



OUTLINE PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

Application No: **I/2004/1280/O**

Date of Application: **2nd December 2004**

Site of Proposed Development: **Adjacent to and west of 36 Loup Road, Moneymore**

Description of Proposal: **Dwelling house**

Applicant: **Mr M Wilson**
Address: **The Wall Steads**
6 Ballygruby Road
Moneymore
Magherafelt

Agent:
Address:

Drawing Ref: **01**

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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DC1001MW

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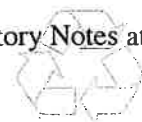


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See also Explanatory Notes attached



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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. The dwelling hereby permitted shall be of simple rural form, designed and landscaped in accordance with the Department's Design Guide for Rural Northern Ireland.

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

5. The proposed dwelling shall have a ridge height of less than 5.5 metres above finished floor level.

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

6. 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.

7. 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.

8. 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.

9. 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.

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10. All existing trees and hedgerows within the site and on the site boundary 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawing No 01 which was received on 15th November 2004.

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.

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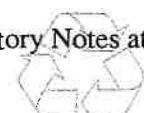


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2. The plan to be submitted in compliance with conditions for proposed landscaping should include native species and should set out details of soil preparation, planting methods, medium and additives together with the species, size and time of planting, presentation, location, spacing and numbers of all trees and shrubs to be planted.
3. 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.
4. 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.

5. 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.
6. 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;
 - (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.

7. 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.
8. 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.
9. 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.

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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.



10. 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: 9th February 2005


Authorised Officer

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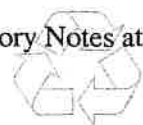
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DETAILED REQUIREMENTS FOR PUBLIC ROAD ACCESS

FORM RS1

Planning Ref. I/2004/1280/0

- 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.
- 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) _____ overleaf.

4. Visibility Splays X = 2.4 metres Y = 1.05 metres

5. Forward Sight Distance 1.05 m

6. Width of Access (if different from diagram) _____ 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 curtilage 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 33 METRES FROM EASTERN BOUNDARY

11. Other Requirements:

(a) A 150mm pipe shall connect a gully to a suitable drain.

(b) SITE FRONTAGE HEDGE TO BE REMOVED

SIGNED Rob Boyle DATE 26/1/05

"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 pole or column 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"

15.a Any hedges/walls/fences/trees/shrubs etc (of any height) located in front of the visibility splays shall be removed.

FENCE/WALL "X"

15.b 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.

"Z" 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.

17. Open drains or outlets in the road verge shall be piped to the satisfaction of DRD Roads Service (Tel: 09643717). Watercourses behind/ in front of a hedge/ fence line shall be piped to the satisfaction of the Rivers Agency (222 2342 2600).

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" "Z"

20. Entrance gates, where erected, should be sited at least 5 metres from the edge of the carriageway.

"Z" Where this is not possible, they shall be sited so that when open they do not project over the footway.

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 15m immediately adjacent to a trunk road shall be between 0 and 2%.

SURFACE MATERIAL "X"

26. Entrances/lay-bys 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

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

ACCESS ACROSS VERGE/FOOTWAY, ETC

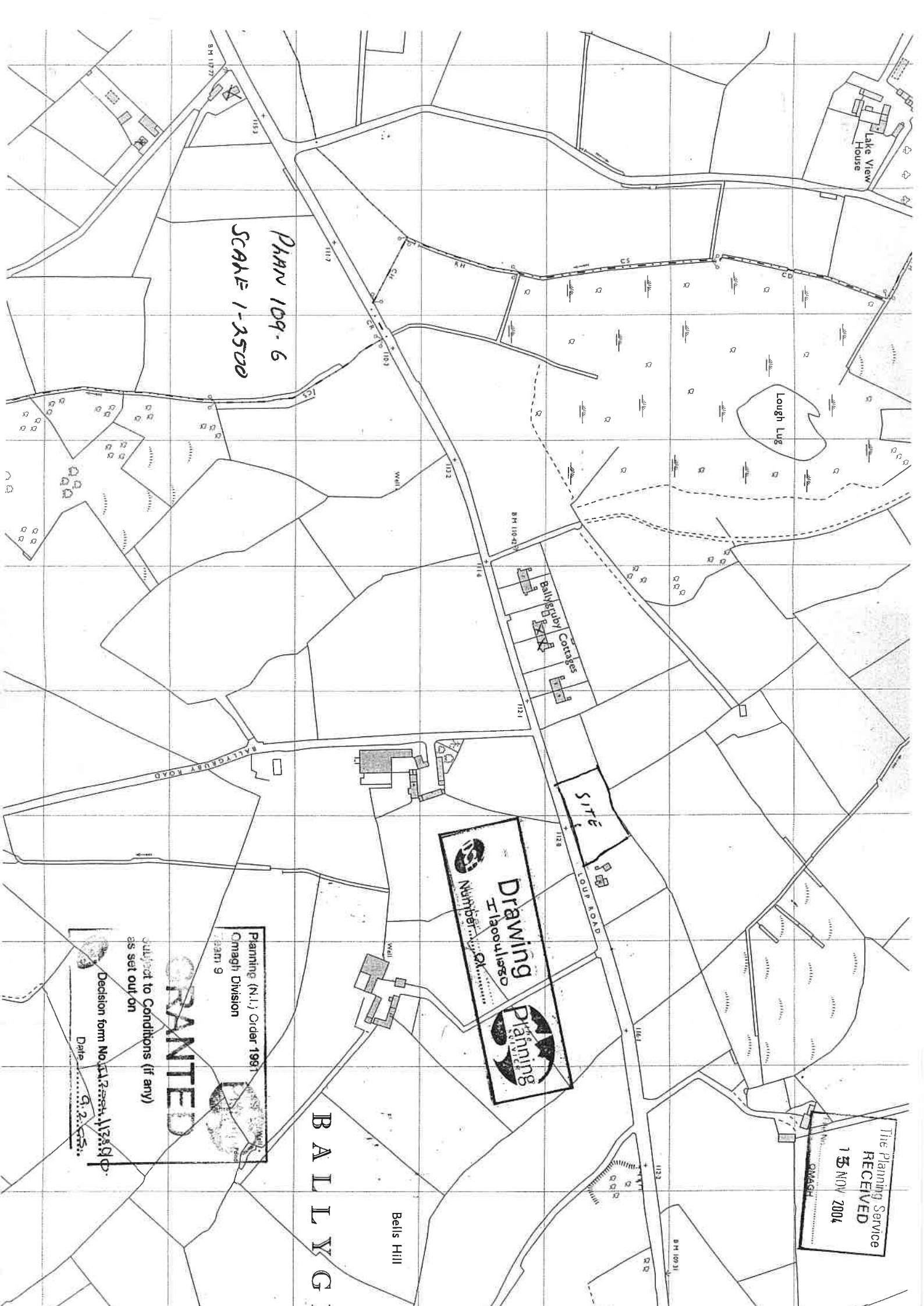
29. Roads Service have no objection to access across a roadside verge/footway. The only exception to this is where an access is onto a public car park; in this particular case a legal agreement (together with payment) must be entered into with Roads Service prior to full/reserved matters planning permission 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).

"Z" 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 openings to any fence/hedge/wall etc bounding the front of a site. The consent is available from M Breen @ 66343717. A deposit will be required.

32. Plant visibility splay/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 150 mm. See Point 3.1 of DCAN15 for guidelines on forward sight distance (Document available from Planning Service)



PHAN 109-6
SCALE 1-2500

Drawing
I Taoollasó
Number 1138
Planning

The Planning Service
RECEIVED
15 NOV 2001
SMASH

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

GRANTED

Subject to Conditions (if any)
as set out on

Decision form No. 1138/01
Date 9.2.01

BALLYG
Bells Hill