

APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No.: **LA03/2017/0900/RM**

Date of Application: **4th October 2017**

Site of Proposed Development: **Between 140 and 142 Ballymena Road, Kells**

Description of Proposal: **2 no. new dwellings and garages**

Applicant: **J.I.A. Construction Ltd**
Address: **82 Carncome Road
Kells**

Agent: **Ivan McClean**
Address: **64 Old Portglenone Road
Ahoghill
BT42 1LQ**

Drawing Ref: **01, 02/1, 03, 04, 05, 06, 07, 08, 09**

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 to which this approval relates must be begun by whichever is the later of the following dates:-
 - i. The expiration of a period of 5 years from the grant of outline planning permission; or
 - ii. The expiration of a period of 2 years from the date hereof.

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



2. The existing natural screenings of this site shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

3. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

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

4. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it 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 continuity of amenity afforded by existing trees.

5. The dwelling on Site 1 hereby permitted shall not be occupied until the northern, western and southern site boundaries have been defined by a timber post and wire fence with (a native species hedgerow/trees and shrubs of mixed woodland species) planted on the inside as per Drawing No.02/1 bearing the date stamp 13th December 2017.

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

6. The dwelling on Site 2 hereby permitted shall not be occupied until the southern, western and northern site boundaries have been defined by a timber post and wire fence with (a native species hedgerow/trees and shrubs of mixed woodland species) planted on the inside as per Drawing No.02/1 bearing the date stamp 13th December 2017.

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

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.



8. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.02/1 bearing the date stamp 13th December 2017, prior to the occupation 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.

9. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a 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 interests of road safety and the convenience of road user.

Informatives

1. 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.
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. Applicant to note; Please see advice note from Northern Ireland Water.
4. 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.
5. Notwithstanding the terms and conditions of the Department of the Environment'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 Infrastructure'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 DfI Section Engineer whose address is Crown Buildings, 20 Castle Street, Antrim, BT41 4JE. A monetary deposit will be required to cover works on the public road.
6. All construction plant and materials shall be stored within the curtilage of the site.



7. 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.
8. This permission grants planning consent only and other statutory approvals may be required.

Dated: 15th January 2018

Authorised Officer



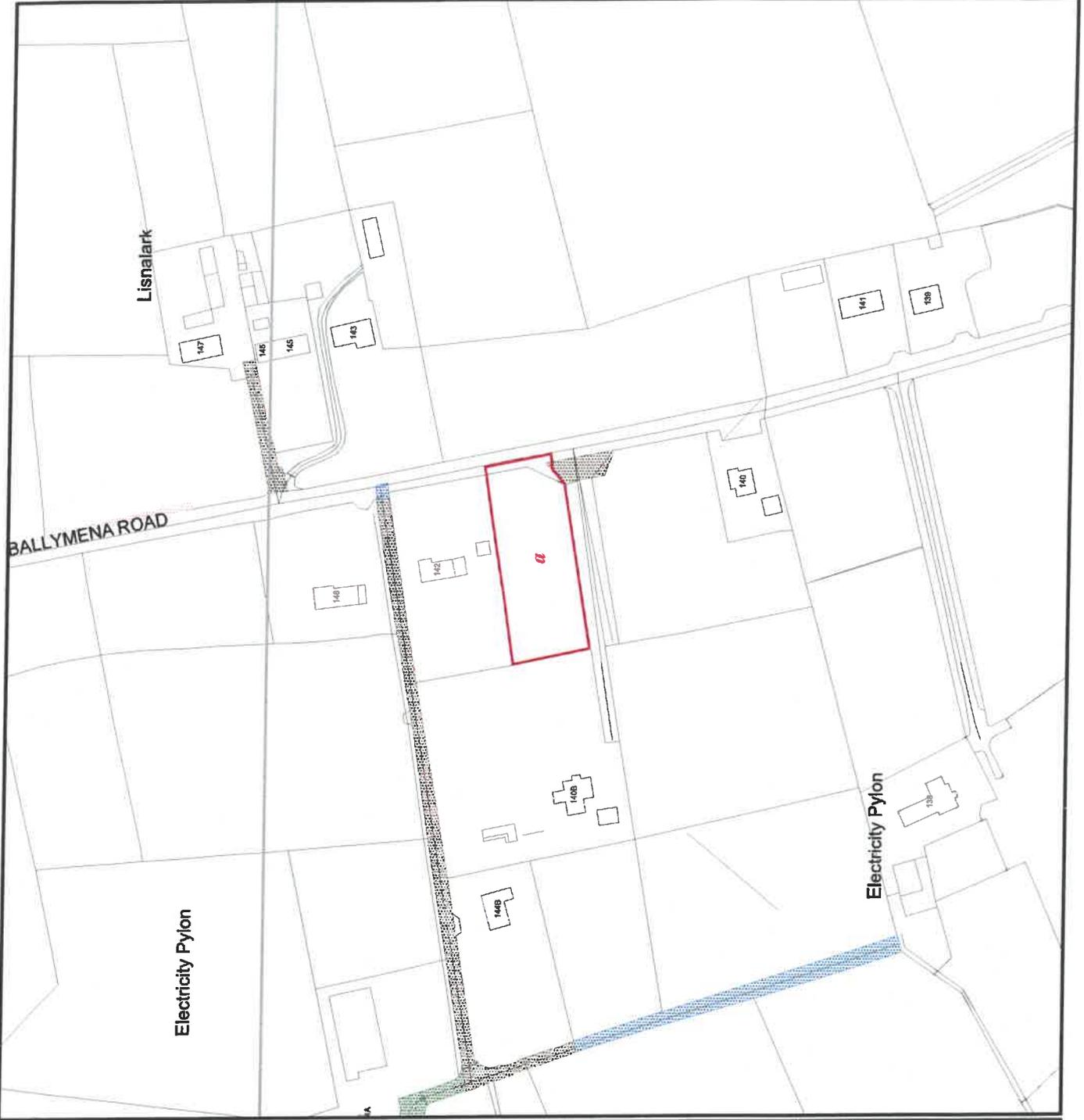


Land & Property Services
Seirbhísí Talún & Maoine
THE LAND REGISTRY | CLÁRLANN NA TALÚN

Date: 30 May 2023
County: Antrim
Folio: AN276480
Scale: 1:2500
Our Ref: 2023/425234
Your Ref: imcm/J00547/3
Map Ref(s): 09701SW,09705NW
Sheet 1 of 1

Key to folio labels:

a - AN276480



This map is for location purposes only (File No. 141(1) of the Land Registration Rule (Northern Ireland) 1994, as amended by paragraph 19 of the provisions of the Land Registration (Amendment) Regulations 2019, and the provisions of the Land Registration (Amendment) Regulations 2020). The co-ordinates of Land Registry Holdings and CSNI features may have been affected by revisions of the OSNI map subsequent to registration.

This map has been prepared using the largest scale Land Registry map available for the area. Any future Deed map should be based on the largest scale OS Grid Plan available for the area.

N.B. Folio boundaries are not conclusive (unless so described on the folio). See 804 of the Land Registration Rules 2019 for details of the provisions of the Land Registration Act 2002 relating to the Land Register. Where there is any doubt concerning boundaries, the original Instrument or Document should be inspected.

This copy map shows the location of the lands comprised in the folio listed above.



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