

OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA03/2023/0766/O**

Date of Application: **6 October 2023**

Site of Proposed Development: **Land approx. 3m South West of 22 Cloughlin Lane, Ballyclare, BT39 9JD**

Description of Proposal: **14 No. New Dwellings**

Applicant: Jim Strange
Address: 39A Watch Hill Road
Ballyclare
BT39 9QW

Agent: Gary Lamont
Address: A.C.E. Architectural Services Ltd.
138 Queen Street
Ballymena
BT42 2BQ

Drawing Ref: 01/5

The Council in pursuance of its powers under the above-mentioned Act 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. Application for approval of the reserved matters shall be made to the Council 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:-
 - a. the expiration of 5 years from the date of this permission; or
 - b. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 02 and 03 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. The development shall be in accordance with the requirements of the Department's Creating Places Design Guide and, for the purpose of adopting private streets as public roads, the Council shall determine the width, position and arrangement of the streets associated with the development and the land to be regarded as comprised in those streets.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Street (Northern Ireland) Order 1980.

5. Prior to the occupation of any dwelling, all habitable rooms to the permitted development, shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 24dB Rw prior to the occupation of that dwelling and shall be retained for the lifetime of the development.

Reason: In order to ensure a suitable internal noise environment is achieved within the dwellings.

6. Prior to the occupation of any dwelling, all habitable rooms to the permitted development shall be fitted with passive and/or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 24dB Rw prior to the occupation of that dwelling and shall be retained for the lifetime of the development.

Reason: To ensure a suitable noise environment is achieved within the dwelling without jeopardising the provision of adequate ventilation.

7. Prior to occupation of the first dwelling, an acoustic barrier of 2.0m height shall be erected along the northwestern boundary of the site as highlighted in blue on Drawing Number 01/5 date stamped 20th November 2024. The barrier shall have a surface weight of not less than 10kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design.

Reason: In order to protect external amenity of the permitted development.

8. Details of the proposed boundary treatment of the northeastern site boundary, as highlighted purple on Drawing Number 01/5 date stamped 20th November 2024 shall be provided at reserved matters stage.

Reason: To protect the residential amenity of the existing neighbouring dwelling.

9. The existing trees and hedges on the northwestern, southwestern and southeastern boundaries, as highlighted in green on Drawing Number 01/5 date stamped 20th November 2024, shall be retained and allowed to grow on, unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing. Existing trees shall be retained at a minimum height of 4 metres.

Plants dying within the lifetime of the development shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

Reason: To ensure the maintenance of screening to the site and ensure the continuity of amenity afforded by existing trees.

10. A detailed landscaping plan shall be submitted as part of the Reserved Matters application showing the location, numbers, species and sizes of trees and shrubs to be planted.

The proposed landscaping shall be carried out within the first available full planting season after occupation of the development hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

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

11. If within the lifetime of the development any tree, shrub or hedge, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, 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, within the first available full planting season, unless the Council gives its written consent to any variation.

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

Informatives

1. This permission grants planning consent only and other statutory approvals may be required.
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 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.

4. Under the terms of Schedule 6 of the Drainage (NI) Order 1973 any proposal either temporary or permanent, in connection with the development which involves interference with any watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water etc. requires the written consent of DfI Rivers. This should be obtained from our Eastern Regional Office, Ravarnet House, Altona Road, Largymore, Lisburn, BT27 5QB.
5. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult DfI Rivers accordingly on any related matters.
6. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of DfI Rivers. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
7. 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 DfI Rivers. 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.
8. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise DfI Rivers immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
9. The applicant should comply with all the relevant NIEA Standing Advice documents and Guidance for Pollution Prevention (GPPs) in order to minimise the impact of the project on the environment. Paying particular attention to:
 - Understanding your environmental responsibilities – good environmental practices: GPP 1
 - Above ground oil storage tanks: GPP 2

- Use and design of oil separators in surface water drainage systems: GPP 3
- Works and maintenance in or near water: GPP 5
- Working at construction and demolition sites: GPP6
- Safe storage and disposal of used oils: GPP 8
- Vehicle Washing and Cleaning GPP 13
- Pollution incident response planning: GPP 21
- Dealing with spills: GPP 22
- Safe Storage of Drums and Intermediate Bulk Containers (IBCs): GPP 26
- Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010
- CIRIA guidance documentation C532 'Control of water pollution from construction sites: guidance for consultants and contractors.
- The applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Pollution Prevention Guidance.
- The applicant must refer and adhere to the relevant precepts in DAERA Standing Advice Discharges to the Water Environment.

The applicant should note that the above list is not exhaustive.

NIEA Standing Advice can be viewed at:

<https://www.daera-ni.gov.uk/publications/standing-advice-development-may-have-effectwater-environment-including-groundwater-and-fisheries>

Guidance for Pollution Prevention (GPPs) documents can be obtained at:

<https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gppdocuments/>

CIRIA Guidance can be obtained here:

https://www.ciria.org/ci/Civil_infrastructure/CIRIA_guidance.aspx

10. The contractor / person carrying out the works is responsible for ensuring that any and all required mitigation measures are in place and ultimately under the Water

(Northern Ireland) Order 1999 is liable for any discharge or deposit, whether knowingly or otherwise, of any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata.

11. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
12. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.
13. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult DfI Rivers accordingly on any related matters.
14. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of DfI Rivers. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
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 DfI Rivers. 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 DfI Rivers 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. Under the terms of Schedule 6 of the Drainage (NI) Order 1973 any proposal either temporary or permanent, in connection with the development which involves interference with any watercourse such as culverting, bridging, diversion, building

adjacent to or discharge of storm water etc. requires the written consent of DfI Rivers. This should be obtained from our Eastern Regional Office, Ravarnet House, Altona Road, Largymore, Lisburn, BT27 5QB.

Dated: 27 November 2024

Authorised Officer:

