

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2021/1289/O</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>23<sup>rd</sup> November 2022</b>
<b>For Decision or For Information</b>	<b>For Decision</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

<b>Budgetary Considerations</b>	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:

	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

**No: LA01/2021/1289/O**                      **Ward: TORR HEAD and RATHLIN**

**App Type: Outline**

**Address: 160m West of No. 11 Cloghs Road, Cushendall**

**Proposal: Proposed 2 Storey dwelling and garage on the farm**

**Con Area: AONB**    **Valid Date: 10<sup>th</sup> October 2021**

**Listed Building Grade: N/A**

**Agent: WM Mc Neill**  
**Applicant: Oliver Mc Mullan**

**Objections: 0      Petitions of Objection: 0**  
**Support: 0      Petitions of Support: 0**

**Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)**

## **EXECUTIVE SUMMARY**

- Outline planning permission is sought for a dwelling on a farm under CTY10 of PPS21
- The site is not located within any settlement development limit and is located within an area of Outstanding Natural Beauty as identified within the Northern Area Plan 2016.
- The proposal meets the criteria for the principle of development under Policy CTY 10.
- The proposal meets policies CTY13 and CTY14.
- DFI Roads, NI Water and NIEA (Water Management Unit), Environmental Health and DEARA were consulted on the application and raise no objection.
- There are no objections to the proposal.
- The application is recommended for Approval.
- The application has been referred to the Planning Committee as it belongs to an Elected Member of the Council.

## **1 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located within the rural area and within an Area of Outstanding Natural Beauty as identified within the Northern Area Plan (NAP) 2016. The site is located on land some 160metres west of No. 11 Cloghs Road, Cushendall.
- 2.2 The application site is located within the southern portion of field 3, as indicated on Drawing No. 01/2 date stamped 30<sup>th</sup> June 2022. The southern and eastern boundaries are defined by a post and wire fence and mature hedging, while the southern and western boundaries are physically undefined however the wider field is defined by mature vegetation.
- 2.3 The site will be accessed via the existing yard to the east and through an agricultural gate. A laneway has been proposed to the site that will run along the southern boundary of the existing field and adjacent to the southern boundary of the site – to access the agricultural field to the rear (west) of the site.
- 2.4 The topography of the site rises from the east towards the west and continues to rise beyond the site (to the west).

## **3 RELEVANT HISTORY**

- 3.1 Reference: E/2009/0060/F  
Location: Lands adjacent to 11 Cloghs Road Cushendall  
Proposal: Proposed general purpose agricultural shed (replacement of existing in poor condition)  
Decision: Permission Granted 12.08.2009

## **4 THE APPLICATION**

- 4.1 Application for outline permission for a dwelling on a farm.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Neighbours:** Five (5) neighbouring dwellings were notified of the proposal. No letters of representation have been received.

### **5.2 Internal**

**Environmental Health Department:** No objection

**NI Water:** No objections

**DFI Roads:** No objection

**DAERA:** No objections

**NIEA (Water Management Unit):** No objections

## **6 MATERIAL CONSIDERATIONS**

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

The application has been assessed against the following planning policy and guidance:

Regional Development Strategy 2035.

Northern Area Plan 2016.

Strategic Planning Policy Statement.

PPS2: Natural Heritage

PPS 3: Access, Movement and Parking.

PPS 21: Sustainable Development in the Countryside.

## **Supplementary Planning Guidance**

Building on Tradition: A sustainable Design guide for Northern Ireland.

## **8 CONSIDERATIONS & ASSESSMENT Planning Policy**

- 8.1 The main considerations in the determination of this application relate to the principle of development, integration and character of the rural area and of the AONB.

### **Natural Heritage**

- 8.2 PPS 2 sets out planning policies for the conservation, protection and enhancement of our natural heritage. Policy NH6 of PPS2 states planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:
- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
  - b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
  - c) the proposal respects:
    - local architectural styles and patterns;
    - traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
    - local materials, design and colour

- 8.3 As this is an outline application, there are no design proposals at this stage.

### **Access**

- 8.4 Planning Policy Statement 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. Policy AMP2 Planning permission will only be granted for a development proposal involving direct access,

or the intensification of the use of an existing access, onto a public road where:

- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.5 DFI Roads was consulted on the proposal and responded with no concerns subject to conditions.

### **Principle of Development**

8.6 The principle of development must be considered having regard to the SPPS and PPS policy documents.

8.7 Policy CTY 1 of PPS21 identifies a number of instances when an individual dwelling house will be granted permission. These include a dwelling on a farm in accordance with Policy CTY 10.

### **Policy CTY10**

8.8 Policy CTY 10 states that all of the following criteria must be met:

- (a) The farm business is currently active and has been established for at least 6 years;
- (b) No dwellings or development opportunities out-with the settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
- (c) The new building is visually linked or sited to cluster with an established group of buildings on the farm.

8.9 The Department for Agriculture Environment and Rural Affairs (DAERA) was consulted on the proposal with regards to the Farm ID submitted as part of the application. DAERA responded stating the farm business ID has been in existence for the last 6 years (active since 1991) but has not claimed payments through the Basic Payment Scheme or Agri Environment schemes in each of the last 6 years. DEARA goes on to state that the application site is located on land associated with another farm business.

- 8.10 The applicant has stated they previously have had a farm ID number but it has not been used since 2010, thus no farm maps have been submitted with the application nor has the applicant been in receipt of Single Farm Payment or other subsidies. The applicant confirmed that the land is/was being rented by another farmer during the Winter months, however the applicant and his son have been maintaining the land in good agricultural condition. The applicant claims they have been actively maintaining the land for the last 6 which involves silage, bailing, drawing and stacking; and fertilizing, ploughing, reseeding and mowing; maintaining hedges, drainage system. Invoices/receipts have been submitted for each year of the last six years - since 2012.
- 8.11 The invoices and other information such as Agricultural qualifications and photographs of the farm have been submitted in the form of Document 01 date stamped 18<sup>th</sup> October 2021. (The document has not been uploaded to the portal as the evidence within the document is sensitive). The qualifications and invoices/receipts have the names Fearghal and Oliver McMullan (applicant). The invoices/receipts show evidence of purchasing farm maintenance equipment such as fencing, troughs etc, and contractor works such as diggers and mowing.
- 8.12 On the first site inspection on 2<sup>nd</sup> November 2021 the land to the east of the site is a hard standing area that hosts a number of lorry trailers. The agent emailed the case officer on 11<sup>th</sup> November 2021 indicating “the trailers contain mainly straw and hay as they purchased a large quantity. At present, the main agricultural building temporarily contains turf, wooden blocks and sticks. The trailers are temporarily being used to keep the straw and hay dry. The trailers also contain much of the farm machinery at present, welders, grinders, bailers, posts and wire... a large quantity of plastic cubes (were bought) for diesel and some of these are also being stored temporarily in the trailers. All the farm equipment has been purchased in readiness for him taking on the additional farming activity for sheep and cattle.”
- 8.13 A further email received on 8<sup>th</sup> August 2022 confirming that all lorries/containers had been moved from the land.



- 8.14 An email received from the agent; uploaded to the portal at Document 01 dated 9<sup>th</sup> May 2022, it stated “the applicant ceased livestock farming due to personal/family reasons.” The document indicates that an applicant does not need to have a Business Number or claim single farm payment, but that the farm is currently active and established for at least 6 years; and that Fearghal has now entered into Conacre Licence Agreement as part of his regeneration of the farm business.” (since January 2022) A copy of the Conacre Agreement was submitted to the Council along with the information however was not uploaded to the portal given it’s sensitive content.
- 8.15 Document 01 confirms that Fearghal has reinitiated the Farm Business and now has his own Herd Number (since April 2022). Copies were also submitted of an Animal Group Number Application (6 pages), DAERA Herd Status, Notification of Cattle Movement books, Herd Register, Bovine Animals, Notification of Births and Deaths of Bovine Animals and a 2022 Single Application Farm Grant/Subsidy form, as well as an invoice for the purchase of animals. The information was not uploaded to the public due to their sensitive nature.
- 8.16 Given that the farm business does not own a Farm ID, has not claimed SFP, does not own farm maps and rents the land to another farmer who claims the SFP from that land – the question is if the information received demonstrates that the farm has been active and established for each of the last 6 years.
- 8.17 Paragraph 5.38 of PPS21 states the applicant will be required to provide the farm’s DARD business ID number along with other evidence to prove active farming over the required period. ‘Agricultural activity’ refers to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition. Whilst the land is owned by the applicant’s farm business, the payment of subsidy to a third party under a separate farm business ID does not support the contention that the applicant’s farm business is currently active. The invoices and records are all associated with the applicant and are dated each year since 2012 and therefore on balance it is considered

sufficient evidence that farming activity has taken place in each of the last 6 years, and the proposal complies with criterion (a) of CTY10.

- 8.18 Criteria (b) of this policy states that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. As there are no DEARA Farm maps submitted with the application it is difficult to understand the extent of the holding and carry out an extensive history search. It is therefore difficult to obtain whether any other dwellings or development opportunities have been sold off from the farm holding in the last ten years. The agent was contacted regarding this concern; Document 01 – Appendices (date stamped 9<sup>th</sup> May 2022) includes an Affidavit signed by the applicant Oliver McMullan which confirms he has not sold off any development opportunities within the last 10 years. Given this can be considered a legal document, it is accepted that no land has been sold off within the last 10 years.
- 8.19 Document 02 date stamped 13<sup>th</sup> May 2022 indicates the applicant has taken on additional lands in conacre on the Dunaghy Road (fields 31, 32/A, 32/B, 33 and 34). A history search has been completed on these lands and there are no records to suggest that any dwellings or development opportunities have been sold off from the farm holding in the last ten years.
- 8.20 The third criteria laid out in Policy CTY 10 states that a new building should be visually linked or sited to cluster with an established group of buildings on the farm. The policy goes on to say that in exceptional circumstances consideration may be given to an alternative site provided that there are no other sites available at another group of buildings on the farm or out-farm and where there are either; demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group.
- 8.21 The proposed siting of the dwelling is to be located some 118metres west of the farm complex. There has been a building erected on the farm (under Permitted Development) approximately 80metres away since the first site inspection. On the second site inspection on 5<sup>th</sup> July 2022 it was observed that the building erected was a 3 sided temporary structure. Given the temporary nature of the newly erected building it cannot be

included as within the assessment. Nevertheless, paragraph 5.41 of PPS21 states the proposed dwelling, when viewed from surrounding vantage points, should read as being visually interlinked with those buildings, with little appreciation of any physical separation that may exist between them. Documents 01, 02, and 04 justifies the siting stating the applicant's intend to expand the farm holding and citing health and safety reasons in that the applicant feels the dwelling should not be closer to the farmyard due to foul smells, slurry tanks and farm machinery they state that the proposed siting would be at a reasonable distance from the farm buildings and farm hazards while also allowing reasonable independence from the principle farm dwelling.

- 8.22 Paragraph 5.41 of PPS21 states “to help minimise impact on the character and appearance of the landscape such dwellings should be positioned sensitively with an established group of buildings on the farm, either to form an integral part of that particular building group, or when viewed from surrounding vantage points, it reads as being visually interlinked with those buildings, with little appreciation of any physical separation that may exist between them. If however, the existing building group is well landscaped, or where a site adjacent to the building group is well landscaped planning permission can be granted for a new dwelling even though the degree of visual linkage between the two is either very limited, or virtually non-existent due to the amount of screening vegetation.”
- 8.23 Cloghs Road runs to the east of the application site before turning some 90 degrees to run adjacent to the southern boundary (some 140metres away). The road at this point begins to rise steeply. There are existing dwellings along this road and mature vegetation some 3+metres in height which screens views of the site. Views of the site are therefore fleeting however it is considered there would be a visual appreciation that the dwelling would be read as being linked to the farm holding.
- 8.24 When travelling along the Cloghs Road from the east, towards the west, a dwelling on this site will be visually interlinked with those buildings, with little appreciation of any physical separation.
- 8.25 It is considered that the proposal meets the criteria set out within CTY 10.

### **Policy CTY 13**

8.26 Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

8.27 A new building will be unacceptable where:

- (a) it is a prominent feature in the landscape; or
- (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
- (c) it relies primarily on the use of new landscaping for integration; or
- (d) ancillary works do not integrate with their surroundings; or
- (e) the design of the building is inappropriate for the site and its locality; or
- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
- (g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

8.28 Proposed buildings should blend sympathetically with their surroundings and should not appear incongruous in the landscape. The siting and design of new buildings are important to ensure they integrate harmoniously with their surroundings in order to protect the amenity and character of the countryside. It is important to realise the determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site will blend in unobtrusively with its immediate and wider surroundings when judged from critical views along stretches of the public road network.

8.29 Criterion (d) of CTY 13 indicates a dwelling will be unacceptable where it fails to be visually linked or sited to cluster with an established group of buildings on a farm (in accordance with CTY 10). As noted above, it is considered a dwelling on this site

would visually link and cluster with the established group of buildings on a farm.

- 8.30 The northern and eastern boundaries of the site are defined by existing hedging however the southern and western boundaries do not benefit from boundaries. It is noted that the wider agricultural field however does benefit from mature vegetation and intervening vegetation between critical viewpoints. It is considered the existing vegetation would aid integration of a dwelling on this site. It is considered necessary to condition the existing vegetation to be retained at a minimum height of 2metres for hedging and 4metres for trees; and a detailed landscaping scheme shall be submitted as Reserved Matters stage.
- 8.31 The proposal is for a two-storey dwelling. There were concerns that a two-storey dwelling on this site would be read as a prominent feature in the landscape given the rising topography of the site. Within Doc 01, the agent claims the rising steep topography will be much higher than any farm dwelling; and refers to a wind turbine that was erected which towers above the landscape, and a telephone mast towering above the landscape.
- 8.32 It would appear that the wind turbine was approved under planning reference: E/2013/0126/F. Within the case officers report they state “I have doubts and reservations with regard to potent visual impact of this turbine in this elevated sensitive location within the Glens of Antrim to this end the Dept sought visual assessment be carried out from a number of viewpoints” “..On further discussion, the group opinion is that whilst the site is elevated, the critical view points, particularly the one in transit toward Cushendall travelling on Tromra Road, which is skyline with Tievebulliagh in the background, will be sufficiently longer distance and whilst there would be an awareness of the turbine it would be a longer view and read an as unobtrusive feature on the wider landscape.”
- 8.33 It is also noted that within all site visit photographs there is no awareness of the turbine in the area. Furthermore with regards to the ‘telephone mast’. It can be assumed that this is the NIE power pole that is located to the east of the site, between the farm buildings and the application site. There is no reference for

this development. However, these type of poles are rarely visually intrusive in the rural area given their small width. The comparison between a wind turbine and electricity pole in relation to a two storey dwelling is disproportionate and inconsistent.

8.34 The agent referred to Planning Application: LA01/2021/0401/O that was approved at the Planning Committee. The application is quite different to this proposal as the topography of the site was flat and had a backdrop to accommodate a 5.5metre ridge height dwelling. This currently application, the land on the site rises, and the proposal is for a two-storey dwelling.

8.35 Notwithstanding this information, upon further examination of the proposal the Council would accept the two storey dwelling on this site given it's limited views and existing mature vegetation. It is considered that a dwelling with a ridge height of no more than 7.5metres would integrate into the landscape and would not be a significantly prominent feature in the landscape given the steeply rising topography to the west which would act as a backdrop especially when viewed from the east. It is considered that an appropriately designed dwelling could be accommodated on this site as to not have a detrimental impact to the character of thus AONB.

8.36 Overall, it is considered a dwelling on this site would visually integrate with the adjacent farm buildings and would be absorbed into the surrounding landscape in accordance with Policy CTY13 of PPS21.

#### **Policy CTY14**

8.37 Policy CTY14 of PPS21 states planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

8.38 Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:

- (a) it is unduly prominent in the landscape; or
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or

- (c) it does not respect the traditional pattern of settlement exhibited in that area; or
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

8.39 There are a number of different ways in which new development in the countryside can impact detrimentally on rural character. One building by itself could have a significant effect on an area if it is poorly sited or designed and would be unduly prominent, particularly in more open and exposed landscapes.

8.40 In order to maintain and protect the rural character of an area the new building should respect the traditional pattern of settlement; that is, the disposition and visual appearance of land and buildings in the locality of the proposed development. Accordingly, to be considered acceptable, a new building in the countryside should integrate sensitively along with a group of existing buildings, such as a farm complex. As mentioned above a dwelling would cluster with the existing farm complex.

8.41 The SPPS is material to all planning applications, and has been taken into consideration when assessing this proposal. The Council is not opposed to the applicant building a farm dwelling on their land however as the SPPS states “sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance”. In this case is it considered that the proposal would not have a detrimental impact on the character of the rural area or AONB due to the lack of critical views and the presence of mature vegetation and a backdrop.

8.42 It is considered the proposed dwelling would not be a prominent feature in the landscape nor would it have a detrimental impact on the character of the rural area in accordance with CTY14; nor would the proposal have a detrimental impact on the AONB provided it is of appropriate design, size and scale for the locality in accordance with NH6 of PPS2.

### **Habitat Regulations Assessment**

8.43 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the conservation (Natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

## **9 CONCLUSION**

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016, AONB, and other material considerations, including the SPPS.
- 9.2 The proposal meets the principle policy requirements under CTY1 for dwelling in the countryside under CTY10 for a dwelling on a farm.
- 9.3 The proposal meets Policies CTY13 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that a dwelling on this site would visually integrate with the adjacent farm buildings, would not be a prominent feature in the landscape, therefore would not cause a detrimental impact to the rural character of this area.

## **10 CONDITIONS**

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.



Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by the Planning Authority.

Reason: To ensure the dwelling integrates into the landform.

4. The depth of the underbuilding between the finished floor level and the existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity.

5. The proposed dwelling shall have a ridge height of no more than 7.5 metres above finished floor level.

Reason: To ensure that the development satisfactorily integrates into the surrounding area.

6. The proposed dwelling shall have a maximum external gable depth of 7.5 metres.

Reason: To ensure that the proposal is in keeping with the character of the rural area.

7. The frontage length of the proposed dwelling, if single storey, shall not exceed 16 metres or, if one-and-a-half storey or two storey shall not exceed 13 metres.

Reason: To ensure the proposal is in keeping with the character of the rural area.

8. The proposed dwelling shall be sited in the area shaded green on Drawing No. 01/2 date stamped 30<sup>th</sup> June 2022.

Reason: To ensure that the development integrates into the landscape in accordance with the requirements of the Planning Authority's Planning Policy Statement 21.

9. The existing vegetation where indicated on Drawing No. 01/2 date stamped 30<sup>th</sup> June 2022 shall be permanently retained at a minimum height of 2 metres for hedging and 4metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Planning Authority in writing.

Reason: To ensure that the development integrates into the countryside and to ensure the maintenance of screening to the site.

10. A landscaping scheme shall be submitted simultaneously with the detailed drawings for the development hereby approved at the Reserved Matters stage. Any trees or shrubs which may be damaged or die within a period of 5 years from the date of planting shall be replaced by plants of similar species and size at the time of their removal. All landscaping shall take place within the first available planting season after the commencement of the development.

Reason: In the interests of visual amenity.

11. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

## **Informatives**

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

3. 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.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <http://epicpublic.planningni.gov.uk/publicaccess/>.

# Site Location

