



APPROVAL OF RESERVED MATTERS

Planning (Northern Ireland) Order 1991

DESIGN3

JOB 793

DATE 20.7.2007

Application No: Q/2006/0475/RM

Date of Application: 9th May 2006

Site of Proposed Development: Approximately 200 metres east of 73 Kilkinamurry Road, Ballyward, Castlewellan

Description of Proposal: Erection of dwelling

Applicant:

[REDACTED]

Agent:

Mr Hughes



2. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the dwelling.

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

3. No retained tree 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 be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Department. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 1989: Recommendations for Tree Work.

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

4. If any retained tree is removed, uprooted or destroyed or dies within 3 years from the date of the occupation of the building for its permitted use, another tree or trees shall be planted at the same place and shall be of such size and species and shall be planted at such time as may be specified by the Department.

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

5. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made or any other works carried out, or fires lit without the written consent of the Department.

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

6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Department gives its written consent to any variation.

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

7. During the first available planting season after the occupation of the dwelling an indigenous species hedgerow shall be planted in a double staggered row 200mm apart, at 450 mm spacing, 500 mm to the rear of the sight splays along the front boundary of the site.

Reason: To ensure the amenity afforded by existing hedges is maintained.

8. The building hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with the approved plans.

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See also Explanatory Notes attached



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

9. 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 before the development hereby permitted is occupied 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.

10. The gradient of the access 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.

11. The dwelling shall not be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of 2 spaces per dwelling and a further 1 space outside the curtilage of the dwelling.

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

12. Development must not commence until 'Consent to Discharge of Effluent' under the Water (NI) Order 1999 has been obtained from the Environment and Heritage Service of the Department of the Environment.

Reason: In the interest of public health.

Informatives

1. This decision relates to the stamped approved drawing Nos 01 and 03 which were received on 9th May 2006 and drawing No 02 which was received on 5th July 2007.
2. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
3. All construction plant and materials shall be stored within the curtilage of the site.
4. It is the responsibility of the developer to ensure that surface water does not flow from the site onto the public road and the existing roadside drainage is accommodated and no water flows from the public road onto the site and that surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.

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5. The Department considers that Leyland and Lawson Cypress including the variety Castlewellan Gold, are inappropriate in rural areas as these non-native species are incongruous and intrusive in the countryside and are no benefit to wild life.
6. Details of suitable trees and hedgerow species for rural areas, can be found in 'A Design Guide for Rural Northern Ireland: Appendix 3'. Further information can be obtained from; Landscape Architect's Branch, Block 4, Hydebank, 4 Hospital Road, Belfast BT8 4JL Tel: 028 9025 3000.
7. Water supply not available. The nearest public water main is located 217-metres away in Kilkinnamurry Road.
8. Foul water sewer not available. The use of a septic tank, 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.

9. 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.
10. 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.
11. 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.
12. An application to install a septic tank should be made to the Environmental Health Department of Banbridge District Council.
13. A formal statutory 'Consent to Discharge of Effluent' will be required from the Environment and Heritage Service under the provisions of the Water (NI) Order 1999 in respect of the discharge of foul effluent from a septic tank.

The septic tank should be located at least 15 metres away from the dwelling to minimise potential for odour nuisance.

14. Consent of the Department of Environment Water Pollution Control Branch in relation to the discharge of effluent from the septic tank in accordance with the provision of the Water (Northern Ireland) Order 1999 may apply. Application under the Water Act should be made to the Environmental Health (Rivers) Inspector.

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15. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
16. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
17. The applicant's attention is drawn to the attached information note from Northern Ireland Electricity.
18. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
19. 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: 18th July 2007



Authorised Officer

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See also Explanatory Notes attached



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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 (N1) Order 1991 [or the Planning (Control of Advertisements) Regulations (N1) 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.

Form P19



Obtaining a New Electricity Connection or an Alteration to the infrastructure which provides your existing supply

Now that you have been granted planning permission for your proposed development you need to plan ahead for your electricity supply. You also need to consider whether your proposed development will require alterations to NIE's existing equipment.

NIE may have to obtain some or all of the following to meet your requirements:

- Approval from other landowners for the new or altered infrastructure including formal agreement to wayleaves or easements,
- Further planning permission from the Planning Service may be required for the electricity infrastructure needed to provide your power supply. This planning permission is entirely separate from the planning approval you have been granted for your development and,
- Permission from DRD Roads Service to carry out work on public roadways.

Please note that in some instances, because of the processes described above, it may take 9 months before the work can be completed. NIE strongly advises you to make an early application for your new supply or alteration to avoid any undue delays.

An application pack for an Electricity Supply or Alteration can be obtained by contacting 08457 643643 or alternatively can be downloaded from the NIE website at www.nie.co.uk.

Site Safety

Works in the vicinity of NIE's electricity infrastructure, whether underground or overhead, can be dangerous.

NIE strongly advises that the safety of your works must be in accordance with: HSE Guidance Note GS6 (Avoidance of Danger from Overhead Lines) and HSE Booklet HS (G) 47 (Avoiding Danger from Underground Services).

If inadvertent contact is made with NIE's equipment, stop work immediately, advise NIE as soon as possible and keep well clear of the area until NIE has made it safe.

Further information can be found on the Health & Safety Executive website at www.hse.gov.uk or on NIE's safety website at www.niesafety.co.uk.

In an emergency NIE may be contacted on Tel: 08457 643643.