



## APPROVAL OF RESERVED MATTERS

Planning (Northern Ireland) Order 1991

Application No: I/2009/0278/RM

Date of Application: 26th May 2009

Site of Proposed Development: **Between 67 and 69 Knockanroe Road, Artrea, Dungannon**

Description of Proposal: **Proposed development of two dwellings**

Applicant:

Address:

Agent: Ballindrum Design

Address: 58 Springhill Road  
Moneymore  
Co Londonderry  
BT45 7NH

Outline Application Number: I/2007/0627/O;

Drawing Ref: 01 Revision 1, 02 Revision 3, 03 Revision 3, 04, 05, 06 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.

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See also Explanatory Notes attached



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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. The gradients of the accesses shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses 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 users.

5. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking and turning of private cars at the rate of two spaces per dwelling.

Reason: To ensure adequate (in-curtilage) parking in the interests of road safety and the convenience of road users.

6. All existing trees and hedgerows along the northern, eastern and southern boundaries of the site 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.

7. 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: In the interests of visual amenity.

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### **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. 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.
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. All construction plant and materials shall be stored within the curtilage of the site.
5. It is the responsibility of the developer to ensure that surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.
6. NIEA Water Management Unit have advised that there is a discharge consent, CN1614/2007, for between "67 and 69 Knockanroe Road, Ardtrea, Dungannon" issued to Ashmore Properties (NI) Ltd. This consent is for one property and discharges into an existing piped watercourse under the road verge.
7. If a second house is constructed WMU have advised that this will require discharge consent under the terms of the Water (Northern Ireland) Order 1999 for the discharge of sewage effluent. If it is planned to connect the second house into the existing sewage treatment system of the first house then a review of that existing discharge consent will be required. The applicant should be aware that there is no guarantee that discharge consent will be granted, as a number of site specific factors need to be taken into account when assessing the suitability of the proposed means of effluent disposal.
8. No development shall take place on-site until the method of sewage effluent disposal has been agreed in writing with NIEA Water Management Unit.
9. An application form for consent to discharge effluent under the Water (NI) Order 1999 can be obtained by contacting NIEA WMU at the above address, or by visiting their website at:  
[http://www.ni-environment.gov.uk/water-home/regulation\\_of\\_discharges\\_industrial\\_and\\_private\\_sewage\\_2.htm](http://www.ni-environment.gov.uk/water-home/regulation_of_discharges_industrial_and_private_sewage_2.htm)
10. The storm drainage of the site should be designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on waterways.
11. Construction of SuDS should comply with the standards in the design manual for Scotland and Northern Ireland (CIRCA C521).

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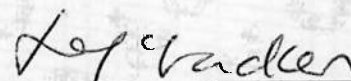


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12. NIEA WMU have advised that the applicant should ensure that measures are put in place to prevent pollution of surface or ground water as a result of the activities on site.
13. The onus is on the householder/developer to find out if there is existing water and sewer infrastructure within their property.
14. It is an offence under Article 236 of the Water and Sewerage Services (Northern Ireland) Order 2006, to build over or near watermains, sewers, pipes and associated works owned and maintained by Northern Ireland Water unless with the prior consent by NI Water.
15. House owners and developers should obtain details of existing infrastructure from NI Water by requesting a copy of the water and sewer records. Copies of our records are supplied under Articles 257 and 258 of the 2006 Order. There is a nominal charge for this service.
16. Where existing water and sewer infrastructure is located within a property and proposed development of the site interferes with the public watermains, sewers and associated works, the householder/developer may make a Notice under Article 247 of the 2006 Order to have the public infrastructure diverted, realigned. Each diversion and realignment request is considered on its own merits and approval is at the discretion of NI Water. The applicant is required to meet any financial conditions for realignment or diversion of the water and sewer infrastructure, including full costs, company overheads, etc.
17. It is the responsibility of the developer/house builder to find out about the nearest public watermain, foul sewer and storm sewer/watercourse that has the capacity to service the proposed development. Copies of existing water and sewer records can be obtained from NI Water. There is a nominal charge for this service.
18. Guidance can be given to developers/house builders about how the proposed development can be served by a public watermain or sewers. To find out how proposed development can be serviced with water and sewer infrastructure, developers and house builders can submit a Pre-Development Enquiry.
19. If your proposed development is not near a public watermain, foul sewer or surface water sewer and you cannot discharge your surface water to a natural watercourse you may wish to consider making a requisition Notice asking NI Water to extend the public watermain or foul/storm sewer system to service your development.
20. If you wish to find out more about what you can or cannot do if there is existing water or sewer infrastructure in, over or under your property, or you want to find out how your proposed development can be serviced contact NI Water staff on the Developers Services Business Line 08458770002 and ask for the Developers Services Co-Ordination Team.

Dated: 26th January 2010

  
Authorised Officer

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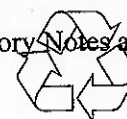
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