



PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

Application No: **Q/2007/0612/F**

Date of Application: **16th August 2007**

Site of Proposed Development: **Junction of Moneyslane Road, and Millvale Road, Moneyslane, Banbridge**

Description of Proposal: **Erection of 17 dwellings (Amended Plans).**

Applicant: **Messrs Buckshee Ltd.**

Address: **C/o Agent**

Agent: **Mr H. Mc Aleer**

Address: **H.D. Design
3 Bannview Road
Banbridge
Co. Down
BT32 3RL**

Drawing Ref: **01, 04D, 05D, 06D, 07D, 02D, 03D**

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. 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 prior to the occupation of any part of the dwelling in accordance with the programme agreed with the Department.

Application No. **Q/2007/0612/F**

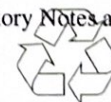
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See also Explanatory Notes attached



An Agency within the Department of the
Environment
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INVESTOR IN PEOPLE



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

3. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Department gives its written consent to any variation.

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

4. 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.

5. 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 commencement of the development hereby permitted 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.

6. The gradient of the access shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a 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 user.

7. The Private Streets (Northern Ireland) Order 1980.

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 Drawing No. 02D bearing the date stamp 20th March 2009.

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.

8. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

Application No. Q/2007/0612/F

DC1001MW

Craigavon Planning Office

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Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

9. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor shall boundaries be defined by the formal planting of hedges or rows of trees, between the shared surface road (as defined in Section 19 of the Department of the Environment and Department for Regional Development publication Creating Places May 2000) and any building having a frontage to it.

REASON: To ensure an informal plan layout in accordance with the Department of the Environment's and Department for Regional Development's design guidance for achieving quality in residential developments.

10. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown, in verges determined for adoption.

Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

Informatives

1. Private Streets Order (Northern Ireland) 1980
Under the above Order 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 and sewers in accordance with the Private Streets Construction Regulations.
2. Separate approval must be received from Roads Service in respect of detailed standards required for the construction of streets in accordance with the Private Streets Construction Regulation.
3. In order to ensure that the laying of ducts and the erection of columns for street lighting is coordinated with the construction of the streets, the applicant should contact the Roads Service Street Lighting section before any construction work commences.
4. The service strips coloured green with black hatching on the approved plan have been determined as lands to be adopted by the DRD. It is, therefore, essential that vendors inform house purchasers of their limited rights within such strips. It is strongly recommended that the developer does not sell or lease the land from the service strips as parts of housing plots. If land for service strip is to be sold or leased to house purchasers the vendor must insert in the deeds the following clause or covenant:-

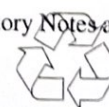
The purchaser hereby covenants with the vendor that he/she, the purchaser, and his successors in title will not at any time hereafter erect or construct any building wall or fence or plant any tree or

Application No. Q/2007/0612/F

DC1001MW

Craigavon Planning Office

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shrub on the strip of land shown cross hatched 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 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.

5. Details of any retaining walls required shall be submitted to and approved in writing by the DRD under the Technical Approval Scheme prior to any construction work being undertaken. The necessary TAS 1 forms to be obtained from the DRD's Roads Service.
6. 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.
7. All construction plant and materials shall be stored within the curtilage of the site.
8. It is the responsibility of the developer to ensure that the surface water does not flow from the site onto the public road and the existing roadside drainage is accommodated and no water flows from the public road onto the site and also the surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.
9. Public water supply available, subject to Water Service approval to connect. If required a connection will be granted on approval of a completed Water Service Application Form and payment of the Department's standard charge. Contact Water Service's Customer Services Unit to obtain an application form, or telephone Waterline on 0845 7440088.
10. Foul water sewer available, subject to Water Service approval to connect. If required a connection will be granted on approval of a completed Water Service Application Form and payment of the DRD's standard charge. Contact Water Service's Customer Services Unit to obtain an application form, or telephone Waterline on 0845 7440088.
11. Surface water sewer available, subject to Water Service approval to connect. If required a connection will be granted on approval of a completed Water Service Application Form and payment of the DRD's standard charge. Contact Water Service's Customer Services Unit to obtain an application form, or telephone Waterline on 0845 7440088.
12. 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.
13. 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.
14. 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.

Application No. Q/2007/0612/F

DC1001MW

Craigavon Planning Office

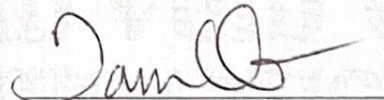
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15. Waste water treatment and /or sewerage system capacity is not available for the proposed development. A scheme does not exist within the current Capital Works Programme. If the applicant wishes to proceed he should contact NIW to discuss options such as a permanent wastewater facility at his own expense, this may/or may not be adopted by NIW in the future. Alternatively the developer may apply for a first time wastewater facility.
16. Consent of the Department of Environment Water Pollution Control Branch in relation to the discharge of effluent from the septic tank in accordance with the provision of the Water (Northern Ireland) Order 1999 may apply. Application under the Water Act should be made to the Environmental Health (Rivers) Inspector.
17. This permission authorises only private domestic use of the proposed garage and does not confer approval on the carrying out of trade or business there from.
18. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
19. 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.
20. The applicant's attention is drawn to the attached information note from Northern Ireland Electricity.

Dated: 23rd April 2009


Authorised Officer

Application No. Q/2007/0612/F

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