etc deposited on the road as a result of the development must be removed immediately by the operator/contractor.
8. Geotechnical activities which require Geotechnical Certification shall be submitted to Engineering Policy and Parking services through the relevant Division. Geotechnical Certification shall be in accordance with the Department for Infrastructure Geotechnical Certification procedures as laid down in the current version of HD22 Managing Geotechnical Risk: Volume 4: Design Manual for Roads and Bridges.
9. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
10. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
11. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
12. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
13. Where an undesignated watercourse flows through or adjacent to a development site, it is strongly advised that a working strip of appropriate width is retained to, in future, enable riparian landowners to fulfil their statutory obligations/responsibilities.
14. 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.
15. 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.

Dated: 16th April 2019

Authorised Officer

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