



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA10/2024/1183/O**

Date of Application: **5 December 2024**

Site of Proposed Development: **Lands to north west of No.30 Lettergreen Road
Newtownbutler, BT92 8DF**

Description of Proposal: **Proposed site for 2no detached dwellings and garages.**

Applicant: **[REDACTED]**
Address: **[REDACTED]**
[REDACTED]
[REDACTED]
[REDACTED]

Agent: **Garbhan Mc Caffrey,**
Address: **GMC Architects**
145 Castlebalfour Road
Lisnaskea
BT920AW

Drawing Ref: Drawing 01 Rev 1, Drawing PL432- 001, Drawing PL432-001A.

The Council in pursuance of its powers under the above-mentioned Act hereby

GRANTS OUTLINE 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. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

2. No development shall take place until a plan indicating floor levels of the proposed dwelling(s) in relation to existing and proposed ground levels has been submitted to and approved by Fermanagh and Omagh Council at the Reserved Matters stage. The depth of under build between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: To ensure the dwelling integrates into the landform.

3. The proposed dwellings shall be of simple rural form exhibiting the traditional elements of rural design, particularly in form, proportion and finishes, as set out in Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

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

4. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1.

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

5. The existing vegetation along the entire site boundaries must be retained intact except where it is required to provide sight lines. No trees or vegetation must be lopped, topped or removed without the prior consent in writing of the Council, unless necessary to prevent danger to the public in which case a full explanation must be given to the Council in writing at the earliest possible moment.

Reason: In the interests of visual amenity

6. A landscaping scheme shall be submitted simultaneously with the detailed drawings (for the development hereby approved) at the Reserved Matters stage. Any trees or shrubs which may be damaged or die within a period of 5 years from the date of planting shall be replaced by plants of similar species and size at the time of their removal. All landscaping shall take place within the first available planting season after the commencement of the development. The plans and particulars submitted shall include details of the site preparation, planting methods, medium and additives together with the species, size and time of planting, presentation, location, spacing and numbers of all trees and shrubs to be planted and the proposed time of planting.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscaping in the interests of visual amenity.

7. Details of the method of sustainable drainage system for the capture, use, delay and absorption of rainwater during site clearance, construction and operational phases and a timetable for construction as detailed on site location drawing 01 Rev 01, shall be submitted to the Council at reserved matters stage. SuDS must be designed to the principles of Sustainable Drainage Systems (SuDS) and the construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual - Construction Industry Research and Information Association (CIRIA) Report C753. All agreed SuDs shall be implemented on site in accordance with an agreed phasing timetable and shall be retained for the lifetime of the development in good condition.

Reason: To ensure the provision of SuDs as required by Policy FLD03.

8. Details of the of energy and resource efficiency measures to be put in place, shall be submitted to the Council at Reserved Matters stage. All proposed measures must adopt sustainable building practices and be in place/operational prior to occupation of the dwelling hereby approved and be retained for the lifetime of the development in good condition.

Reason: To ensure the provision of energy and resource efficiency is incorporated into the development as required by Policy DE02.

9. Application for approval of the reserved matters shall be made to the Council.

Within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever the later of the following dates: -

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act.

Informatives

1. This document is the decision of the Council in respect of application LA10/2024/1183/O. No part of this document may be changed or altered in any way without the consent of the Council.

Applicants/Agents/Developers and other interested parties, including solicitors or purchasers of the land subject of this decision, should check the decision notice for

planning conditions and approved drawings that accompany this decision and be satisfied that the conditions are being complied with in the event works commence on site and the works are in accordance with the approved drawings.

The drawings, as referenced above, to accompany this decision are available to view on the Planning Portal.

If you wish to verify the accuracy of the decision notice, or download a copy, please check the Planning Portal by searching at:<https://planningregister.planningsystemni.gov.uk/simple-search>

2. NIEA Water Management Unit recommends that no development should take place on-site until the method of effluent disposal has been agreed in writing with Northern Ireland Water (NIW) or Consent to discharge has been granted.

3. If there is an existing Consent in place for a particular site, this may need to be reviewed if any aspect of the Consent is altered i.e. an increase in the volume of effluent discharged, a change in the location of a discharge point or to reflect a change in the ownership of the Consented premises.

4. If there is an intention to discharge any effluent (i.e. surface water or effluent from a private treatment plant) from the proposed development via a Northern Ireland Water (NIW) or privately owned surface water drain, the surface water drain may discharge directly to a watercourse. Discharge Consent under the terms of the Water (NI) Order 1999 may be required.

5. There is no guarantee that a discharge Consent will always be granted, as a number of site specific factors need to be taken into account in assessing the suitability of the proposed means of effluent disposal.

6. If it is not possible to adequately manage construction or operational phase site drainage using Sustainable Drainage Systems (SuDS) features, consent to discharge under the terms of the Water (Northern Ireland) Order 1999 may then be required.

7. Applicants should be aware that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.

8. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

9. Care will need to be taken to ensure that polluting discharges do not occur during the construction and operational phase of the development. The applicant should refer and adhere to the precepts contained in DAERA Standing Advice on Pollution Prevention Guidelines.

10. Care should be taken to ensure that only clean surface water is discharged to the nearby water environment. Water Management Unit recommends the applicant refers and (where applicable) adheres to the precepts contained in DAERA Standing Advice on Sustainable Drainage Systems in order to minimise the polluting effects of storm water on waterways.

11. The applicant should note NIEA discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for the disposal of contaminated surface water during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant should refer to DAERA Standing Advice on Discharges to the Water Environment.

12. If the development includes excavation of an underground structure (e.g. tanks), then depending on the geological setting, the potential exists for the water table to be encountered during these works which may require dewatering to take place.

13. Authorisation may therefore be required, under the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006. The applicant should refer to DAERA Standing Advice on Abstractions and Impoundments.

14. A formal water / sewer connection application must be made for all developments [prior to occupation], including those where it is proposed to re-use existing connections.

15. All services within the development should be laid underground.

16. Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.

17. 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 if they have any queries.

18. 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.

19. 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. Desludge/emptying request is also available via NIW Self Service Portal at <https://digitalservices.niwater.com/desludge-open>

20. Upon receipt of this statutory consultation and to discuss any areas of concern, the applicant is advised to contact Waterline on 03457440088 or waterline@niwater.com. Alternatively, guidance notes and application forms are available to download from NI Water website at <https://www.niwater.com>

21. If during the course of developing the site the developer uncovers a pipe not previously evident, NI Water should be contacted immediately via Waterline 03457 440088. NI Water will carry out an investigation, and, provide guidance and direction in respect of any necessary measures to deal with this issue.

Dated: 26 March 2025

Paul McDermott, Lead Planner