

Application for Licence to Construct or Alter a Building Over a Road

● Please read the notes overleaf before completing this form

Applicant's details

Name

Address

.....

.....

..... Postcode

Telephone No.

Agent's details

Name

Address

.....

.....

..... Postcode

Telephone No.

Solicitor's details

Name

Address

.....

.....

..... Postcode

Telephone No.

Location of proposed works

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Purpose of proposed works and brief details

Proposed date to commence installation of works

Time required to execute

Ref. No. of attached drawing (2 copies)

Has planning permission been sought Yes No If Yes, Applic. No.

Additional comments

I hereby apply for a licence to carry out the above works.

Signature of Applicant / Agent

..... Date

Authority if acting for an Organisation or Company

Restriction on Construction of Buildings over a Road

Guidance Notes for Applicant

1. The construction or alteration of such a building is subject to Article 75 of the Roads (NI) Order 1993 and the Planning Order (NI) 1991. Copies are available from HMSO. Such works usually require the provision of hoardings and / or scaffolding which is controlled by Article 72. Notes for guidance to Article 72 are therefore attached.
Any person who carries out such works without a licence from the Department shall be guilty of an offence and liable on summary conviction to a fine.
2. All applicants shall complete and submit to the Divisional Roads Manager :-
 - (a) The attached application form,
 - (b) Two copies of a plan or drawing of the building.
3. If a Licence is issued it will be subject to any conditions considered necessary by the Department.
4. All conditions of the Licence are binding on the successor in title to every owner, and every lessee and occupier of the building. Applicants are advised to seek legal advice.
5. In all cases conditions will be laid down to cover the following items:-
 - (a) Applications for Planning Permission where required.
 - (b) Minimum vertical and horizontal clearances.
 - (c) Application for erection of scaffolding and / or hoardings in accordance with Article 72 of the Roads (NI) Order 1993 which will carry separate conditions relating to the safety of any temporary works etc.
 - (d) Certification of adequacy from a Chartered Engineer as required by the Technical Approval Scheme (TAS).
 - (e) Maintenance.
 - (f) Use of the building.
 - (g) Windows if not fixed.
 - (h) Investigation of the existence of cables, pipes and equipment belonging to Statutory Service Authorities and provision for their protection.
6. Depending on the complexity of the proposed works conditions may be stipulated requiring the applicant to:-
 - (a) Provide and maintain adequate drainage.
 - (b) Execute additional works or provide additional facilities deemed by the Department to be required in connection with the building eg. safety barriers, additional lighting, etc.
 - (c) Lodge a cash deposit with the Department sufficient to cover the Department's costs of carrying out additional necessary works.
 - (d) Indemnify the Department against any claim in respect of injury, damage or loss arising from the existence of buildings over a road.
 - (e) Erect within a specified time period.
7. Notwithstanding the above general information there may be other conditions necessary due to the nature of the applicant's specific proposal.
8. Applicants should check in advance whether Planning Permission is required for the proposed works.
9. Subject to certain exceptions any person aggrieved by the refusal of the Department to issue a licence, or any condition subject to which any licence is given may within 21 days of receiving notice thereof, appeal to the Planning Appeals Commission by notice in writing under Article 84 of the Roads (NI) Order 1993.