

Principal Planning Officer
Strategic Planning Division
Causeway Exchange

REF: U/2011/0141/F

Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (NI) Order 1992

APPLICANT: WR (NI) Property Realizations Ltd

PROPOSAL: Residential Development of 59 Dwellings, open spaceand related section of previously approved Ballyclare Relief Road..

LOCATION: Lands to the north of 220 Ballyrobert Road to the south west of 107 and 111 Templepatrick Road and to the south of Six Mile Water river Ballyclare

The Department for Regional Development (N.I.) Transport (NI), as road authority, recommends that the carriageways, footways, access crossings, verges, etc. shown coloured on the attached Drawing No. IBH0422/1070 Rev. B, bearing the Transport NI determination date stamp 12 August 2014 and DoE Planning date stamp 29 July 2014 be determined as the width, position and arrangement of the streets and the land to be regarded for the purposes of part III of the above order as being comprised in those streets and the said drawings have been endorsed accordingly.

Please return 5 copies after determination has been made and include the copy with Mr.P Robinsons initials on it.

Colour key:

Carriageways, footways and access crossings	Red
Verges	Green
Service Strips	Green with black hatching

Network Planning Manager
Transport NI - Eastern Division
Hydebank
4 Hospital Road
Belfast
BT8 8JL

19 September 2014

DOE Planning Case Officer: Mr. James Cairns
Planning Application Number: U/2011/0141/F
Date Received: 11/08/2014
Date of Reply: 19/09/2014

Roads Service offers no objection to this application but requires the following conditions & Informatives to be included in any Planning Service approval:

Conditions:

1. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on. Drawing No. IBH0422/1070 Rev. B, bearing the Transport NI determination date stamp 12 August 2014 and DOE Planning date stamp 29 July 2014.

REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

2. No Development hereby approved shall commence until that part of the road known as the Ballyclare Relief Road as indicated on Drawing No. IBH0422/1070 Rev. B, bearing the Roads Service determination date stamp 12 August 2014 and DOE planning date stamp 29 July 2014 is completed in accordance with detailed engineering drawings to be submitted to and approved by the Department. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance. In so far as these road works require legislative processes to be satisfactorily completed, it is the responsibility of the developer to ensure that all Orders required to comply with "The Roads (NI) Order 1993" and "The Road Traffic Regulation (NI) Order 1997" are operative at the appropriate time. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including approval of the necessary Departures / Relaxations from Standard.

Unless otherwise agreed with the Department for Regional Development, no development within the site shall commence until the applicant enters in a license agreement with DRD Roads Service to secure the construction and completion of the road works

REASON: To ensure that the proposed development is properly coordinated and constructed in the interests of road safety and convenience of road users.

3. Unless otherwise agreed with the Department for Regional Development, No development hereby permitted shall commence on the approved lands until full details of all Road drainage have been submitted to and approved by the Department for Regional Development, Transport NI in accordance with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance. All required temporary and permanent



wayleaves associated with the road drainage shall be provided prior to the commencement of any Development.

REASON: To ensure the provision of a satisfactory drainage system for the Development, for road safety and convenience of traffic and pedestrians

4. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. IBH0422/1070 Rev. B, bearing the Transport NI determination date stamp 12 August 2014 and DOE Planning date stamp 29 July 2014. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

5. The vehicular access, including visibility splays and any forward sight distance shall be provided in accordance with Drawing No. IBH0422/1070 Rev. B, bearing the Transport NI determination date stamp 12 August 2014 and DoE Planning date stamp 29 July 2014 prior to the commencement of any other works or 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 250 mm 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 interest of road safety and the convenience of road users.

6. The access gradients to the dwellings 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.

7. No dwelling shall 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 2 spaces per dwelling.

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

8.. Notwithstanding the provisions of the Planning (General Development) Order (NI) 1993 no garages shall be sited closer than 6.0 metres from the back of the footway or the near edge of a shared surface carriageway.

REASON: To ensure that there is space for a parked vehicle without encroaching onto the footway or service strip.

9.. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in service strips determined for adoption.

REASON: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

10. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in service strips determined for adoption.

REASON: In order to avoid damage to and allow access to the services within the service strip

11. Any existing street furniture or landscaping obscuring or located within the proposed carriageway, sight visibility splays or access shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

REASON: In the interest of road safety and the convenience of road users.

12. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

REASON: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

13. The development hereby permitted shall not be commenced until any structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason : To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

14. The development hereby permitted, shall not commence until any works requiring Geotechnical approval has been approved and constructed in accordance with the Departments current Geotechnical certification procedures. Advice on Geotechnical Certification procedures may be obtained from:

Transport NI Headquarters,
Highways and Structures Policy,



Clarence Court
Adelaide Street
BELFAST
BT2 8GB

Reason: To ensure that any potential Geotechnical problems are resolved, designed and constructed in accordance with Departments Geotechnical certification procedures.

15. No development hereby permitted shall commence until full details of the Road Safety Audit process for the road improvements, has been completed in accordance with requirements of the Design Manual for Roads and Bridges and submitted to the Department.

Reason: To provide an assurance that all safety requirements have been

16. All residential units hereby approved shall be provided with a travel card at the applicable cost of Translink's ILINK (or other equal and approved ticketing product). A Translink Residential Travel card Agreement shall be entered into between the Developer and Translink before the occupation of any of these units.

Reason: To create a sustainable development by improving accessibility to the wider transportation network.

17. A detailed programme of works and any required / associated traffic management proposals shall be submitted to and agreed by Transport NI, at least 2 months prior to the commencement of any element of road works.

REASON: To facilitate the free movement of all road users and the orderly progress of work in the interests of road safety.

Informatives:

1. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

Under the above Order the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the Department to make the roads and sewers in accordance with the Private Streets Construction Regulations.

2. The service strips coloured green with black hatching on the approved plan have been determined as lands to be adopted by the Department for Regional Development. It is, therefore, essential that vendors inform house purchaser of their limited rights within such strips. It is strongly recommended that the developer does not sell or lease the land from the service strips as parts of housing plots. If land for service strip is to be

sold or leased to house purchasers the vendor must insert in the deeds the following clause or covenant:-

“The purchaser hereby covenants with the vendor that he/she, the purchaser, and his/her successors in title will not at any time hereafter erect or construct any building wall or fence or plant any tree or shrub on the strip of land shown hatched.....on the plan annexed hereto, nor do or suffer to be done therein or thereon any act, matter or thing whereby the cover of soil over or the support of the pipes, wires and/or cables laid in the said strip of land shall be altered or which may render access thereto more difficult or expensive and shall understand that the road authority and statutory undertakers have unencumbered right of access to the said strip of land.”

3. 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.
4. Provision shall be made to the satisfaction of Roads Service, to ensure that surface water does not flow from the site onto the public road.

Private Streets Order (Northern Ireland) 1980.

5. Before any work is commenced on the construction of adoptable roads and sewers, the developer must notify the Private Streets Officer at DRD Transport NI , Hydebank, 4 Hospital Road, Belfast BT8 8JL, Tel: (028) 9025 3000.
6. Developers should be aware of the Private Streets (Construction)(Amendment) Regulations (Northern Ireland) 2001 which came into effect on 01 May 2001.

Design for any Street Lighting schemes will require approval from Transport NI Street Lighting Consultancy, 4 Hospital Road, Belfast, BT8 8JL, telephone (028) 9025 3000.

8. Any person who wishes to place or retain apparatus in a street, and thereafter inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, unless that person has a statutory right to do so, is required to be in possession of a Streets Works License. This License can be obtained on personal application to the Transport NI Section Engineer.

9 Pedestrians crossing points to be provided at road junctions in accordance with the DETR / Scottish Office Publication “Guidance on the use of Tactile Paving Surfaces”.

10. It is a DRD Transport NI requirement that all structures which fall within the scope of the current version of BD 2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges shall require Technical Approval. Details shall be submitted to the Technical Approval Authority through the relevant Division.

11. Highway design should be in accordance with the DOT/DOE Design Manual for Roads and Bridges, in particular TD9/93 Highway Link Design and the appropriate junction design standards.

12. Separate approval must be received from Transport NI in respect of detailed standards required for the construction of streets in accordance with the Departments Standards.

13. Traffic management arrangements to facilitate the construction of the development and associated road works hereby approved shall comply with the requirements of the Safety at Street Works and Road Works Code of Practice issued by the Department for Regional Development (Northern Ireland) under article 25 of the Street Works (Northern Ireland) Order 1995. Detailed proposals shall be agreed with Network Traffic Section, Northern Division County Hall, Ballymena in advance of the commencement of any works that may affect the public road network and, where appropriate, shall be subject to the approval of the PSNI Road Policing Unit.

14. Geotechnical activities which require Geotechnical Certification shall be submitted to Engineering Policy Unit through the relevant Division. Geotechnical Certification shall be in accordance with the DRD's Geotechnical Certification procedures as laid down in the current version of HD 22 Managing Geotechnical Risk : Volume 4 : Design Manual for Roads and Bridges.

15. A Safety audit is required for the road works associated with the Development in accordance with the Departments Requirements under Design Manual for Roads and Bridges.

16. Notwithstanding the terms and conditions of the Department's approval set out above, the developer is required to enter into a license agreement with the Department for Regional Development, Roads Service for the carrying out of road works on the public road network. The licence agreement shall be issued through the Development Control Officer, Network Planning Section, Roads Service – Northern Division, County Hall, Ballymena and the developer should allow up to three months for completion of the license. Accordingly the developer is advised to make an early personal application for the issue of the license. He should also initiate early discussions for the satisfactory programming of the road works with the Private Streets Engineer, Roads Service Consultancy at the same location.

Issued on behalf of the Divisional Roads Manager