



APPROVAL OF RESERVED MATTERS

Planning Act (Northern Ireland) 2011

Application No: **LA07/2022/0222/RM**

Date of Application: **11th January 2022**

Site of Proposed Development: **132m south of no. 42 Aghincurk Road
Newtownhamilton
Newry
BT35 0AT**

Description of Proposal: **Proposed replacement dwelling and associated site works**

Applicant: **Ciaran Canning**
Address: **29 Aughincurk Road
Newtownhamilton
Newry
BT35 0AZ**

Agent: **Jonathan McGrath**
Address: **139 Carney Hall
Newry
BT34 1GA**

Drawing Ref: **01, 02, 03**

Outline Application Number: **LA07/2021/0836/O**

With respect to the above proposal for development, being matters reserved in the outline planning permission specified above, The Council in pursuance of its powers under the above-mentioned Act and in accordance with your application

HEREBY APPROVES

the said reserved matters 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 development hereby permitted shall take place in strict accordance with the following approved plans: Drawing No's **01, 02 and 03**.

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

3. The construction of the dwelling hereby permitted, including the clearing of topsoil, shall not commence until the existing building, coloured green on the approved plan No 01 is demolished, all rubble and foundations have been removed and the site restored in accordance with the details on the approved plans.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

4. All hard and soft landscape works shall be carried out in accordance with the approved details shown on approved drawing No 01 and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the dwelling in accordance with the approved plans.

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

5. 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.

6. The vehicular access, including visibility splays and forward sight distance shall be provided in accordance with Drawing No 01 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.

7. 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 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.



8. The materials to be used in the construction of the external surfaces of the dwelling and garage hereby permitted, shall be in accordance with those detailed on the approved drawing No 03.

Reason: In the interest of visual amenity and to ensure the proposal is in keeping with the rural area.

9. Prior to commencement of development the applicant shall submit a copy of a consent to discharge for the proposed site, to be agreed in writing by the Planning Authority.

Reason: To protect the environment and to comply with CTY 16 of Planning Policy Statement 21- Sustainable Development in the Countryside.

Informatives

1. The applicant's attention is drawn to the need to comply with all conditions imposed on the outline planning permission, some of which may need to be satisfied prior to the commencement of any work on the site pursuant to that permission and to this approval of reserved matters.
2. Notwithstanding the terms and conditions of the Planning Authority'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 Roads Section Engineer whose address is 3 Springhill Road, Newry. A monetary deposit will be required to cover works on the public road.
3. The Roads (Northern Ireland) Order 1993.
Planning Approval permits "the construction of the means of access". This includes the surfacing of the vehicular crossing point, the removal of boundary to create visibility splays and the formation of new boundary behind visibility splays. Any other works, such as kerbing of the road edge, alteration of the road drainage or laying of services in the road or verge, requires the separate consent of DfI Roads. The consent is available on personal application to the DfI Roads Section Engineer whose address is 3 Springhill Road, Newry. A monetary deposit will be required to cover works on the public road.
4. 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.
5. 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.
6. 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 May 2022

Authorised Officer: