



**APPROVAL OF PLANNING PERMISSION**

**Planning Act (Northern Ireland) 2011**

Application No: **LA01/2019/0993/F**

Date of Application: **9th September 2019**

Site of Proposed  
Development:

**Lands North of Mill Cottage Drive  
Stranocum  
Ballymoney**

Description of Proposal:

**Proposed residential development comprising 19no.  
dwellings and waste water treatment plant.**

Applicant: **McAllister Builders**  
Address: **5 Ann Street  
Ballycastle**

Agent: **Vision Design**  
Address: **31 Rainey Street  
Magherafelt  
BT45 5DA**

Drawing Ref: **01, 02A, 04A, 05A, 06B, 07A, 08C, 09A, 10, 11, 12A, 13 & 14**

The Council in pursuance of its powers under the above-mentioned Act 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 Section 61 the Planning Act (Northern Ireland) 2011 the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: **Time Limit.**





2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.  
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 Drg. No. 08C Road Layout - PSD date stamped 20th October 2020.

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.

3. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.  
No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 08C Road Layout - PSD date stamped 20th October 2020. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

4. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.

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

5. No dwelling(s) 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.

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

6. No part of the development hereby approved shall be occupied until the Developer has provided an efficient system of street lighting in accordance with Schedule 8 of The Private Streets (Construction) Regulations (Northern Ireland) 1994 as amended by The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.

Reason: To ensure the provision of adequate street lighting and in the interests of safety.





7. No other development hereby permitted shall be commenced until the road works indicated on Drawing. No. 08C Road Layout PSD date stamped 20th October 2020 have been fully completed in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

8. The development hereby permitted shall not be occupied until any highway structure/retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

9. The existing hedgerows along the northern and eastern boundaries of the site as indicated on drawing No 02A which was received on 21-JUL-2020 shall be permanently retained at a height not less than 2 metres unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing within 28 days.

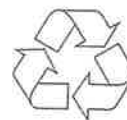
Reason: To ensure the development integrates into the countryside.

10. No existing tree to be retained as identified on drawing 02A which was received on 21-JUL-2020 shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread, nor shall arboricultural work or tree surgery take place on any retained tree (topped or lopped) other than in accordance with the approved plans and particulars, without the written approval of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with the relevant standards.

Reason: To ensure the continuity of amenity afforded by existing trees.

11. The landscaped buffer areas as indicated on drawing No 02A which was received on 21-JUL-2020 scheme shall comprise native species hedgerows /trees and shrubs of mixed woodland species.

Reason: To ensure the provision of a high standard of landscape.





12. All planting comprised in the approved details of drawing No 02A date stamped 21-JUL-2020 shall be carried out during the first planting season following the commencement of the development and any shrubs which, within a period of five 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 other similar size and species.

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

13. The management and maintenance of the private treatment plant and all communal areas including trees, shrubs and refuse collection areas as identified on drawing no 02A which was received on 21-JUL-2020 shall be carried out by a Management Company to be appointed by the developer and shall continue to be maintained in perpetuity or as subsequently may be agreed in writing with the Council.

Reason To ensure the continuity and sustainability of the approved development through its successful establishment and long term maintenance to achieve a quality residential development consistent with policy.

14. Prior to the commencement of the development hereby approved, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 shall be agreed in writing with the Council in consultation with DFI Rivers Agency.

Reason: To safeguard against flood risk to the development and elsewhere.

15. The internal noise level from the proposed pumping station shall not exceed 70dB LAeq and the building housing the electric motor shall provide at least 23dB Rw.

Reason: In the interest of residential amenity.

16. The odour concentration at the boundary of the nearest sensitive receptors shall not exceed 1.5 ouE/m<sup>3</sup> as the 98th percentile of hourly averages.

Reason: In the interest of residential amenity.

17. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure a satisfactory method of sewage disposal is available and to protect the aquatic environment.





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

Reason: In the interest of visual amenity.

#### 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 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 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.
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 <http://epicpublic.planningni.gov.uk/publicaccess/>.

Dated: 24th June 2021

Authorised Officer

