



**OUTLINE PLANNING PERMISSION**

**Planning Act (Northern Ireland) 2011**

Application No: **LA01/2021/0518/O**

Date of Application: **28 April 2021**

Site of Proposed  
Development:

**120m N.E of 31 Tirmacoy Road  
Ballykelly**

Description of Proposal:

**To replace existing one and a half storey, chalet style  
vacant dwelling with a new one and a half or two storey  
rural dwelling including three vehicle double domestic  
garage/store**

Applicant:  
Address:

60 Causeway  
Ballykelly  
BT49 9DW

Agent:

W.J. Dickson

Address:

76 Seacoast Road  
Burnally  
Limavady  
BT49 9DW

Drawing Ref: 01A, 02

The 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 Planning Authority 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

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 Planning Authority, in writing, before any development is commenced.

Reason: To enable the Planning Authority 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 Planning Authority and shall be carried out as approved.

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

4. The dwelling hereby permitted shall not be commenced until the existing buildings, coloured green on drawing no. 01A date stamped received 14<sup>th</sup> June 2021 is demolished, all rubble and foundations have been removed and the site restored in accordance with the details on the approved plans.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

5. A landscaping scheme shall be agreed with the Planning Authority at Reserved Matters stage and shall include the retention of the mature trees to the north and west boundaries of the site, a survey of all existing trees and hedgerows on the land, together with measures for their protection during the course of development. 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. The works shall be carried out during the first available planting season after the occupation of the dwelling.

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







6. No tree identified as having Moderate Bat Roost Potential shall be removed. If for any reason a tree identified as having Bat Roost Potential is required to be removed a Bat Activity Survey shall be carried out on that/those tree(s), and a report detailing the results of the survey and any proposed mitigation measures has been submitted in writing to and approved by Causeway Coast and Glens Borough Council in consultation with DAERA.

Reason: To protect Bats a European protected species.

7. The proposed dwelling shall have a ridge height no greater than 7.5 metres above finished floor level and a low angle of roof pitch not exceeding 35-40 degrees.

Reason: To ensure that the development is not prominent and satisfactorily integrates into the landscape in accordance with the requirements of the Strategic Planning Policy Statement for NI and Planning Policy Statement 21: Sustainable Development in the Countryside

8. The footprint of the dwelling hereby approved shall not exceed 100sqm.

Reason: To ensure that the development is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21

9. The footprint of the garage hereby approved shall not exceed 50sqm.

Reason: To ensure that the development is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21

10. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements 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.







11. At the Reserved Matters stage of the planning process, the applicant must submit a detailed drawing demonstrating that a suitable vegetated buffer of at least 5 metres shall be maintained between the location for refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery / materials / spoil, etc. and the watercourse at the southern boundary of the application site.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

12. Plans at Reserved Matters stage shall show an undeveloped 5m buffer to the watercourse, which shall be retained in perpetuity.

Reason: To protect natural heritage features.

#### **Informatives**

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. 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.
3. 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.
4. 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.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at:  
<https://planningregister.planningssystemni.gov.uk>

Dated: 7<sup>th</sup> August 2023

Authorised Officer: *RM Beniey*





**CONSENT NO: 2057/21/1**

**FILE NO: NC 984/21\_1**

**DEPARTMENT OF AGRICULTURE ENVIRONMENT & RURAL AFFAIRS**

**Water (Northern Ireland) Order 1999**

**Consent to Discharge of Effluent**

***The Department of Agriculture, Environment & Rural Affairs in pursuance of the powers conferred on it by the Water (Northern Ireland) Order 1999 HEREBY CONSENTS to your making a discharge into the waterway at Easting 260975 and Northing 420880 in accordance with the application dated 26 April 2021 in respect of a discharge of sewage effluent arising from a single domestic dwelling situated 120m NE of 31 Tirmacoy Road, Ballykelly, BT49 9JB.***

***SUBJECT TO the following conditions:***

1. Should it subsequently be revealed that the sewage treatment system has not been accurately described in the application, this consent shall be considered voidable.
2. The discharge shall consist solely of sewage effluent from the single domestic dwelling 120m NE of 31 Tirmacoy Road, Ballykelly, BT49 9JB.
3. The discharge shall not exceed 1 cubic metre per day.
4. All surface water shall be excluded from the system.
5. The sewage treatment works shall have BSEN 12566-3 certification demonstrating at least 95% removal of the influent Biochemical Oxygen Demand (BOD). The effluent from the sewage treatment works shall be discharged to the waterway via a sub-surface irrigation system which shall be not less than 40 metres in length.

**CONSENT NO: 2057/21/1**

**FILE NO: NC 984/21\_1**

**DEPARTMENT OF AGRICULTURE ENVIRONMENT & RURAL AFFAIRS**

**Water (Northern Ireland) Order 1999**

**Consent to Discharge of Effluent**

6. The effluent discharged to the waterway shall not:
  - a. Contain any substance which will cause the water in the underground stratum or in any waterway to be toxic or injurious to fish or other aquatic organisms;
  - b. Contain any substance to such an extent as to cause the receiving waters, or any waters of which the receiving waters are a tributary, to be poisonous or injurious to the spawning grounds, spawn or food of fish in those waters, or otherwise cause damage to the ecology of those waters.
7. The consent holder shall enter into a contract with either the supplier of the sewage treatment works, or other competent body, to maintain optimum performance of the system at all times. Maintenance and service history documentation shall be available for inspection by the Department on request.
8. An alarm shall be provided to warn of power or plant failure. The consent holder shall take the necessary action as soon as possible to ensure compliance with the consent upon activation of the alarm.
9. The consent holder shall be responsible at all times for compliance with these consent conditions.
10. Facilities shall be available to ensure that a representative sample of the discharge can be obtained.
11. If the consent holder intends to change anything at the site which will impact on the content of this consent, including any accompanying site plan and/or the composition or quality of the effluent then they must make application to the Department for review of this consent. Review application should be made no later than 4 months before the proposed changes will be carried out.
12. Should the consent holder wish to transfer responsibility for this consent they must submit an application for transfer of ownership within 21 days of the transfer taking place.

**CONSENT NO: 2057/21/1**

**FILE NO: NC 984/21\_1**

**DEPARTMENT OF AGRICULTURE ENVIRONMENT & RURAL AFFAIRS**

**Water (Northern Ireland) Order 1999**

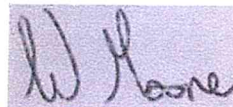
**Consent to Discharge of Effluent**

**INFORMATIVES**

1. This discharge consent may be reviewed at any time, if the area of discharge or any area downstream, has been, or becomes designated under the European Communities Nature Conservation (Natural Habitats etc) Regulations (Northern Ireland) 1995 or the consent conditions do not meet the requirements of any other European Community Directive.
2. Compliance with the conditions of this consent ensures that this consent meets the requirements of the Urban Waste Water Treatment Regulations (Northern Ireland) 2007.
3. This consent does not grant the right of access to or use of third party land for the installation and/or maintenance of any of the treatment and drainage infrastructure to which this consent relates. It shall be the responsibility of the consent holder to obtain any third party wayleave/access permissions as may be required.

**Dated this 26 day of October 2021**

**Northern Ireland Environment Agency  
Water Regulation Team  
17 Antrim Road  
Lisburn  
Co Antrim  
BT28 3AL**



.....  
**Wayne Moore**  
**AUTHORISED OFFICER**