



PLANNING PERMISSION

Planning (Northern Ireland) Order 1991

Application No: **G/2004/0870/F**

Date of Application: **18th June 2004**

Site of Proposed Development: **Site 140m South East of 79 Ballycowan Road, Ballymena**

Description of Proposal: **New dwelling and garage**

Applicant: **Mr J Simpson**

Address: **C/O Agent**

Agent: **Bell Architects**

Address: **76 Main Street**

Ballymoney

BT53 6AL

Drawing Ref: **01 Revision 1, 02**

The Department of the Environment in pursuance of its powers under the above-mentioned Order 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. As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time limit.

2. 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.

3. The existing natural screenings of this site, shall be retained at a minimum height of 4 metres.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

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4. During the first available planting season after the occupation of the dwelling a natural species hedge 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.

5. The dwelling hereby permitted shall not be occupied until all new boundaries have been defined by a timber post and wire fence with a native species hedgerow with trees and shrubs of mixed woodland species planted on the inside.

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

6. The proposed planting as indicated on drawing No 01/1 date stamped 15 February 2005, shall be undertaken prior to the occupation of the dwelling hereby approved.

Reason: In the interest of visual amenity.

7. 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 that tree 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.

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 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.

9. The vehicular access, including visibility splays and any forward sight line, shall be provided in accordance with the approved plans, prior to the commencement of any works or other development hereby permitted.

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

10. 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 commenced 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.

11. 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

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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.

12. Any access ramps or steps associated with the development shall be provided within the curtilage of the site.

Reason: To prevent encroachment into the public road in the interests of road safety and the convenience of road users.

13. The permission hereby granted supersedes the previous approval G/2002/0284/0 and one dwelling only shall be erected on the site.

Reason: To accord with the Department's Policy in relation to residential development in the countryside and to prevent an accumulation of dwellings in the area.

14. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawing No 01/1 which was received on 15 February 2005 and drawing No 02 which was received on 17 November 2004.

Reason: To ensure a satisfactory form of development.

Informatives

1. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for which separate permissions and arrangements are required.
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. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: Ballykeel Depot, 190 Larne Link Road, Ballymena. A deposit will be required.
4. All construction plant and materials shall be stored within the curtilage of the site.
5. It is the responsibility of the developer to ensure that
 - a) surface water does not flow from the site onto the public road.
 - b) the existing roadside drainage is accommodated and no water flows from the public road onto the site.

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- c) surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.
6. 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.
7. 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.

8. 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.
9. 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.

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. The applicant must provide an all weather hard standing area with a 3.5 metre wide access capable of supporting the weight of the sludge tanker within 30 metres of the septic tank.
13. 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.

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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 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.
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. This approval is subject to Consent under The Water (NI) Order 1999.
17. 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.
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: 7th March 2005


Authorised Officer

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An Agency within the Department of the
Environment
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Ballymena Planning Office



See also Explanatory Notes attached

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