

Application for Consent to Construct Cellars, etc. under 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.

Location of proposed works

Brief details of proposed works and proposed use

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

Construction of Cellars, etc. under a Road

Guidance Notes for Applicant

1. The construction of any vault, arch, cellar or part of a building under a road is subject to Article 77 of the Roads (Northern Ireland) Order 1993 and the Planning Order (Northern Ireland) 1991. Copies are available from HMSO. Such works usually require excavation in a road which is controlled by Article 78 and the provision of the hoardings and / or scaffolding which is controlled by Article 72. Guidance Notes to Articles 72 and 78 are therefore attached.
Any person who carries out such works without the consent 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 this application form setting out:-
 - (a) The name and permanent address of the applicant.
 - (b) The location of the proposed works.
 - (c) Brief details of the proposed works and the proposed use.
 - (d) Details of the timing of the works.
3. Any consent granted under this Article shall be subject to the condition that any vault, arch or cellar and any gratings, lights or other fixtures in the surface of the road that are associated with it shall be kept in good condition and repair to ensure that they do not constitute a danger or nuisance to road users.
4. In all cases conditions will be laid down to cover the following items:-
 - (a) Signing of the works to ensure traffic control and safety.
 - (b) Excavation or damage caused to the road or footpath surfaces.
 - (c) Reinstatement of damaged areas.
 - (d) Maintenance of the works and / or the road and footway surfaces.
 - (e) Investigation of the existence of cables, pipes and equipment belonging to Statutory Service Authorities and others and provision for their protection where appropriate.
 - (f) Lodgement of a cash deposit with the Department.
 - (g) Requiring the applicant to indemnify the Department in accordance with Article 77(6).
 - (h) Provide certification of safety and fitness for purpose from a Chartered Engineer.
5. Notwithstanding the above general information there may be other conditions necessary due to the nature of the applicant's specific proposal.
6. Applicants should check in advance whether Planning Permission is required for the proposed works.
7. Any person aggrieved by the refusal of the Department to give its consent under Article 77 of the Roads (Northern Ireland) Order 1993 or any condition subject to which any such licence is issued may within 21 days of receiving notice thereof, appeal to the Planning Appeals Commission by notice in writing under Article 84 of the Roads (Northern Ireland) Order 1993.