



OUTLINE PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

Application No: I/2004/1488/O

Date of Application: 18th January 2005

Site of Proposed Development: Approximately 210 M South West of 50 Ballymulligan Road, Magherafelt

Description of Proposal: Proposed Dwelling and Domestic Garage

Applicant: Mr G Andrews
Address: 6 Dunronan Road
Magherafelt
BT45 7SU

Agent: Mr J Morrow
Address: 5 Ranfurly Avenue
Dungannon
BT71 6PJ

Drawing Ref: 01 Revision 1

The Department of the Environment in pursuance of its powers under the above-mentioned Order 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 Article 35 of the Planning (Northern Ireland) Order 1991, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the 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.

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41 Assembly Wing, The Department of the
Environment

See also Explanatory Notes attached



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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 Department, in writing, before any development is commenced.

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

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 1 and 2 shall be submitted in writing to the Department and shall be carried out as approved.

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

4. No part of the dwelling hereby approved shall be sited outside the area shaded green on the approved plan date stamped 18-JAN-2005.

Reason: To ensure that the development is integrated into and is not prominent in the landscape in accordance with the requirements of the Departments Rural Strategy.

5. The proposed dwelling shall have a ridge height of less than 7.5 metres above finished floor level.

Reason: To ensure that the development is integrated into and is not prominent in the landscape in accordance with the requirements of the Department's Rural Strategy.

6. The proposed dwelling shall be of simple rural form exhibiting the traditional elements of rural design, particularly in form, proportion and finishes, as set out in the Department's Planning Strategy for Rural Northern Ireland and the Department's Design Guide for Rural Northern Ireland.

Reason: To ensure the dwelling is in keeping with the character of the rural area.

7. The external wall finish to the proposed dwelling shall be a painted render in a colour to be approved in writing by the Department or roughcast or fine grade chippings not exceeding 3mm and the window frames shall be in accordance with the Design Guide for Rural Northern Ireland.

Reason: To ensure that the proposal is in keeping with the character of the rural area.

8. The roofing tiles or slates shall be blue/black or dark grey in colour and shall be flat and non-profiled.

Reason: To ensure that the proposal is in keeping with the character of the rural area.

9. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity.

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See also Explanatory Notes attached



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10. No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by the Department.

Reason: To ensure the dwelling integrates into the landform.

11. All existing trees and hedgerows within the site and on the site boundaries shall be permanently retained intact and no lopping, topping, felling or removal shall be carried out without the prior written approval of the Department unless necessary to prevent danger to the public in which case a full explanation shall be given to the Department 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.

12. A detailed landscaping scheme to show proposed planting shall be submitted with any application for approval of reserved matters and no development shall commence on site before the Department approves it.

Reason: To ensure that a comprehensive landscaping scheme is established on the site complimenting the visual amenity of the area.

13. All proposed planting approved by the Department shall be carried out in the first planting season following the commencement of development on site and any trees or shrubs that die within 5 years of planting shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a comprehensive landscaping scheme is established on the site complimenting the visual amenity of the area.

14. Development shall not commence until a Water Act Consent has been obtained for the discharge of sewerage effluent and a copy of consent has been forwarded to Planning Service.

Reason: To ensure a satisfactory means of effluent disposal can be provided.

15. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RS1.

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

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16. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawing No 01(rev1) which was received on 18-JAN-2005.

Reason: To ensure the development is carried out in accordance with the approved plans.

Informatives

1. Your attention is drawn to the Department's Design Guide for Rural Northern Ireland, published in May 1994 and available from HMSO. The Department seeks to ensure that new dwellings in the rural area are well sited and integrated into the landscape and are designed in accordance with the Guide. You are advised, therefore, to discuss with the Department, the site analysis and scheme design at the sketch stage, prior to submission of Reserved Matters.
2. The plan to be submitted in compliance with conditions for proposed landscaping should include native species and should set out details of soil preparation, planting methods, medium and additives together with the species, size and time of planting, presentation, location, spacing and numbers of all trees and shrubs to be planted.
3. 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.
4. 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.
5. Foul water sewer not available. The use of a septic tank, (on the basis of one for each dwelling) is subject to the necessary written consent being obtained from the Environment and Heritage Service and the approval of the local District Council Environmental Health section.

Where approval to the use of a septic tank disposal system is granted and the applicant wishes the Water service to provide a periodic desludging service the applicant must complete the necessary 'Form of Agreement' and adhere to the construction requirements contained therein. Contact Water Service's Customer Services Unit to obtain a 'Form of Agreement' form, or telephone Waterline on 0845 7440088.

6. 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.
7. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 1973, as amended 1993, consultation with Water Service is essential at design stage with regard to the following matters:

- (a) water supply requirements;
 - (b) foul water and surface water sewerage (Article 17 agreement) requirements;
 - (c) trade effluent discharge;
- Application No. 1/2004/1488/O

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- (d) septic tank emptying;
- (e) existing water main crossing the site;
- (f) existing sewer crossing the site.

Contact Water Service's Customer Services Unit or telephone Waterline on 0845 7440088.

8. 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.
9. 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.
10. The applicant must provide an all weather hard standing area with a 3.5m wide access capable of supporting the weight of the sludge tanker within 30m of the septic tank.
11. A consent under the terms of the Water (Northern Ireland) Order 1999 will be required from the Department's Environment Service, Calvert House, Castle Place, Belfast.
12. 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: 19th April 2005

Authorised Officer

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DC1001MW

Omagh Planning Office



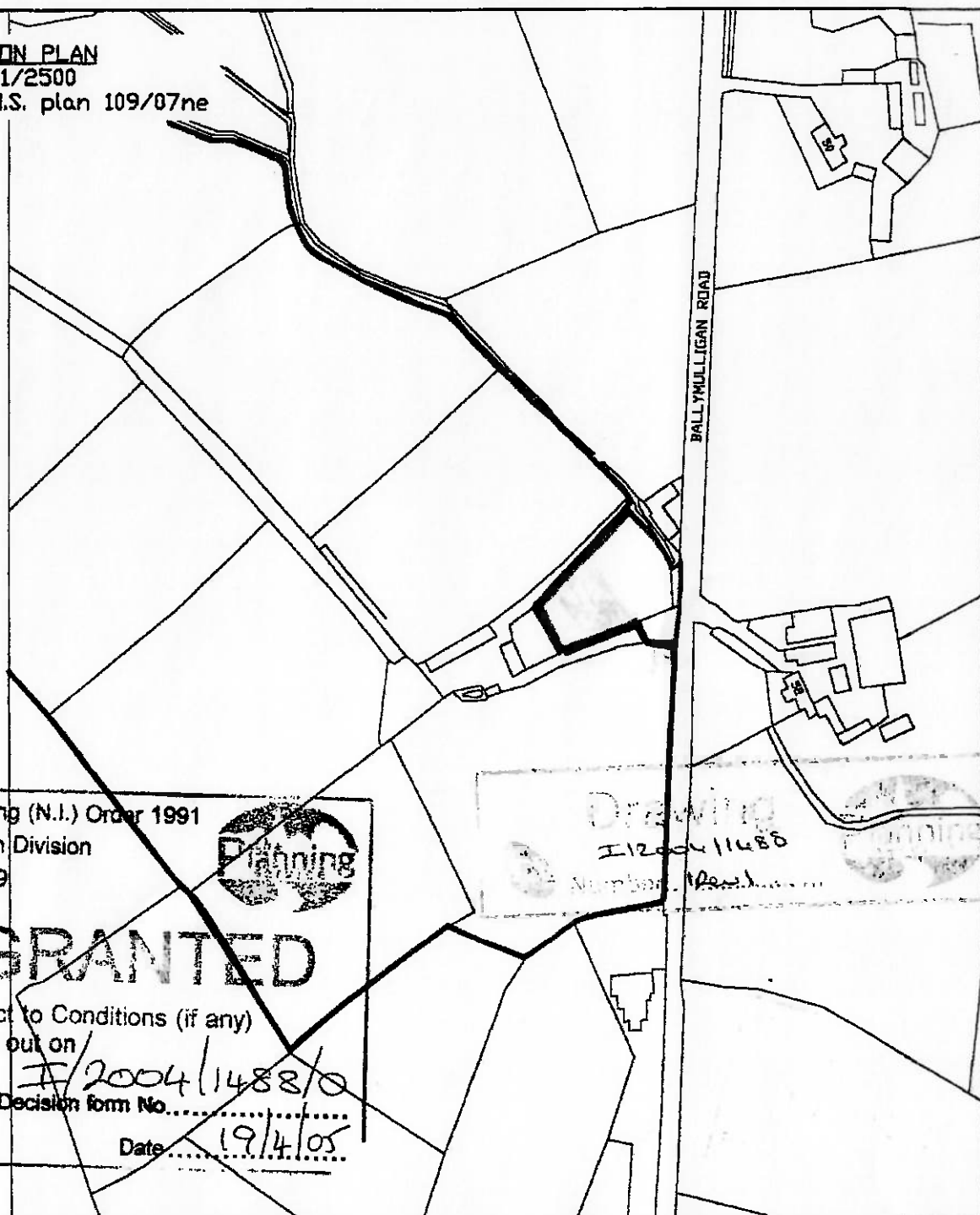
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Environment

See also Explanatory Notes attached



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LOCATION PLAN
 Scale:-1/2500
 From D.S. plan 109/07ne



Planning (N.I.) Order 1991
 Omagh Division
 Team 9

GRANTED

Subject to Conditions (if any)
 as set out on

Decision form No. 2004/1488/0
 Date 19/4/05

Drawing
 I/2004/1488
 Number 1/2004

Drawing title:- LOCATION PLAN.		REVISIONS		
Project title:- OUTLINE PLANNING APPLICATION.		Required by	Date	Detail
Site address:- AP.210m SW OF 50 BALLYMULLIGAN RD, M'FELT				
Client:- MR GEORGE ANDREWS				
Clients address:- 6 DUNRONAN ROAD, MAGHERAFELT.				
Scales:- AS SHOWN	Date drawn:- DEC. 2004	Sheet number:-	1	
Drawing number:- GA/074/2004				

Planning Ref: E/2004/1488/O

- 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(s) 1 overleaf NORTHWARD

4 Visibility Splays X = 2.4 metres Y = 12.0 metres 12.0 metres 10.5 metres SOUTHWARD

5 Forward Sight Distance 12.0 metres NORTHWARD
10.5 metres SOUTHWARD

6 Width of Access (if different from diagram) 3.0 m

7 Minimum radii (if different from diagram). Entry metres. Exit metres

8 **ACCESS ACROSS FOOTWAY**
Where the access crosses a footway it is important to have intervisibility between pedestrians and emerging motorists. In these circumstances there should normally be visibility splays between a driver's viewpoint 2m back into the access and a distance measured along the back of the footway for 2m on each side of the viewpoint.

9 **PARKING/TURNING "X"**
The required vehicle parking and turning areas to be provided within the curbside 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 SOUTHERN BOUNDARY

11 Other Requirements:

(a) A 50 mm pipe shall connect a gully to a suitable drain.

(b) PORTION OF HEDGE TO BE REMOVED
ACCESS TO HAVE SUFFICIENT DEPTH AND FORMED
SO THAT IT PERMITS EASE OF ENTRY AND EXIT
FOR SERVICE VEHICLES. THIS IS ACHIEVABLE
WITHIN BLUE LAND.

SIGNED Robert Boyle. DATE 1/4/05

"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 poles or columns 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.

FENCE/WALL "X"

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

GRADIENT

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 of the access shall not exceed 1:25 (4%) over the first 10 metres outside the road boundary, i.e. from the back of the verge/back of footway/fence-line/edge of carriageway.
*[Delete as appropriate]

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 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.

21. In the case of industrial premises or other major accesses, gates or security barriers shall be located at a distance from the edge of the carriageway that will allow the largest vehicle (likely to use the access) to stop clear of the carriageway when the gates or barriers are closed.

DRIVEWAY WIDTH "X"

22 Minimum width 3.2 m. Maximum - 5.0m

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 1.5m immediately adjacent to a trunk road shall be between 0 and 2%.

SURFACE MATERIAL "X"

26 Entrances/by-ways 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

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

ACCESS ACROSS VERGE/FOOTWAY, ETC.

29 Roads Service have no objection to access across a roadside verge/footway. The only exception to this is where an access is onto a public car park; in this particular case a legal agreement (together with payment) must be entered into with Roads Service prior to full/reserved matters planning permission being recommended. Apart from car parks there is no non-refundable charge for crossing a verge/footway.

DISABLED PARKING

30 A minimum of one marked disabled parking space shall be provided close to the entrance (over 25 spaces: 1/25).

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 opening to any fence/hedge/wall etc bounding the front of a site. The consent is available from M Breca Tel: 66343717. A deposit will be required.

32 Plant visibility splays/Forward sight distance with ground covering shrubs, e.g. Erica Carnea Whitehall - mature height 150 mm or other shrubs with maximum mature height of up to 15mm. See Point 3.1 of DCAN15 for guidelines on forward sight distance (Document available from Planning Services).



Explanatory Notes to accompany Approvals

Type of Approval	See Notes
(a) Planning Permission and 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

Note

1. If you are unhappy with the conditions placed on the permission/approval/consent granted by the Planning Service you may appeal to the Planning Appeals Commission, Park House, Great Victoria Street, Belfast BT2 7AG (Tel (028) 9024 4710) within 6 months of receipt of the notice. A publication entitled "**Planning Appeals – A Guide to Procedure**" is also available from this address, or from your Divisional Planning Office.
2. You should check whether further approval is required under other legislation, such as 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 approved plans or comply with conditions attached to this permission is a contravention of the Planning (NI) Order 1991 [or the Planning (Control of Advertisements) Regulations (NI) 1973 in the case of advertisements], and may result in The Planning Service taking 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 Environment and Heritage Service 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 Environment and Heritage Service, Historic Monuments and Buildings Branch can be contacted at 5-33 Hill Street, Belfast BT1 2LA – Tel: (028) 9023 5000.

Form P19



APPROVAL OF RESERVED MATTERS

Planning (Northern Ireland) Order 1991

Application No: **I/2008/0107/RM**

Date of Application: **18th January 2008**

Site of Proposed Development: **Approximately 210m SW of 50 Ballymulligan Road, Magherafelt**

Description of Proposal: **Proposed dwelling and domestic garage**

Applicant: **Mr G Andrews**
Address: **6 Dunronan Road**
Magherafelt

Agent: **Mr J Morrow**
Address: **15 Finglush Road**
Caledon
BT68 4XW

Outline Application Number: **I/2004/1488/O;**

Drawing Ref: **01 Revision 1**

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 2 years from the date hereof.

Reason: Time limit.

Application No. **I/2008/0107/RM**

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached



Department of the Environment
Environment



DEPARTMENT OF THE ENVIRONMENT
NORTHERN IRELAND



2. 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.

3. 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 prior to the commencement of any works or other 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.

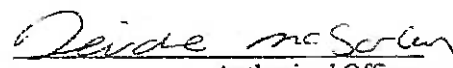
4. All landscaping comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the construction of the development hereby approved and any trees or shrubs which, within a period of 5 years from the completion of the development, die, 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 a comprehensive landscaping scheme is established on the site complementing the visual amenity of the area.

Informatives

1. 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.
2. 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.
3. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: 33 Molesworth Street, Cookstown. A deposit will be required.
4. A consent under the terms of the Water (Northern Ireland) Order 1999 will be required from the Department's Environment Service, Calvert House, Castle Place, Belfast.

Dated: 11th June 2008


Authorised Officer

Application No. I/2008/0107/RM

DC1001MW

Omagh Planning Office



Department of the
Environment

See also Explanatory Notes attached



DEPARTMENT OF THE ENVIRONMENT



Explanatory Notes to accompany Approvals

Type of Approval	See Notes
(a) Planning Permission and 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

Note

1. If you are unhappy with the conditions placed on the permission/approval/consent granted by the Planning Service you may appeal to the Planning Appeals Commission, Park House, Great Victoria Street, Belfast BT2 7AG (Tel (028) 9024 4710) within 6 months of receipt of the notice. A publication entitled **"Planning Appeals – A Guide to Procedure"** is also available from this address, or from your Divisional Planning Office.
2. You should check whether further approval is required under other legislation, such as 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 approved plans or comply with conditions attached to this permission is a contravention of the Planning (NI) Order 1991 [or the Planning (Control of Advertisements) Regulations (NI) 1973 in the case of advertisements], and may result in The Planning Service taking 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 Environment and Heritage Service 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 Environment and Heritage Service, Historic Monuments and Buildings Branch can be contacted at 5-33 Hill Street, Belfast BT1 2LA – Tel: (028) 9023 5000.

Form P19





Obtaining a New Electricity Connection or an Alteration to the infrastructure which provides your existing supply

Now that you have been granted planning permission for your proposed development you need to plan ahead for your electricity supply. You also need to consider whether your proposed development will require alterations to NIE 's existing equipment.

NIE may have to obtain some or all of the following to meet your requirements:

- Approval from other landowners for the new or altered infrastructure including formal agreement to wayleaves or easements,
- Further planning permission from the Planning Service may be required for the electricity infrastructure needed to provide your power supply. This planning permission is entirely separate from the planning approval you have been granted for your development and,
- Permission from DRD Roads Service to carry out work on public roadways.

Please note that in some instances, because of the processes described above, it may take 9 months before the work can be completed. NIE strongly advises you to make an early application for your new supply or alteration to avoid any undue delays.

An application pack for an Electricity Supply or Alteration can be obtained by contacting 08457 643643 or alternatively can be downloaded from the NIE website at www.nie.co.uk.

Site Safety

Works in the vicinity of NIE's electricity infrastructure, whether underground or overhead, can be dangerous.

NIE strongly advises that the safety of your works must be in accordance with: HSE Guidance Note GS6 (Avoidance of Danger from Overhead Lines) and HSE Booklet HS (G) 47 (Avoiding Danger from Underground Services).

If inadvertent contact is made with NIE's equipment, stop work immediately, advise NIE as soon as possible and keep well clear of the area until NIE has made it safe.

Further information can be found on the Health & Safety Executive website at www.hse.gov.uk or on NIE's safety website at www.niesafety.co.uk.

In an emergency NIE may be contacted on Tel: 08457 643643.