

24 JUN 2021



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA09/2021/0065/O**

Date of Application: **18th January 2021**

Site of Proposed
Development:

Adj to & East of 11 Ivybank Road, Moneymore, Magherafelt

Description of Proposal:

Dwelling on a farm (Policy CTY10)

Applicant: **Marcus Lawrence**
Address: **11 Ivybank Road, Moneymore,
Magherafelt, BT45 7YS**

Agent: **J Aidan Kelly Ltd**
Address: **50 Tullycullion Road
Dungannon, BT70 3LY**

Drawing Ref: **01**

Mid Ulster District 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. As required by Section 62 of the Planning Act (Northern Ireland) 2011, 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 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. Time Limit



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 Council, in writing, before any development is commenced and shall be carried out in accordance with those details.

Reason: To enable the Council to consider in detail the proposed development of the site.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. All existing hedgerows outside the required visibility splays and along the boundaries of the site highlighted in Blue as shown on approved drawing No. 01 received on 18/01/2021 shall be permanently retained intact and no lopping, topping, felling or removal shall be carried out without the prior written approval of the Council unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council 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

5. A plan at 1:500 scale (min.) shall be submitted as part of the reserved matters application, showing the access point including visibility splays of 2.4 metres x 60 metres in accordance with the attached form RS1 to be constructed prior to the commencement of any development hereby approved and as approved at Reserved Matters stage.

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

6. The proposed dwelling shall have a ridge height of less than 6.5 metres above finish floor levels.

Reason: To ensure that the development is satisfactorily integrated into the landscape.



7. The depth of under-building between finished floor level and existing ground level shall not exceed 0.3 metres at any point

Reason: In the interest of visual amenity

8. No development shall take place until a plan of the site has been submitted to and approved by the Council indicating the existing and proposed contours, the finished floor levels of the proposed building and the position, height and materials of any retaining walls. Development shall be carried out in accordance with the approved plans.

Reason: To ensure the development takes account of the site's natural features and to safeguard the amenities of the proposed dwellings

9. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development; details of a native species hedge to be planted to the rear of the visibility splays and along all new boundaries of the area identified in Yellow on the approved plan Drag No 01 date stamped 18/01/2021. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity.

10. The proposed dwelling shall be sited in the area shaded Green on the drawing No. 01 stamp date 18/01/2021.

Reason: To ensure that the development is integrated into the landscape.

Informatives

1. 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.



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2. 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.

3. 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 Council or other statutory authority.

Dated: 8th June 2021

Planning Manager

PP EWE

Form P19

EXPLANATORY NOTES TO ACCOMPANY APPROVALS

Type of Approval	See Notes
(a) Planning Permission or Approval of Reserved Matters	1, 2, 3 & 4
(b) Consent to Display Advertisements	1, 2, 4 & 5
(c) Listed Building Consent	1, 2, 4 & 6

Notes

1. If you are unhappy with the conditions placed on the permission/approval/consent granted by the Council or Department for Infrastructure (the Department) you may appeal to the Planning Appeals Commission, Park House, 87-91 Great Victoria Street, Belfast BT2 7AG [Tel: (028) 9024 4710] within 4 months of receipt of the notice. Guidance on Appeal procedures is available on the Planning Appeals Commission's website (www.pacni.gov.uk) or by contacting the Commission directly at the aforementioned address.
2. You should check whether further approval is required under other legislation, such as the Building Regulations or the Water Act.
3. If your proposal involves an access or any vehicular crossing of the highway, it is in your interest to notify your intentions to the authorities responsible for electricity, telephones, water, etc to allow them the opportunity to carry out any planned works first and so avoid breaking through any newly made surfaces.
4. Failure to adhere to the approval plans or comply with conditions attached to this permission is a contravention of the Planning Act (Northern Ireland) 2011 [or the Planning (Control of Advertisements) Regulations (Northern Ireland) 1973 in the case of advertisements], and may result in enforcement action.
5. If you intend to display an advertisement on land which is not in your possession you should first obtain the consent of the landowner or the person(s) entitled to grant such permission.
6. If you have obtained Listed Building Consent to demolish a building you must not do so before the Department for Communities Historic Environment Division has:
 - (i) Been given reasonable access to the building for one month following the granting of consent; or
 - (ii) Stated that it has completed its record of the building; or
 - (iii) Stated that it does not wish to record it.

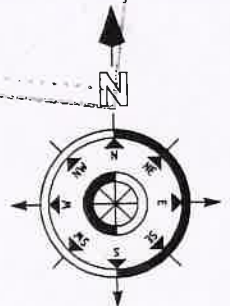
The Department for Communities Historic Environment Division can be contacted at HEDPlanning.General@doeni.gov.uk or Tel: (028) 9082 3177 or (028) 9082 3126.



Application site edged red.
Adjacent land in control edged blue.

Project Proposed Dwelling Address Ivybank Road Moneymore Client Mr Marcus Laurence Drawing Location Map		
1:2500	Jan 21	
3281-01		

Mid Ulster District Council
Drawing No. 01



Crown Copyright
License No. 514

DETAILED REQUIREMENTS FOR PUBLIC ROAD ACCESS

Planning Ref - LA09/2021/0065/O Ivybank Road

1. The detailed access requirements for the above proposal, are set out in the box below. A maximum 1:500 scale plan incorporating these requirements must be submitted as part of the Reserved Matters application.
2. Notes marked with an "X" to be copied onto Plan
The Applicant and/or his successors in title shall comply with conditions marked with a "Z".

3. Layout to be in accordance with Diagram 1 overleaf.
4. Visibility Splays X = 2.4 metres Y = 60 metres *
* Ensure no blind spots exist where access is on the inside of a bend.
5. Forward Sight Distance - 60m
6. Width of Access (if different from diagram) :
- 7a. Minimum radii (if different from diagram). As per Dia. 2
- 7 b. The access shall be at a right angle to the public road over a distance 5 metres as measured from the near edge of the public road.
- 8.
9. PARKING / TURNING "X"
The required vehicle parking and turning areas to be provided within the curtilage of the site. Provision must be made for vehicles to reverse and exit in forward gear. (Private drive 18 m x 3.2 m. Over 3 bedrooms require 24 m x 3.2 m).
10. Access position: To be located within the red outline to achieve the required 2.4 x 60m visibility splays.
11. Other Requirements:
 - (a) Drainage measures to be implemented to prevent surface water flowing to or from the public road
 - (b) Chain link fence to be set back to achieve visibility splays.
 - (c) Line of existing chain link fence to be indicated on the minimum 1:500 scale drawing.
 - (d) Field gates to be indicated on the minimum 1:500 scale drawing.
 - (e) All roads notes to be inscribed.

SIGNED : on behalf of Dfl Roads

DATE: 26/02/2021

"Z" The proposed access details shall also be in accordance with the Roads Service publication "Vehicular Access Standards" some portions of which are reproduced below for convenience.

VISIBILITY SPLAYS "X"

12. Visibility splays must be retained in perpetuity.

VISIBILITY SPLAYS

13. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and shall be retained and kept clear thereafter.

POLES/COLUMNS "X"

14. Any pole or column materially affecting visibility must also be removed. A maximum of 1 No. pole or column is acceptable in each visibility splay. The cost of removing columns/poles is borne by the Applicant. No work shall commence on site until the visibility splays have been provided.

HEDGES, ETC "X"

15a. Any hedges/walls/fences/trees/shrubs etc (of any height) located in front of the visibility splays shall be removed.

FENCE/WALL "X"

15b. The line of any new fence or wall must be positioned behind the visibility splays. It is recommended that any new trees or shrubs be planted at least 1.0m back from the visibility splays to allow for future growth and some species will require additional set back.

DRAINAGE

16a. Drainage shall be provided where necessary to prevent water from the access flowing onto the public road. Similarly the existing road drainage must be accommodated where appropriate and measures must be taken to prevent road surface water from flowing onto the access. The appropriate drainage arrangements must be detailed on the plan.

16b. It is the Applicant's responsibility to ensure that surface water from the roof of the development or the development site does not flow onto the public road, including the footway.

17. Open drains or outlets in the road verge shall be piped to the satisfaction of DRD Roads Service. Watercourses behind/ in front of a hedge/ fence line shall be piped to the satisfaction of the Rivers Agency).

GRADIENT "X"

18.*Gradient of the access shall not exceed 1:12.5 (8%) over the first 5 metres outside the road boundary. i.e. from the back of the verge/ back of footway / fence-line / edge of carriageway.

GRADIENT

19. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1:25) maximum and 2.5% (1:40) minimum and shall be formed so that there is no

DRIVEWAY WIDTH "X"

22. Minimum width 4.1 m. For first 5 metres from road edge

VISIBILITY SPLAYS ACROSS EXISTING FOOTWAY

23. The footway shall be extended to the rear of the visibility splays and a backing kerb provided. The extension must use the same material (Bitmac/Asphalt) used in the construction of the footway.

24. Any existing access shall be closed within 4 weeks of new access opening.

TRUNK ROADS DWELL AREA

25. Where the access is above the public road, the access gradient for the first 15m immediately adjacent to a trunk road shall be between 0 and 2%.

SURFACE MATERIAL "X"

26. Entrances/lay-bys shall be surfaced in bitmac/asphalt between the edge of the public road and a point in line with the centre line of the existing hedge/fence/wall etc.

DROPPED KERBS

27. Kerbs shall be dropped over a distance of 6m across the mouth of the entrance

SEPTIC TANKS "X"

28. Position of the septic tank to be shown. Drainage must not be discharged directly towards the public road or into any drain leading to the public road.

31. The Applicant is required under the Roads (NI) Order 1993 to be in possession of the Department's consent before any work commences which involves openings to any fence/hedge/wall etc bounding the front of a site. The consent is available from

~~abrupt change of slope along the footway.~~

GATES / SECURITY BARRIERS "X"

20. Entrance gates, where erected, should be sited at least 5 metres from the edge of the carriageway. Where this is not possible, they shall be sited so that when open they do not project over the footway, verge, or carriageway.

DIAGRAM 1: ACCESS FOR SINGLE DWELLING Option A

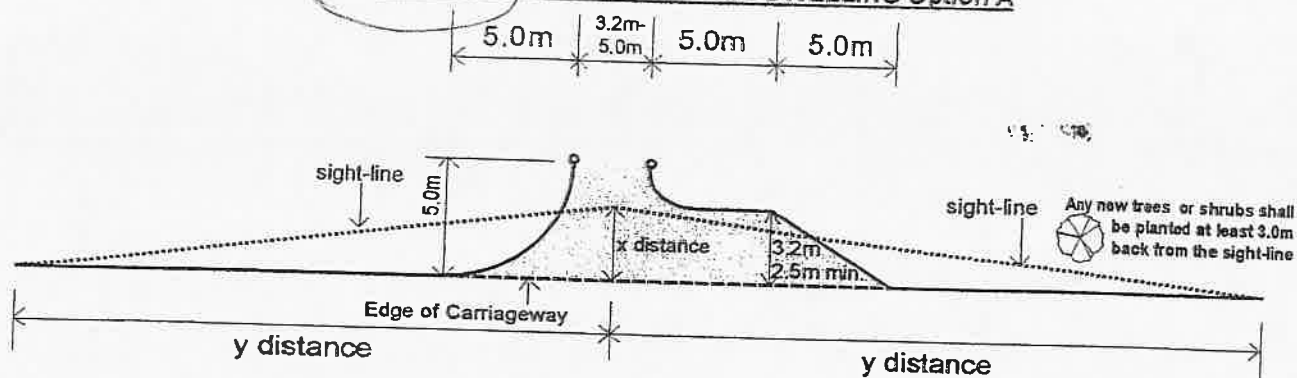


DIAGRAM 2: ACCESS FOR SINGLE DWELLING Option B

Within Development Limits lowering of kerbs will normally be acceptable, where there is a frontage footway.

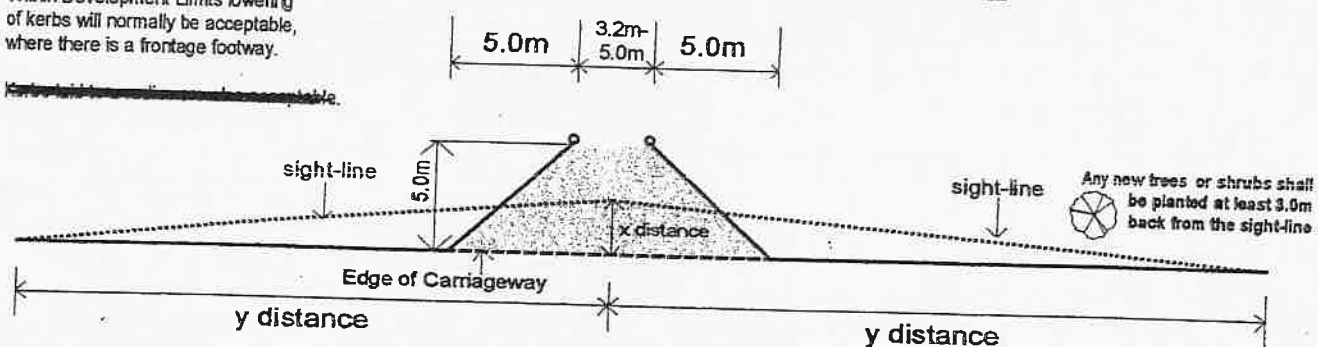


DIAGRAM 3: ACCESS FOR PAIRED DWELLINGS

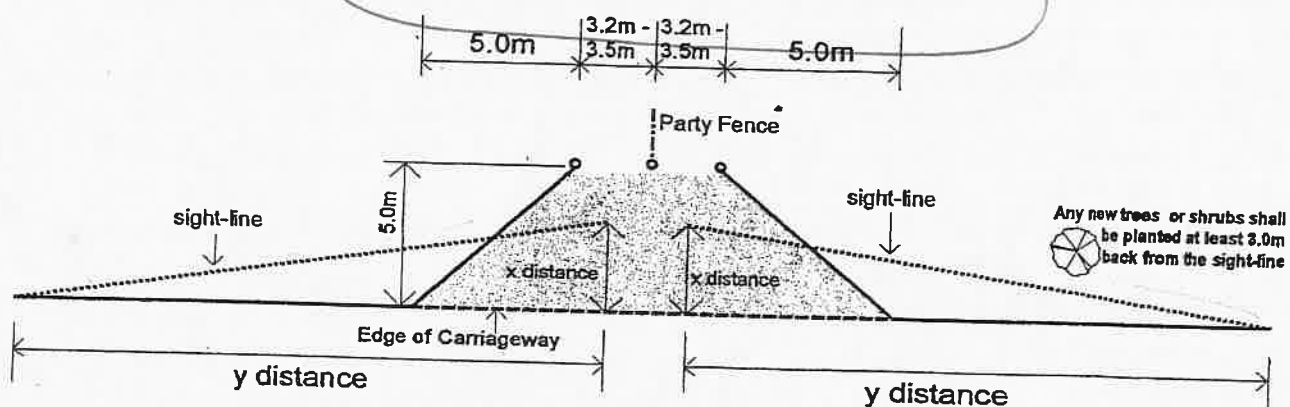


DIAGRAM 4: OTHER ACCESSES

