

Appeal Decision

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Appeal Reference:	2021/A0234
Appeal by:	Mr Garth Belshaw
Appeal against:	The refusal of outline planning permission
Proposed Development:	Single dwelling house
Location:	Land adjoining 26 Windmill Avenue, Ballynahinch
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2021/1091/O
Procedure:	Hearing 7 September 2022
Decision by:	The Commission, dated 23 November 2022

The Commission has considered the report by Commissioner Helen Fitzsimons and accepts her analysis of the issues and recommendation that the appeal should succeed.

Decision – the appeal is allowed and outline planning permission is granted, subject to the following conditions:

- (1) Except as expressly provided for by Conditions 2, 3, and 4, the following reserved matters shall be as approved by the Planning Authority – the siting, design, external appearance of the dwelling and the means of access thereto.
- (2) The ridge height of the dwelling shall not exceed the ridge height of 26 Windmill Avenue.
- (3) Any application for approval of reserved matters shall incorporate plans and sections indicating existing and proposed ground levels and proposed finished floor levels, all in relation to a known datum point.
- (4) Prior to commencement of any building works visibility splays of 2.4 metres by 33 metres shall be laid out in both directions at the point of access of the appeal site with Windmill Avenue and shall be permanently retained and kept clear thereafter.
- (5) No development shall take place until consent to discharge has been granted by Northern Ireland Water.
- (6) No development shall take place until a landscaping scheme showing the means by which the boundaries of the appeal site are to be defined has been submitted to and approved in writing by the Planning Authority. The scheme of landscaping shall include the location, number and sizes of any trees and shrubs

to be planted, and any walls or fences to be erected. Any scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

(7) Application for approval of the reserved matters shall be made to the Planning Authority before the expiration of three years from the date of this decision.

(8) The development shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

This decision approves the following drawing:

The 1:500 Site location plan date stamped received 09th June 2021 by Newry, Mourne and Down Council and referenced Plan No. 20407NW3

ANDREA KELLS
Chief Commissioner