



## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> H/2015/0010/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed Stables and Tack Store	<b>Location:</b> Approx. 70m NW of 175 Glen Road Maghera
<b>Applicant Name and Address:</b> Mrs J Duffy 40 Glen Road, Maghera	<b>Agent name and Address:</b> CMI Planners Ltd. Unit C5 80-82 Rainey Street Magherafelt BT45 5AG
<b>Summary of Issues:</b> Principle of development and integration	
<b>Summary of Consultee Responses:</b>  No objections	
<b>Characteristics of the Site and Area:</b>  The site is contained within one field measuring 1.87 ha which is a road frontage field along the minor Glen Road but is located close to the junction with the main A6 Glenshane Road. The field has a road frontage of approximately 165m and is the only undeveloped area between the existing commercial units at Sperrin View Business Park and adjacent Fallagloon AOH hall and the settlement of Glen. The field is relatively flat and is about road level. There is a strand of mature beech trees along the south western boundary next to the commercial units with the north-western boundary continuing as a mature hedge. This hedge continues along the northern boundary adjacent to the Fallagloon Burn. The eastern boundary is defined by a semi-mature hedge and this continues along the eastern half of the roadside boundary with the remainder of this boundary being a post and wire fence.  There are two dwellings, single and two storey, located on the opposite side of the Glen Road and these are outside the settlement limits of Glen. The Oakleaf Restaurant and adjacent petrol filling station are located a short distance to the west and on the opposite side of the main Glenshane Road. The area to the rear of Fallagloon AOH hall is largely covered in a hard standing with the access located at a point between the field containing the site and Sperrin View Business Park.	

**Description of Proposal**

The application is for the erection of a stable block with associated tack store and covered area. The stable block is an 'L' shaped block and consists of three stables measuring 12.8m x 5.2m with the covered area and tack store extending another 11.7m x 5.2m. The proposed ridge height is 5.2m and the finishes are brown coloured insulated cladding panels to the roof and walls with like coloured roller shutter door on the tack store while the stable doors are timber sheeted. The proposal is to be sited to the rear of the roadside field and in the north-eastern corner. The access to the stables is proposed along the eastern boundary with a sweeping access onto the Glen Road at the point of the existing agricultural field gate. There is no landscaping proposed around the stable block and the proposed access will necessitate the removal of approximately 50m of the existing road frontage hedge. There are restricted critical views of the site and these are obtained from both the Glen road and the main Glenshane Road.

**Deferred Consideration:**

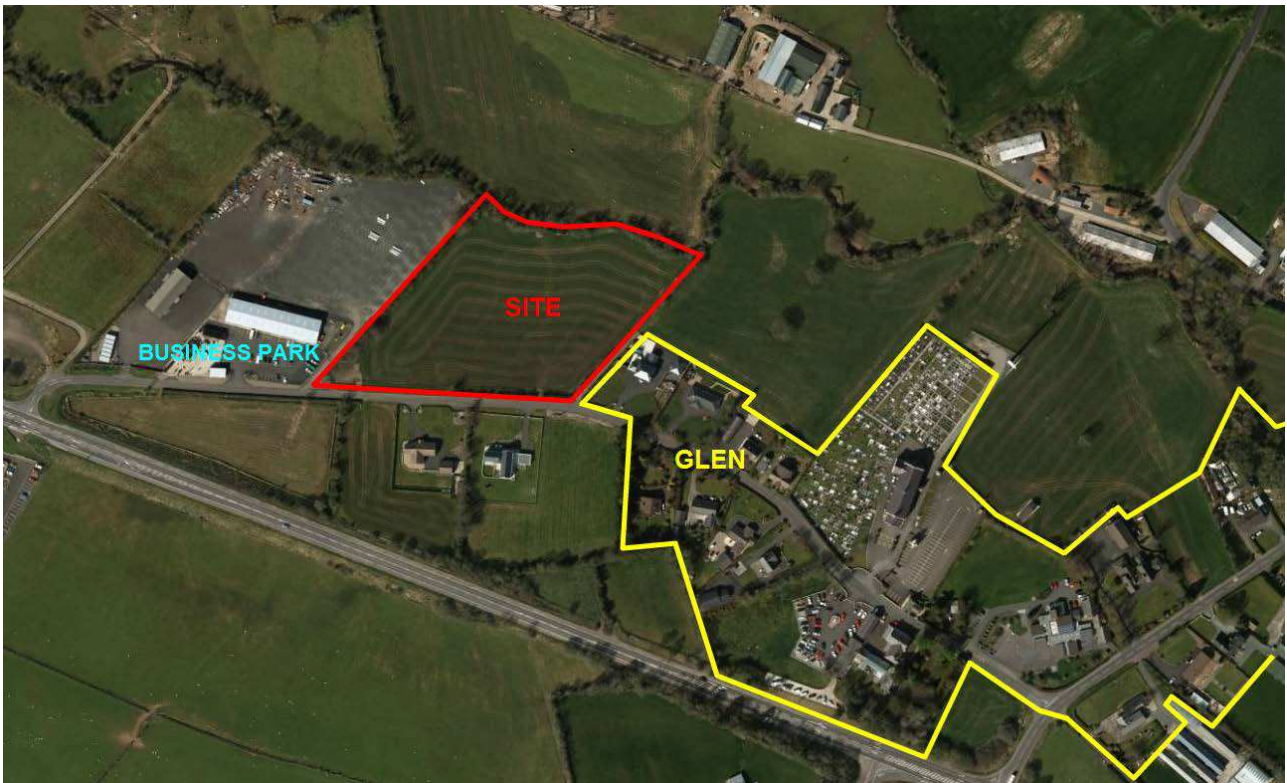
This application was first presented before members in November 2015 with a number of refusal reasons based on PPS 8, CTY 13, 14 and 15 and PPS 15 due to flooding concerns. It was agreed by members to defer the application for an office meeting which was held. Subsequently an application for a new dwelling in the same field was applied for by the applicant under planning reference LA09/2017/0923/F which is currently under consideration.

Following a deferred office the meeting the agent submitted an amended plan in November 2015 showing the proposed stables on the opposite site of the field with an long and visually intrusive new tree lined avenue to access the proposed stable block. It was during the processing of LA09/2017/0923/F that the amended proposal was further discussed with particular reference to the visual impact of the access and laneway. The agent then submitted a revised plan in October 2017 which showed the removal of the access lane and tree lined avenue. The agent also submitted additional farm information for the dwelling on which DAERA were consulted and they confirmed the farm business is active and established for more than 6 years. By their very nature stables are a rural use and are more suitably located in the open countryside. Vegetation to the site is not strong but the stables are set back in the rear of the field. Having reconsidered the amended proposal and given the level of urbanisation on this locality, with the adjacent residential properties, residential dwellings on the opposite side of the road and the existing commercial development to the west of the proposal I recommended an approval of this application as an exception to CTY 15 of PPS 21 given the site sits just outside the development limit of Glen.

Previously there was a challenge to the P2 certificate and the agent submitted an amended P2 certificate with Certificate C signed and the requisite notice served on the relevant owners and the issue has since been resolved.

I recommend an approval of this application.

**Conditions:****Signature(s):****Date**





## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> LA09/2015/0147/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed 4 no 2 Bed Apartments with parking.	<b>Location:</b> 32 Mullaghboy Lane, Magherafelt
<b>Applicant Name and Address:</b> Mr Philip Donaghy 17 Lissadell Drive MAGHERAFELT	<b>Agent name and Address:</b> CMI Planners Ltd Unit C5 The Rainey Centre 80-82 Rainey Street Magherafelt BT45 5AG
<b>Summary of Issues:</b> Parking	
<b>Summary of Consultee Responses:</b> DfI Roads recommend a refusal of the application based on road safety and parking	
<b>Characteristics of the Site and Area:</b>  The application site is situated at 32 Mullaghoy Lane, Magherafelt within an established residential area inside the settlement limits of Magherafelt. The site is defined by an existing semi-detached two storey dwelling and its associated private amenity space. The site boundaries are defined by walls, fences and shrubs typical of the majority of dwellings in the surrounding area. The site occupies a prominent corner site within the existing residential development and is bound on two sides by the adjacent public road.	
<b>Description of Proposal</b>  Full application for proposed 4 No. 2 bed apartments.	

**Deferred Consideration:**

This application was first listed for discussion before the Planning Committee in December 2015 but was withdrawn from the schedule to allow the agent to submit an amended proposal from 6 apartments to 4 apartments. It was then presented before the Committee in May 2017 with a recommendation to refuse based on road safety and parking concerns. The application was deferred for an office meeting with the Planning Manager. Although the meeting didn't take place due to the letter being sent to the agent's former office the Head of Development Management contacted the agent and advised the Planning Manager requested an amended parking layout as had been previously suggested and a further meeting was not requested. The agent stands by the initial parking survey and asserts there are in excess of 80 available on street parking spaces within the locality. He also asserts the scheme is similar to an allowed appeal in Portrush (2007/A1181) but in that case the Commissioner found that a nearby car park provided ample parking for the scheme. This application is not comparable given there is no car park nearby. The agent requested a rebuttal from DfI Roads on the parking survey and why the proposal is not acceptable. In their rebuttal DfI Roads confirm there is no similarity to the quoted appeal in Portrush. The site is not within the town centre and is not a designated area of parking within which a reduction from the published parking standards can be applied.

There have been several objections to the application which have raised concerns with regards to an existing inadequate level of car parking which would be exacerbated, it would result in the loss of existing off street car parking, create a demand for additional off street parking which in turn will lead to greater on street car parking thus impacting further on the visibility of the vehicles entering and exiting Mullaghboy Crescent and making it more dangerous and an overdevelopment of the site in this area.

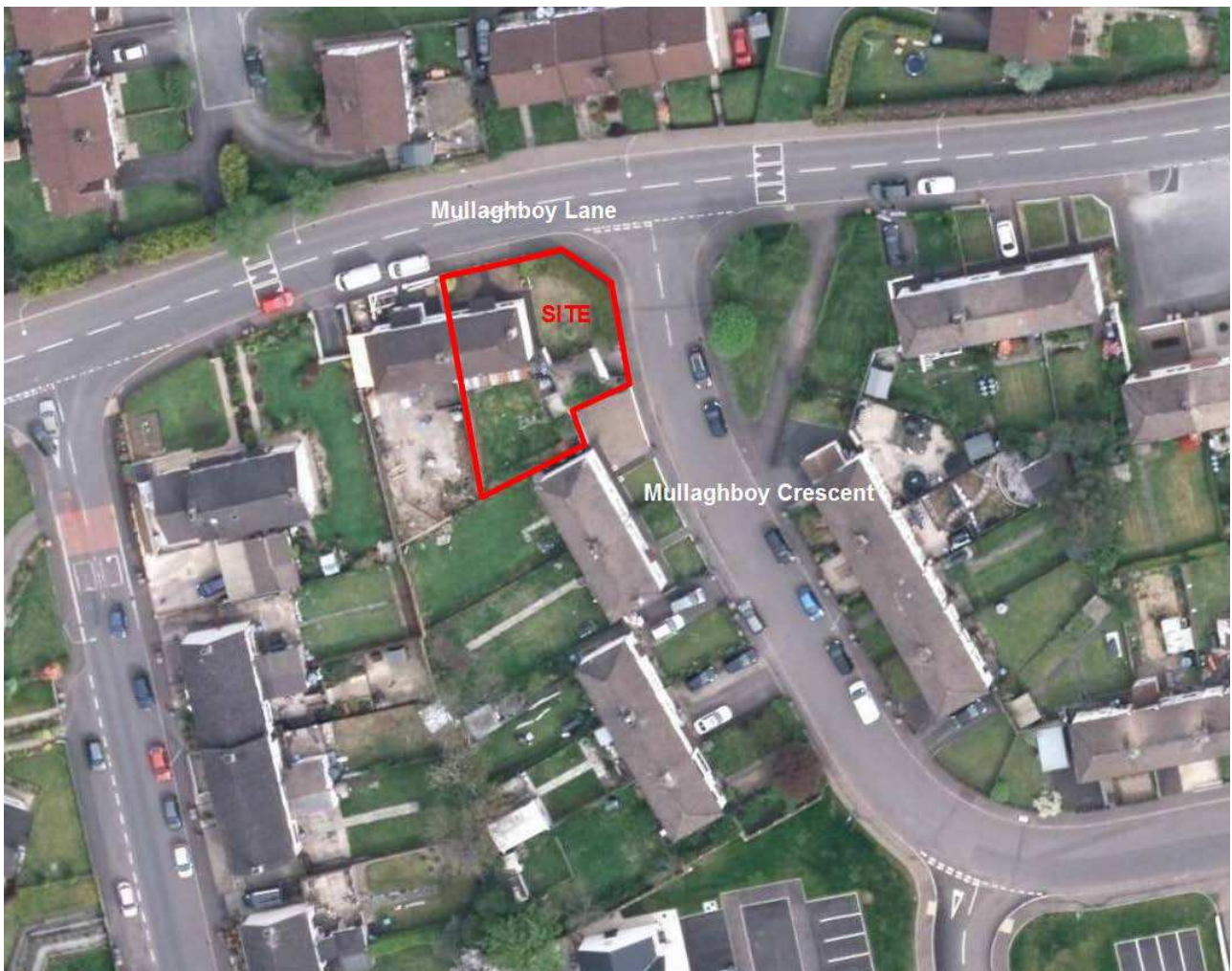
The applicant has failed to demonstrate how the proposal satisfies PPS 3 and therefore a refusal is recommended for the reasons below.

**Reasons for Refusal:**

1. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking and turning of vehicles which would be attracted to the site.
2. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users since it would lead to vehicles standing on the highway at or near a road junction thus interfering with the free flow of traffic on the main road and the minor road and the visibility of traffic entering or leaving the minor road.

**Signature(s):****Date**







Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> LA09/2016/0889/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed conversion of a redundant building to form one dwelling	<b>Location:</b> 40m South West of 38 Lisnamuck Road, Tobermore, Magherafelt
<b>Applicant Name and Address:</b> Ian Hopper 31 Draperstown Road Tobermore Magherafelt	<b>Agent name and Address:</b> CMI Planners Ltd Unit C5 The Rainey Centre 80-82 Rainey Street Magherafelt BT45 5AG
<b>Summary of Issues:</b> Principle of development and land ownership	
<b>Summary of Consultee Responses:</b>  No objections	
<b>Characteristics of the Site and Area:</b>  The site is located along an existing lane which also serves two existing dwellings and agricultural land. There are several relatively new detached properties within close proximity of the site. The building to be converted is single storey. A previous approval was granted under H/2009/0710/O whereby the conversion of the building to a residential use was accepted.	
<b>Description of Proposal</b>  Full application for 'proposed conversion of a redundant building to form one dwelling'.	
<b>Deferred Consideration:</b>  This application was presented before the Planning Committee in March 2017 with a recommendation to refuse based on the fact it was considered the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the	

existing building and would have an adverse effect on the character or appearance of the locality. It was agreed to defer the application for an office meeting with the Planning Manager to discuss the issues.

There is planning history on this site for the approval of a conversion in 2009 which expired in May 2016 but this full application was submitted within 5 years from the date of the outline approval. The 2009 application was originally sought on the basis of a replacement dwelling with an initial opinion to refuse the application resulting in the applicant amending the proposal to a conversion which was approved. A statement by the then Minister Attwood was released subsequent to the application being approved which would have resulted in the original application being approved as a replacement dwelling.

Following the deferred office meeting amended drawings were received which showed the following changes:

1. Rather than two separate accesses onto the Lisnamuck Road the applicant proposes to utilise the existing access and then creating a new laneway to access the proposed dwelling;
2. The proposed areas of brick on the elevations to the dwelling have been changed to indicate stonework, though this has not been annotated to date on the drawing.

These amendments are considered acceptable and overcome the previous concerns held by MUDC.

There are a number of objections to the application which were considered in the first report before the Planning Committee in March 2017. The neighbours and objectors were notified of the amended plans and a further letter of objection was received from Donna Henderson (who is now deceased), Patrick Fullerton and Donna Henderson's solicitor. I responded to that letter with the following pertinent points of relevance to this case:

1. Transport NI (now DfI Roads) were consulted and based on their consultation response the visibility splays can only be achieved by removing all or part of the hedges outside the red line of the application site. I advised Mrs Henderson that issues of land ownership were a legal matter and it was acknowledged that notice had been served on the owner of the third party lands and the subsequent objection.
2. The points raised in the letter from Mrs Henderson's solicitor have been noted but it is a matter for the Planning Department to consider the application within the remit of the Area Plan, Planning Policy and all relevant material considerations.
3. The visibility splays, should the application be approved, must be provided prior to the commencement of development.
4. Any access required to any part of the building from a 3<sup>rd</sup> party land is a civil matter.

I acknowledge the objections made by third parties which state they will not allow the applicant to take land needed for visibility splays. DfI Roads have confirmed the fence needs set back and the trees removed in the southern splay to achieve the required visibility. Also fence and hedge removal is required on the opposite side of the road to achieve the required visibility in the northern splay.

Case law has established that negative conditions can be used to overcome objections to development that requires land under the control of a third party, even when it is argued there is no reasonable prospect of that land becoming available, it is possible the objector could change their mind. Notwithstanding the fact that objectors state they are unlikely to facilitate any works on their land, I am satisfied that this matter can be dealt with by attaching a negative condition requiring the provision of the necessary sightlines prior to the commencement of any development on the application site.

I recommend an approval of this application.



**Conditions:**

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access, including visibility splays of 2.4m x 80m in both directions, shall be in place, in accordance with Drawing No 02/1 bearing the date stamp 20th March 2017, prior to the commencement of any other works or other development hereby permitted.

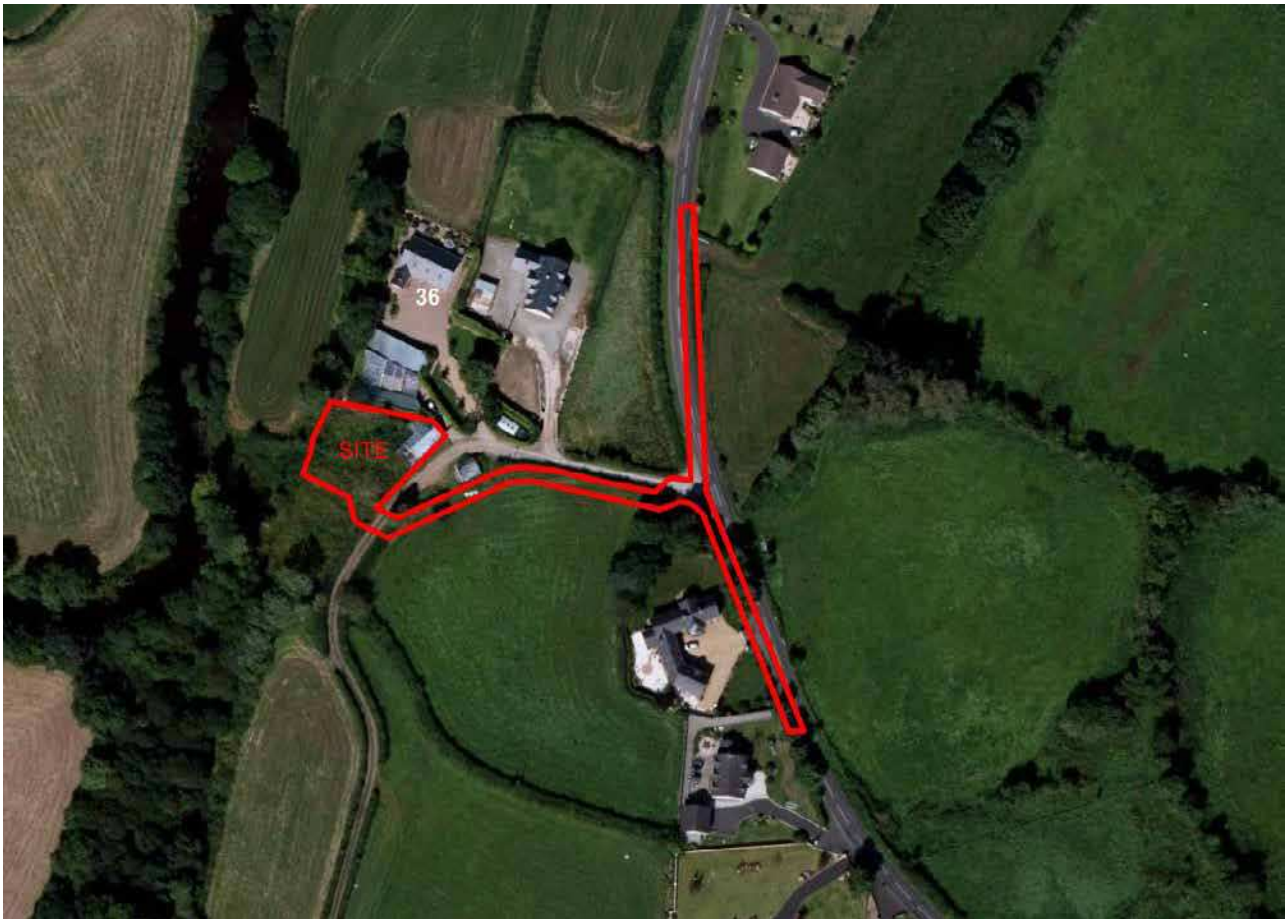
Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is commenced and 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.

**Signature(s):**

**Date**





Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> LA09/2017/0923/F	<b>Target Date:</b> <add date>
<b>Proposal:</b> Proposed new dwelling and domestic garage	<b>Location:</b> 45m N.W. of 177 Glen Road Maghera
<b>Applicant Name and Address:</b> Jenna Duffy 40 Glen Road Maghera BT46 5AP	<b>Agent name and Address:</b> CMI Planners Ltd 38 Airfield Road Toomebridge BT41 3SG
<b>Summary of Issues:</b>  <p>There was one objection received in connection with this application. The only concern raised was that they stated that the proposed development will overlook the rear of their property and would as a result lead to a loss of privacy.</p>	
<b>Summary of Consultee Responses:</b> DFL – No objection Environmental Health – no objection NI Water – no objection DAERA – no objection	
<b>Characteristics of the Site and Area:</b>  <p>The site is located just outside the settlement of Glen and from this is located in the open countryside in accordance with the Magherafelt Area Plan 2015. The site is located 45m NW of 177 Glen Road, Maghera and sits in the eastern half of a large agricultural field which is relatively flat however there is a slight fall from the roadside. The site is bounded by a mix of mature trees and hedging with a line of post and wire fencing along the northern, southern and eastern boundaries and is adjacent to the Fallagloon Burn. It is worth noting that the proposed dwelling sits outside a flood zone. Wherein the western boundary remains undefined as the site is part of a larger agricultural field but there is proposed planting within this application to define these boundaries. The immediate area is a mix of development, predominantly agricultural, with residential, Church, Fallagloon AOH hall and Sperrin View Business Park nearby.</p> <p>Relevant planning history</p>	

H/2015/0010/F – Proposed Stables and Tack Store – Ongoing

H/2013/0483/F – Proposed 2 storey dwelling and garage – Application Withdrawn

#### Representations

There were four neighbour notifications sent however there was one objection received.

#### Description of Proposal

This is a full application for a proposed new dwelling and domestic garage under policy CTY 2a at 45m NW of 177 Glen Road, Maghera. The proposed dwelling is to be two storey with a ridge height of 9.5m, a frontage of 18.6m and a gable depth of 12.7m. The wall finish is identified as dry dash with smooth grey plaster base and bands and black flat concrete tiles.

#### Deferred Consideration:

Following a deferred office meeting and the submission of additional information DEARA were consulted with the submitted P1C form and farm map. They responded to this consultation on 04.12.2017 confirming the farm business to be active and established for more than 6 years thus the application adheres to the first criteria of CTY 10. The second criteria of PPS10 states that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding, following a GIS database search the proposal also adheres to this criteria. The final criteria is that the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. It should be noted that there is a current application for stables adjacent to the proposal site however this cannot be given any weight as it is not currently existing. In this particular case the applicant has no existing farm buildings on the farm and so this criteria is unachievable. However given the level of urbanisation in this locality, with the adjacent residential properties, housing opposite and existing development west of the proposal site I would suggest to the committee that this proposal should be treated as an exception to this particular test and an approval issued.

#### Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access, including visibility splays of 2.4m x 60m in both directions, shall be in place in accordance with Drawing No. 02 bearing the date stamp 06th July 2017, prior to the commencement of any other works or other development hereby permitted.

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

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is commenced 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.

4. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

5. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

### **Informatives**

1. The applicant is advised that under Article 11 of the Roads (NI) Order 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

2. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Transportni, Molesworth Street, Cookstown.

A monetary deposit will be required to cover works on the public road.

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. It is the responsibility of the developer to ensure that:

- surface water does not flow from the site onto the public road;

- the existing roadside drainage is accommodated and no water flows from the public road onto the site;

- surface water from the roof of the development hereby approved does not flow onto the public road, including the footway;

- the developer should note that this planning approval does not give consent to discharge water into a transportni drainage system.

5. A consent to discharge sewage effluent being obtained from Water Management unit, the Northern Ireland Environment Agency, as required by the Water (Northern Ireland) Order 1999. Any new or existing septic tank unit being a minimum of 15metres from the proposed development or any other habitable dwelling/building such as an office or such dwelling/building in the course of construction or the subject of a planning approval.

A legal agreement being obtained in relation to lands used in connection with any septic tank/drainage arrangement where such lands are outside the ownership of the applicant or outside the area marked in red which is the subject of this application. This agreement must ensure that the lands in question will always be available for the intended purpose and also that any occupier/owner of the proposed development will have access to these lands for maintenance/improvement works as required. Such legal agreement should be included in any planning approval as a planning condition.

The applicant ensuring that the proposal does not compromise any existing drainage arrangements serving existing neighbouring premises or developments not completed/commenced which are the subject of a planning approval.

Planning Service receiving confirmation from Northern Ireland Water that a mains water supply is available and that it is feasible for the proposed development to be connected to same. Where mains water supply is not available, the applicant/agent is strongly advised to contact this department before any detailed plans are prepared. (The District Council cannot approve plans for housing development unless a satisfactory water supply is available).

6. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.

Details of existing water and sewerage services may be obtained by submitting a Records Request application RR1-A257/A258 available at [www.niwater.com/servicesfordevelopers.asp](http://www.niwater.com/servicesfordevelopers.asp)

All services within the development should be laid underground.

None of the dwellings hereby permitted shall be occupied until the (sewage disposal/drainage) works have been completed in accordance with the submitted plans.

None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Department.

Development shall not begin until drainage works have been carried out in accordance with details submitted to and approved in writing by the Department.

7. 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.

8. 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.

9. This permission authorises only private domestic use of the proposed garage and does not confer approval on the carrying out of trade or business there from.



<b>Signature(s):</b>
<b>Date</b>



## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Phelim Marrion	
<b>Application ID:</b> LA09/2017/1032/O	<b>Target Date:</b> <add date>
<b>Proposal:</b> Outline planning permission for a single dwelling(amended siting)	<b>Location:</b> To the rear of 137 Lisacclare Road Killeen Stewartstown
<b>Applicant Name and Address:</b> Mrs Cora Donnellan 137 Lisacclare Road Killeen Stewartstown BT71 5QJ	<b>Agent name and Address:</b> Blackbird Architecture 4 Glenree Avenue Dungannon BT71 6XG
<b>Summary of Issues:</b> This is an application for a dwelling in the countryside that does not meet all the criteria for a dwelling in a cluster.	
<b>Summary of Consultee Responses:</b> Roads – acceptable access requires 2.4m x 70.0m visibility splays as per RS1 form NI Water – standard response	
<b>Characteristics of the Site and Area:</b>  The site is a portion of land which lies to the rear of a number of dwellings accessed via an existing laneway off the Lisacclare Road. Three sets of semi- detached bungalows lie beyond the NW boundary of the application site with access to them is via a laneway, which forms a T junction at its access onto the Lisacclare Road, which is approximately 100m from the site entrance. The site is broadly rectangular in shape with a plot size of approx. 0.33 hectares. The topography is relatively flat and can be accessed via the existing lane. The surrounding landscape is rural in character as depicted in the Dungannon & South Tyrone Area Plan 2010 and the site is located outside any development limits.	

**Description of Proposal**

The applicant is seeking outline planning permission for a single dwelling.

**Deferred Consideration:**

Members are advised this application was before the Committee In January 2018 with a recommendation to refuse as it did not meet the clustering policy in CTY2a of PPS21. An application was refused and appealed on this site, and the PAC dismissed that appeal and unless there has been a change in the circumstances then there would be no justification to change my opinion in relation to this development. Since that appeal decision, planning permission was granted for a dwelling, on a farming case, on the SE boundary of this site and the development of that site has commenced on the ground with foundations in place. The effect of that planning permission is that the proposed dwelling is situated in the middle of a substantial amount of development that includes 10 existing dwellings, a dwelling currently under construction and a number of other buildings and ancillary stores as well as a large poultry unit and egg packing shed. The proposed site is now enclosed on 3 sides by development within the cluster and a dwelling on this site, in the position shown on the site layout, will be in the middle of the cluster. I do not consider a dwelling in this position will have any detrimental impact on the character of the countryside at this location. The development to the front will partially screen it from Lisacclare Road, and the dwellings to the north, on higher ground, provide a sense of enclosure. I do not consider the dwelling will have any significant impact on the amenity of the dwellings around it as those to the north are at a higher level and will face the side of the proposed dwelling, the dwellings at the Lisacclare Road are screened by existing buildings and the new dwelling under construction has its private area to the rear which this dwelling will not overlook. Members are advised that in my view, the only criteria that is not meet is the requirement for a focal point and this has not changed. However I consider an exception to the policy may be exercised in this situation given the amount of development that surrounds the proposed dwelling on 3 of its sides and the location of the dwelling in the middle of the cluster of development which will not have any significant impact on the character of this rural area.

**Conditions:**

1. Approval of the details of the 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.

2. 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.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. 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 Council.

Reason: To ensure resident's privacy is not adversely affected.

5. Prior to commencement of any development hereby approved, the vehicular access as detailed in the attached form RS1, including visibility splays of 2.4mx 70.0m in both directions and any forward sight distance, shall be provided in accordance with a 1/500 scale site plan as submitted and approved at Reserved Matters stage. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road and kept clear thereafter

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

6. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development; details of a native species hedge to be planted to the rear of the visibility splays and along all new boundaries of the site. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: To ensure the provision of a high standard of landscaping.

**Signature(s):**

**Date**