APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: LA07/2015/0227/F

Date of Application: 5th May 2015

Site of Proposed Development:

170 metres south east of 45 Carrogs Road
Burren
Warrenpoint

Description of Proposal:

Erection of replacement dwelling with improvements to existing access in substitution to approval granted under P/2010/0075/F.

Applicant: Kenway Developments Ltd
Address: 49 Donaghaguy Road
Burren
Warrenpoint

Agent: Quinn Design and Engineering Services
Address: 36 Carrogs Road
Burren
Warrenpoint
BT34 3PY

Drawing Refs: 01, 02 & 03

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. As required by Article 61 of the Planning (Northern Ireland) Act 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

REASON: Time Limit.
2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02 bearing the date stamp 5th May 2015, 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.

3. The access gradient to the dwelling hereby permitted 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.

4. No development should take place on-site until the method of sewage disposal has been agreed in writing with NIW or a consent to discharge has been granted.

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

5. The building shall be provided with such sanitary pipework, foul drainage and rain-water drainage as may be necessary for the hygienic and adequate disposal of foul water and rain-water separately from that building. The drainage system should also be designed to minimise the risk of wrongly connecting the sewage system to the rain-water drainage system, once the building is occupied.

REASON: In order to decrease the risk of the incorrect diversion of sewage to drains carrying rain/surface water to a waterway.

6. 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 Practise. 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.

7. 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 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, unless the Council gives its written consent to any variation.

REASON: To ensure the provision, establishment and maintenance of a high standard of landscape.
1. This decision notice relates to drawing numbers 01 - 03 which were received on 5th May 2015.

2. Notwithstanding the terms and conditions of the Department of 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 Regional Development'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 TransportNI Section Engineer whose address is 1 Cecil St Newry. A monetary deposit will be required to cover works on the public road.

3. 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.

4. Should the development proceed, then a consent to discharge under the Water Order 1999 shall be required. A Water Order Consent application form can be obtained by applying to Water Management Unit, Calvert House, 17 Antrim Road, Lisburn, Co. Antrim, BT28 3AL. The applicant is to be advised that no work should be undertaken until such is approved. The applicant must ensure that sufficient land is, and will be, available in the final development to accommodate septic tank and effluent dispersal system. To achieve this, the applicant should engage the service of a suitably qualified person.

5. Energy efficiency and renewable energy: Applicants are encouraged to consider the use of renewable energy and energy efficient materials and fittings in association with this development.

6. The storm drainage of the site, during site clearance, construction and operational phases of the development, should be designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on waterways. Construction of SuDS should comply with the design and construction standards as set out in the Construction Industry Research and Information Association (CIRIA) manual C697. A separate site handbook (C698) for the construction of SuDS has also been produced by CIRIA.

7. The applicant should comply with all the relevant Pollution Prevention Guidelines (PPGs) in order to minimise the impact of the project on the environment, paying particular attention to:
   - PPG 01 - General guide to pollution prevention
   - PPG 02 - Above ground oil storage
   - PPG 04 - Disposal of sewage where no foul sewer is available
   - PPG 05 - Works in, near or liable to affect watercourses
   - PPG 06 - Working at demolition and construction sites

Compliance with the advice in PPG 05 and 06 will help to minimise the impact of the site clearance and construction phases of the project on the environment. These PPGs can be accessed by visiting the NetRegs website at: http://search.netregs.org.uk/search?w=pollution%20prevention%20guidelines
8. General advice and guidance on private water supplies can be obtained from the DWI's information leaflet 'Is your private water supply safe?' http://www.doeni.gov.uk/niea/privatewatarsuppliesleaflet.pdf

More detailed guidance can be obtained from the private water supplies technical manual at: http://www.privatewatersupplies.gov.uk/


11. 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 water mains, 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 water mains, 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 water mains, 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. Housebuilders and developers may have to contribute to the cost of extending water mains 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.

12. An application to install a septic tank should be made to the Environmental Health Department of Newry, Mourne and Down District Council.

13. A consent under the terms of the Water Act (NI) 1999 will be required from the Department's Environment Service, Calvert House, Castle Place, Belfast.

14. The Council 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.

15. 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, Landscape Architects Branch, 2nd Floor, Millennium House, Belfast BT2 7BN, Tel: 028 90540540.

16. 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.

17. 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: 23rd December 2015

Authorised Officer: __________