

PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

APPLICATION NO.: L/99/0198

Date of Application
: 4th March 1999

Site of proposed
Development : Castlebalfour, Lisnaskea

Description
of Proposal : Erection of 22 semi-detached dwellings (Phase 2)

Applicant : Agent
: Allan Associates Ltd
: 55 Tempo Road
: Enniskillen

Drwg Ref.:

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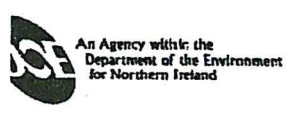
The Department of the Environment for Northern Ireland in pursuance of its powers under the above-mentioned Order hereby

## 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:

- 01 The development must be begun not later than the expiration of five years beginning with the date of this permission as required by Article 34 of the Planning (Northern Ireland) Order 1991.
- 2 The area hatched green on Drawing No. 9 dated 19.11.99 shall be levelled, drained, topsoiled and grassed within 1 year of the occupation of any of the dwellings hereby approved or such other time as agreed in writing with the Department and retained as open space hereafter.  
Reason: To ensure that adequate open space is provided within the housing development in accordance with Policy H3 of the Fermanagh Area Plan 2007.
- 03 The existing mature vegetation along the northern and eastern boundaries shall be retained intact and no topping, lopping, felling or removal shall be carried out without the prior consent, in writing, of the Department.
- 03 Reason: The Department considers the existing trees to be an important visual amenity.





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- 04 All planting, seeding or turfing comprised in the approved 1/500 scale plan received on 21.07.99 (Drg 8) and details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs, in the interests of amenity.

- A 1.2 metre high close boarded fence shall be erected as indicated in blue on the approved 1:500 scale plan (No. 8) prior to the occupation of the dwelling(s).  
Reason: In the interest of visual amenity.

- 06 All services within the development shall be laid underground.  
Reason: In the interest of amenity.

- 07 Notwithstanding the provisions of the Planning (General Development) Order (NI) 1993 no gates, fences, walls or other means of enclosure shall be erected or constructed, nor hedges nor formal rows of trees grown on the areas coloured red and green on the approved plan Drawing No. 9  
Reason: To protect the open character of the development.

- 08 No planting other than grass, flowers or shrubs with a shallow root system shall be carried out on or over a 1.8 metre wide service strip hatched red on the approved Drawing No. 9 dated 19.11.99  
Reason: In order to avoid damage to and allow access to the services within this strip.

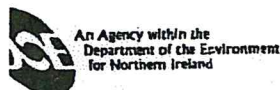
- 09 No building work shall commence on site until the required sight lines have been provided at the junction with the public road  
Reason: To ensure that adequate visibility has been provided in the interests of road safety.

10

PRIVATE STREETS ORDER (NORTHERN IRELAND) 1980 DETERMINATION

The Department of the Environment (NI) hereby determines that the width, position and arrangement of the streets, and the land to be regarded for the purpose of Article 3 of the Private Streets (Northern Ireland) Order 1980 as being comprised in those streets shall be as shown coloured red on layout drawing 9 dated 19.11.99 and the following conditions, which are imposed for the reasons stated shall apply:  
i. The streets shown coloured red shall be constructed in accordance with the requirements of the Private Streets Order.  
Reason: To ensure that they are of a satisfactory standard.





APPLIC NO.L/99/D198

## INFORMATIVE(S)

- 01 Approval relates to Drawings Nos. 1 to 6 received 04.03.99, Drawing No. 7 received 18.05.99, Drawing No. 8 received 13.08.99, Drawing No. 9 received 19.11.99.
- 02 The area hatched green on the approved drawing no.8 dated 13.8.99 has been sold to Fermanagh District Council to be maintained as recreation area for the use of the residents within this development. The path leading to this area should be completed to an acceptable standard capable of allowing maintenance traffic access to it
- 03 All new drainage arrangements are required to be on a "separate system" of drainage.
- 04 Main storm sewer not available. Where stormwater is to be discharged to a watercourse permission should be sought from the Department of Agriculture (Watercourse Management Division) whose Headquarters address is Hydebank, 4 Hospital Road, Belfast, BT8 8JL; Tel: Belfast 253200.
- 05 There is an existing main sewer crossing the site of the development hereby permitted. This sewer will have to be accurately located on site by the developer in consultation with the Department's Water Service officials.
- 06 Water Service regulations may preclude any building at all within six metres either side of an existing watermain or main sewer.
- 07 Water available, subject to the nature and density of development which will be considered in detail at reserved matters stage.
- 08 Applicant to check that levels are suitable for proposed site drainage.
- 09 If required a new water supply will be granted on approval of completed official Water Application Form and payment of Department's standard charges.
- 10 All plumbing work and fittings installed must comply with the Water Regulation NI 1991 No.50.
- 11 A new connection to the public sewer will be granted subject to approval of:-
  - (a) detailed drainage proposals;
  - (b) completed Sewer Application Form (obtainable from Water Service Black Stick Road Killyhevlin Industrial Estate Enniskillen );
  - (c) receipt of current standard charge for inspection of completed work.
- 12 All work (Water and Sewerage) must be carried out in accordance with the Water and Sewerage Services Order (NI) 1973, the Water Regulations (NI) 1974 and any related legislation. It must also be to the satisfaction of the Water Service.
- 13 When ascertaining the exact location of watermains and sewers the developer should liaise with the Water Service Sub-Divisional Office.
- 14 A water supply can be made available from an existing main. The applicant will be required to obtain any necessary wayleaves, road opening approvals, and be prepared to lay the necessary service pipe.





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- pay in accordance with the Department's standard charges.
- 15 The written clearance of the Water Service must be obtained in advance of site works and in this connection your attention is drawn to the required submission to the Water Service, Killyhevlin Industrial Estate Enniskillen ; of detailed DRAINAGE AND WATER SUPPLY LAYOUT DRAWINGS (including location).
  - 16 All work (water supply and drainage) must in all respects be at the developer's (or owner's) expense.
  - 17 The provision of stopcocks (subject to No. ) in each independent unit (shop, office, store, flat, unit of accommodation etc) must be such as to ensure that the supply of water to each individual unit cannot be cut off by the operation of a stopcock located in any other unit. Additionally each unit of accommodation (where provided) must have a totally independent plumbing system.
  - 18 The following drawings are required by the Department of the Environment (NI), Water Service, Killyhevlin Industrial Estate Enniskillen , to enable examination under the Water Act (NI) 1972 and related legislation.
    1. Location Drawing.....Scale 1/2500 (size 210 mm x 297 mm)
    2. Block Plan Drawing.....Scale 1/500 indicating proposed water supply and drainage (foul and storm) layout, with manhole details.
    3. Fully detailed drawings.....Plans and sections of proposed building with drainage details, plumbing details and/or plumbing specification. In respect of certain proposals drainage plans and longitudinal sections, etc, will be required.
- NOTE: In advance of the preparation of detailed drawings an Applicant (or agent) is advised to call at or contact the local office (address above) of the Water Service, where officials will be pleased to discuss with the Applicant any queries the Applicant may have in regard to the proposal generally (water supply and sewerage) and the submission of drawings as stated.
- 19 PRIVATE STREETS ORDER (NI) 1980
 

Under the above Order the applicant is advised that before any work shall be done in or 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 and sewers in accordance with the Private Streets Construction Regulations.
  - 20 In order to ensure that the laying of ducts and the erection of columns for street lighting is co-ordinated with the construction of the streets, the applicant should get in touch with the Section Engineer, Street Lighting, County Hall, Drumragh Avenue, Omagh, BT79 7AE.
  - 21 Six days' notice of the intention to start work should be given to the Section Engineer for the area Roads Service, Castle Barracks Enniskillen so that the layout and construction of the development can be checked to ascertain that it complies with the requirements of the Private Streets Order.





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2 The lands coloured red on the approved plan have been determined as lands to be adopted by the DOE Roads Service. It is therefore imperative that vendors inform purchasers of their limited rights within the service strips hatched red paralleling both sides of the Type 5A roads and insert or cause to be inserted in the deeds the following clause or covenant:-

"The purchaser hereby covenants with the vendor that he/she, the purchaser, and his successors in title will not at any time hereafter erect or construct any building, wall or fence or plant any tree or shrub greater than 500mm mature height on the service strip shown paralleling both sides of the Type 5A road on the plan annexed hereto, nor do or suffer to be done therein or thereon any act, matter or thing whereby the cover of soil over or the support of the pipes, wires and/or cables laid or to be laid in the said strip of land shall be altered or which may render access thereto more difficult or expensive and shall understand that the road authority and statutory undertakers have unencumbered right of access to the said strip of land".

3 The land contained within the service strip will, following determination and adoption, constitute part of the road.

In the sale or lease of housing plots the developer should ensure that the land within the service strip is not sold or leased as part of the land on which houses have been built or are to be built.

4 Rivers Agency Comments as follows; The western side of the site has suffered from marginal flooding in the past and if it is developed at the levels shown it is thought to be likely to suffer from flooding. The houses affected are numbers 21-30 inclusive which are shown as having finished floor levels between 50.85 to 51.00. Ground levels downstream are close to these levels and if the storm sewer ever became blocked then shallow flooding of these houses could result. However, a revised plan showing finished floor levels to a higher level would be satisfactory. Please note that these levels given are to a TBM, the relationship of which to Ordnance Datum is not known; it would be preferable if levels were given to Ordnance Datum. Storm water from the site should discharge as shown via a DoE storm sewers to the undesignated tributary of MW5869 which is shown marked red on the attached map. The Developer should also be advised that any proposal to alter, culvert or realign any drain on site requires the consent of this Agency under the requirements of Schedule 6 of the Drainage Order (NI) 1973

Date 24th November 1999

-----G Hogg-----Authorised Officer