

## APPROVAL OF RESERVED MATTERS

### Planning Act (Northern Ireland) 2011

Application No: **LA07/2024/1087/RM**

Date of Application: **19 September 2024**

Site of Proposed  
Development:

**Between 52 and 52A Mill Road, Mullaghbawn, Newry**

Description of Proposal:

**Erect dwelling with detached garage and associated  
siteworks**

Applicant: Mike Gartland  
Address: 52A Mill Road  
Mullaghbawn  
Newry

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

Drawing Ref: MGartland 1, MGartland 2, MGartland 3 and MGartland 4.

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: MGartland 1, MGartland 2, MGartland 3 and MGartland 4.

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

3. The walls indicated on drawing No 02 to be finished using natural stone are to be constructed using locally sourced granite and are to be retained for the lifetime of the development.

Reason: In the interest of visual amenity and to respect the local materials as required by Policy NH 6 of PPS 2

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing MGartland 1 published 10th January 2025, 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.

5. The access gradient to the dwelling hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m 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.

6. All landscaping comprised in the approved details of landscaping as shown on drawing no. SMagill 1 B shall be carried out in the first planting season following the occupation of the dwelling hereby approved and permanently retained thereafter.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of visual amenity.

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. Prior to commencement of development the applicant shall submit a copy of 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. No development shall be commenced until a requisition for a water main extension has been made to NI Water in accordance with Article 76 of the Water and Sewerage Services (Northern Ireland) Order 2006 to serve the proposed development and no part of the development shall proceed beyond sub-floor construction until such water main extension to serve the development has been provided.

The use of an onsite wastewater treatment works or a septic tank, (on the basis of one for each dwelling) is subject to the written consent being obtained from Northern Ireland Environment Agency. Where approval to use a private septic tank disposal system is granted, and the applicant wishes NI Water to provide a periodic desludging service, the applicant must complete the necessary 'Form of Agreement' and adhere to the construction conditions contained therein. Further information is available on [www.niwater.com](http://www.niwater.com)

Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland). Applicants should contact NI Water's Water Fittings Regulations team via [waterline@niwater.com](mailto:waterline@niwater.com) if they have any queries.

Where the sewers within the proposal serves two or more properties the developer must enter into an Agreement for Adoption of Sewers under Article 161 of the above Order. Sewers must be designed to meet the criteria as set out in the current Sewers for Adoption Northern Ireland specification. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised by NI Water. If your proposal is for more than 1 property it may be eligible for the provision of a public watermain. Single property if accessed directly from a public road / area. For multiple properties each must have an individual supply direct from the proposed public watermain under Article 76 of the above order.

For single properties where there is no sewer NI Water provide an annual septic tank desludge/emptying service. Further information is available by contacting Waterline on 03457 448800 or [waterline@niwater.com](mailto:waterline@niwater.com) . Desludge/emptying request is also available via NIW Self Service Portal at <https://selfservice.niwater.com/DesludgeOpen>

2. 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
3. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as di-version, culverting, bridging; or placing any form of structure in any water-course, 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.
4. 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.
5. If, during the course of developing the site, the developer uncovers a water-course 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 water-course.
6. 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.
7. 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: 8 May 2025

Authorised Officer:

