



APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA07/2018/1565/F**

Date of Application: **9th October 2018**

Site of Proposed Development: **Lands immediately North East of No. 15-17 The Square Newtownhamilton**

Description of Proposal: **Erection of residential development comprising of 5 No. dwellings and 2 No. self contained flats and associated site works**

Applicant Orchard County Contracts
Address: 17 Mullanary Road
Dungannon

Agent: O'Callaghan Planning
Address Unit 1
S 10 Monaghan Court
Monaghan Street
Newry
BT35 6BH
colin@ocallaghanplanning.co.uk

Drawing Ref: P01 (Site Location Plan), **P02I** (Proposed Site Layout), **P04G** (House Types Plots 01-04), **P05C** (House Types Plots 05 -07), **P03F** (Proposed Site Sections) and **P07A** (Landscape Layout)

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:

- **P01** (Site Location Plan) (Uploaded 18.10.18)
- **P02I** (Proposed Site Layout) (Uploaded 01.09.20)
- **P04G** (House Types Plots 01-04) (Uploaded 01.09.20)
- **P05C** (House Types Plots 05 -07) (Uploaded 01.09.20)
- **P03F** (Proposed Site Sections) (Uploaded 01.09.20)
- **P07A** (Landscape Layout) (Uploaded 01.09.20)

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

3. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Local Planning Authority. The programme shall provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, protected and/ or appropriately recorded.

4. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

5. Prior to commencement of the development hereby approved, the method of sewage disposal shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To ensure a practical solution to sewage disposal is possible at this site.



6. Prior to the commencement of the development hereby approved, a Schedule 6 Consent to Discharge shall be submitted to and agreed in writing by the Newry, Mourne and Down District Council's Planning Authority in consultation with DfI Rivers Agency.

Reason: As required by the terms of Schedule 6 of the Drainage (NI) Order 1973 and to ensure surface water can be safely discharged from the proposed development.

7. All hard and soft landscape works shall be carried out in accordance with drawing No. P02I (Proposed Site Layout) and P07A (Landscape Layout) and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out within the first planting season following the first occupation of any of the dwellings hereby permitted.

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

8. 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 Local Planning Authority, 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 Local Planning Authority gives its written consent to any variation.

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

9. The retaining walls shall be designed in accordance with the relevant British Standards and Codes of Practice and the retaining wall design shall accommodate any lateral loading from the retained slope. Any such designs and assessments should be certified by an appropriately qualified engineer.

Reason: To ensure that the structure is designed meet relevant British Standards and Codes of Practice

Informatives

1. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.



2. 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 the Rivers Agency. 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.
3. 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.
4. 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.
5. Where an undesignated watercourse flows through or adjacent to a development site, it is strongly advised that a working strip of appropriate width is retained to, in future, enable riparian landowners to fulfil their statutory obligations/responsibilities.
6. The undesignated watercourse which (lies within / bounds) the development site, requires improvement works to (facilitate increased storm runoff / to enhance protection against flooding) and such works will be undertaken at the developer's expense.
7. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work contact:

Historic Environment Division – Historic Monuments

Causeway Exchange

1–7 Bedford Street

Belfast,

BT2 7EG

Tel: 02890 823100

Quote reference: SM11/1 ARM 025:026 and LA07/2018/1565/F

Application for the excavation licence, required under the *Historic Monuments and Archaeological Objects (NI) Order 1995*, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to:

Historic Environment Division – Historic Monuments

Causeway Exchange

1–7 Bedford Street

Belfast,

BT2 7EG



8. 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.
9. 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: 8th September 2022

Authorised Officer:

Anthony McHugh