



## APPROVAL OF RESERVED MATTERS

Planning (Northern Ireland) Order 1991

Application No: O/2009/0335/RM

Date of Application: 10th June 2009

Site of Proposed Development: 270 Metres South of No 7 Ballynaléck Lane Poyntzpass Newry

Description of Proposal: Erection of Replacement Dwelling

Applicant: Mr Rodgers  
Address: 48 Ballymaderphy Road  
Kilkeel  
Newry  
BT34 4SN

Agent: Mr RM Mullen  
Address: Raymond Mullen Arch.  
Consultants  
28 Mount Pleasant  
Newry  
BT34 2AW

Outline Application Number:

Drawing Ref: 01, 02, 03, 04

With respect to the above proposal for development, being matters reserved in the outline planning permission specified above, the Department of the Environment, in pursuance of its powers under the above-mentioned Order, 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. As required by Article 35 of the Planning (Northern Ireland) Order 1991 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.

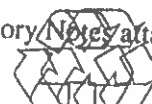
Reason: Time limit.

2. The dwelling shall not be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of two spaces per dwelling.

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Reason: To ensure adequate (in-curtilage) parking in the interests of road safety and the convenience of road users.

3. 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 Practice. 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.

4. 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 Department, 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 Department gives its written consent to any variation.

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

5. 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 date stamped 10-June-2009 is demolished, all rubble and foundations 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.

### 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. It is the responsibility of the developer to ensure that:
  - surface water does not flow from the site onto the public road
  - the existing roadside drainage is accommodated and no water flows from the public road onto the site
  - surface water from the roof of the development hereby approved does not flow onto the public road, including the footway
3. All construction plant and materials shall be stored within the curtilage of the site.
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. 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.

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6. The applicant's attention is drawn to the attached information note from Northern Ireland Electricity.
7. This permission authorises only private domestic use of the proposed premises and does not confer approval on the carrying out of trade or business there from.
8. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

Dated: 29th July 2009

Authorised Officer

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## Explanatory Notes to accompany Approvals

Type of Approval	See Notes
(a) Planning Permission and Approval of Reserved Matters	1, 2, 3, 4
(b) Consent to display advertisements	1, 2, 4, 5
(c) Listed Building consent	1, 2, 4, 6

### Note

1. If you are unhappy with the conditions placed on the permission/approval/consent granted by the Planning Service you may appeal to the Planning Appeals Commission, Park House, Great Victoria Street, Belfast BT2 7AG (Tel (028) 9024 4710) within 6 months of receipt of the notice. A publication entitled "**Planning Appeals - A Guide to Procedure**" is also available from this address, or from your Divisional Planning Office.
2. You should check whether further approval is required under other legislation, such as Building Regulations or the Water Act.
3. If your proposal involves an access or any vehicular crossing of the highway, it is in your interest to notify your intentions to the authorities responsible for electricity, telephones, water etc. to allow them the opportunity to carry out any planned works first and so avoid breaking through any newly made surfaces.
4. Failure to adhere to approved plans or comply with conditions attached to this permission is a contravention of the Planning (N1) Order 1991 [or the Planning (Control of Advertisements) Regulations (N1) 1973 in the case of advertisements], and may result in The Planning Service taking enforcement action.
5. If you intend to display an advertisement on land which is not in your possession, you should first obtain the consent of the landowner or the person(s) entitled to grant such permission.
6. If you have obtained listed building consent to demolish a building you must not do so before the Environment and Heritage Service has:
  - (i) been given reasonable access to the building for one month following the granting of consent; or
  - (ii) stated that it has completed its record of the building; or
  - (iii) stated that it does not wish to record it.

The Environment and Heritage Service, Historic Monuments and Buildings Branch can be contacted at 5-33 Hill Street, Belfast BT1 2LA-Tel: (028) 9023 5000.

Form P19