



APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA07/2021/0768/F**

Date of Application: **20th April 2021**

Site of Proposed
Development: **51 Newry Road
Hilltown
Newry
BT34 5TG**

Description of Proposal: **Proposed 2 storey replacement dwelling and garage,
upgrade of existing access and retention of original
dwelling and outbuildings for ancillary use**

Applicant: Shane and Sharon Trainor
Address: 150 Forest Hills
Newry
BT34 2FJ

Agent: Martin Bailie
Address: 44 Bavan Road
Mayobridge
Newry
BT34 2HS
info@martinbailie.co.uk

Drawing Ref: **2544-L, SP01.D, 2544/PL01, 2544/PL02A, 2544/PL03A, 2544/PL04A and
2544/PL06**

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. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.



2. The development hereby permitted shall take place in strict accordance with the following approved plans: **2544-L, SP01.D, 2544/PL01, 2544/PL02A, 2544/PL03A, 2544/PL04A and 2544/PL06.**

Reason: To define the planning permission and for the avoidance of doubt.

3. Upon occupation of the new dwelling, the dwelling to be replaced, coloured green on the approved drawing no. 2544-L date stamped 20th April 2021, shall no longer be used or adapted for purposes of human habitation and may only be used for the purposes specified in this permission or any other purpose incidental to the enjoyment of the approved dwelling house. The works proposed to the existing building as indicated on Drawing No. 2544/PL06 shall be completed within 6 months of any part of the dwelling hereby approved coming into use.

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

4. All existing mature trees and vegetation within and around the entire site boundaries shall be retained intact. No trees or vegetation shall be lopped, topped or removed.

Reason: In the interests of visual amenity and to maintain screening between the dwelling and neighbouring dwellings.

5. All landscaping comprised in the approved details of landscaping, as shown on Drawing No. SP01.D shall be carried out in the first planting season prior to the occupation of the dwelling hereby approved. An indigenous species hedge shall be planted along the 'new' south-eastern boundary highlighted in blue on approved plan Drawing No. SP01.D in a double staggered row 200mm apart, at 450mm spacing. The hedgerow shall be a minimum height of 2 metres at the time of planting and permanently retained at this height thereafter.

Reason: In the interests of visual amenity and to maintain screening between the dwelling and Newry Road.

6. Any trees or 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 others of similar size and species.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of visual amenity.

7. Prior to commencement of development the applicant shall submit a copy of a consent to discharge for the proposed site, to be agreed in writing by the Planning Authority.

Reason: To protect the environment and to comply with CTY 16 of Planning Policy Statement 21- Sustainable Development in the Countryside

8. The works indicated for the existing building to be retained shall be completed in their entirety within 6 months of the dwelling hereby approved being occupied.

Reason: To ensure the orderly development of the site.



9. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. SP01.D, prior to the commencement of any other development hereby permitted. 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 and such splays shall be retained and kept clear thereafter.

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

10. The access gradient to the dwelling hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m 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.

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. **EXISTING WATER AND SEWER INFRASTRUCTURE**
 - The onus is on the householder/developer to find out if there is existing water and sewer infrastructure within their property.
 - 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.
 - 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.
 - 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.
 - It is the responsibility of the house builder/builder/developer to establish if existing public watermains, foul/storm sewers, together with appropriate waste water treatment facilities, have adequate capacity to serve the proposal. To establish how best any development may be served by existing public water and sewerage infrastructure, a Pre Development Enquiry (PDE) would require to be submitted. There is a charge for this service.



- 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. This can be done by requisitioning a watermain under Article 76 of the 2006 Order and sewers under Article 154 of the 2006 Order. House builders and developers may have to contribute to the cost of extending watermains and sewers.
 - Septic Tank emptying. The applicant must provide a hard standing area with a 3.5m wide access capable of supporting the weight of a sludge tanker within 30 metres of the septic tank. 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. Copies of our Application Forms can be obtained by contact the Developers Services Business Line 08458770002 or by downloading from our web page www.niwater.com/servicesfordevelopers.asp and Forms.
4. Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DFI Roads Section Engineer whose address is 3 Springhill Road Newry. A monetary deposit will be required to cover works on the public road.
 5. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.
 6. Open drain to the rear of the exiting hedgerow will require to be piped to the satisfaction of Department of Agriculture (Drainage division).
 7. A formal statutory 'Consent to Discharge of Effluent' will be required from the Water Management Unit of the Northern Ireland Environment Agency under the provisions of the Water (NI) Order 1999 in respect of the discharge of foul effluent from a septic tank. Development must not commence until the above consent has been obtained. An application form can be obtained by applying to Water Management Unit, Calvert House, 17 Antrim Road, Lisburn, Co. Antrim, BT28 3AL, or on the website www.doeni.gov.uk/niea/water-home/regulation_of_discharges_industrial.htm. The septic tank should be located at least 15 metres away from the dwelling to minimise potential for odour nuisance. The applicant must ensure that sufficient land will be available in the final development to accommodate the septic tank and effectual effluent dispersal system. To achieve this, the applicant should engage the services of a suitably qualified person.
 8. 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.

Dated: 1st November 2021

Authorised Officer