



## OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: LA10/2021/1123/O

Date of Application: 14th September  
2021

Site of Proposed Development: Opposite St Mary's Primary School, 28 Edenmore Lane,  
Tempo

Description of Proposal: Housing development comprising of 7 no dwellings with  
domestic garages

Applicant:  
Address:

Agent: Funston Howe  
Address: 30 Cullion Road  
Edenmore  
Tempo  
BT94 3AR

Drawing Ref: 01, 02 REVISION 01

The Council in pursuance of its powers under the above-mentioned Act hereby

### GRANTS OUTLINE PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

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 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 detailed plans/cross sections of the site has been submitted to and approved by the Council indicating the existing and proposed contours, the finished floor levels of the proposed dwelling and the position, height and materials of any retaining walls/features. Development shall be carried out in accordance with the approved plans.

Reason: To ensure the development takes account of the site's natural features and to safeguard the amenities of the existing/proposed dwelling.

4. The plans submitted as part of the application for approval of reserved matters shall included details of all boundary treatment and landscaping for each individual housing plot. No dwelling shall be occupied unless this boundary treatment defining the curtilage has been carried out in accordance with the plans thereafter approved. All landscaping within each plot as approved shall be carried out in the next planting season following first occupation of the dwelling to which it relates. This boundary treatment / landscaping shall be maintained thereafter unless otherwise agreed in writing with the Council.

Reason: In the interests of providing a quality residential environment and maintaining quality.

5. The existing mature trees and vegetation within and around the entire site boundaries shall be retained intact except where it is required to provide sight lines.

Reason: In the interests of the visual and residential amenity of the area.

6. A detailed scheme of structure landscaping and boundary treatments for the site shall be submitted at 'Reserved matters' stage - at the same time as the







details of species, numbers, sizes, siting and spacing of trees and hedge plants. The planting as shall be approved shall be implemented in full during the first available planting season after the occupation of the dwelling which is hereby approved.

Reason: To protect neighbouring residential amenity and to ensure the maintenance of screening to the site.

7. The vehicular access, including visibility splays and any forward sight line, shall be provided in accordance with the plans to be submitted and approved at Reserved Matters stage, prior to the commencement of any works or other development hereby permitted. 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 interests of road safety and the convenience of road users.

#### Informatives

1. The Environmental Health Service (EHS) has considered the proposed replacement two-storey dwelling with detached domestic garage and have no objection in principle to the proposed development subject to:

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.

All waste generated by this development, e.g. demolition waste (if applicable) being handled/disposed of so as to ensure compliance with the Waste & Contaminated Land (N.I.) Order 1997 and subordinate Regulations. (Special requirements would apply in respect of, for example, asbestos or other hazardous waste). Further information regarding handling and disposal of such waste can be obtained from the Land Resource Management Unit, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast, BT7 2JA - telephone 028 9056 0710.

The developer being aware that if it is their intention to bring any fill material onto the site they will require a Waste Licensing Exemption under the Waste Management Licensing Regulations (N.I.) 2003. Applications for such an exemption should be made to the Land Resource Management Unit of the Northern Ireland Environment Agency at Klondyke Building, Cromac Avenue,







Gasworks Business Park, Belfast, BT7 2JA (Tel -028 9056 9359). Prior to the granting of an exemption under the above regulations the developer will be required to demonstrate to NIEA that planning approval has been granted for infilling/importing inert material to the associated land.

Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on the site should immediately cease. EHS should be informed and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination-CLR11) that details the nature of the risks and any necessary mitigation measures and verification (if required) should be prepared and submitted for appraisal.

The developer must ensure that disturbance to adjacent residents from construction noise is kept to a minimum. BS 5228 'Noise Control on Construction and Open Sites' gives guidance on the appropriate methods of minimising noise from construction activities, e.g. earth moving equipment, generators, etc. It is also the EHS's experience that construction operations late night/early morning, especially in a residential area, can result in complaint. The EHS therefore requests that the following recommendations form the basis of a planning condition to reduce the impacts of construction and civil engineering works at the proposed site:-

- For any particular job the quietest plant/machinery should be used.
- All equipment should be maintained in good order and fitted with appropriate silencers/mufflers/acoustic covers where applicable.
- Stationary noise sources should be sited away from noise sensitive receptors and where necessary acoustic barriers employed.
- All site works should be carried out as follows:
  - o 08:00 - 18:00 Monday - Friday
  - o 08:00 - 13.00 Saturday
  - o No operations on Sunday

2. Building Regulations (NI) 2012

Many parts of the Fermanagh and Omagh District Council area are within radon affected areas. Public Health England published updated maps in 2015, which indicate areas where protection measures are considered necessary based on the probability of elevated radon levels. The maps are available at: <http://www.ukradon.org/information/ukmaps> The EHS recommend that the applicant consider the updated maps, and should contact FODC Building Control department in order to determine what remedial measures are required.

3. The developer is advised that the concept plans/cross sections submitted to the Council as additional information with this application are considered to be







a broadly acceptable form of development for the site in question. The plans should be used as a guide to the development of the site.

4. 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.

5. 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.

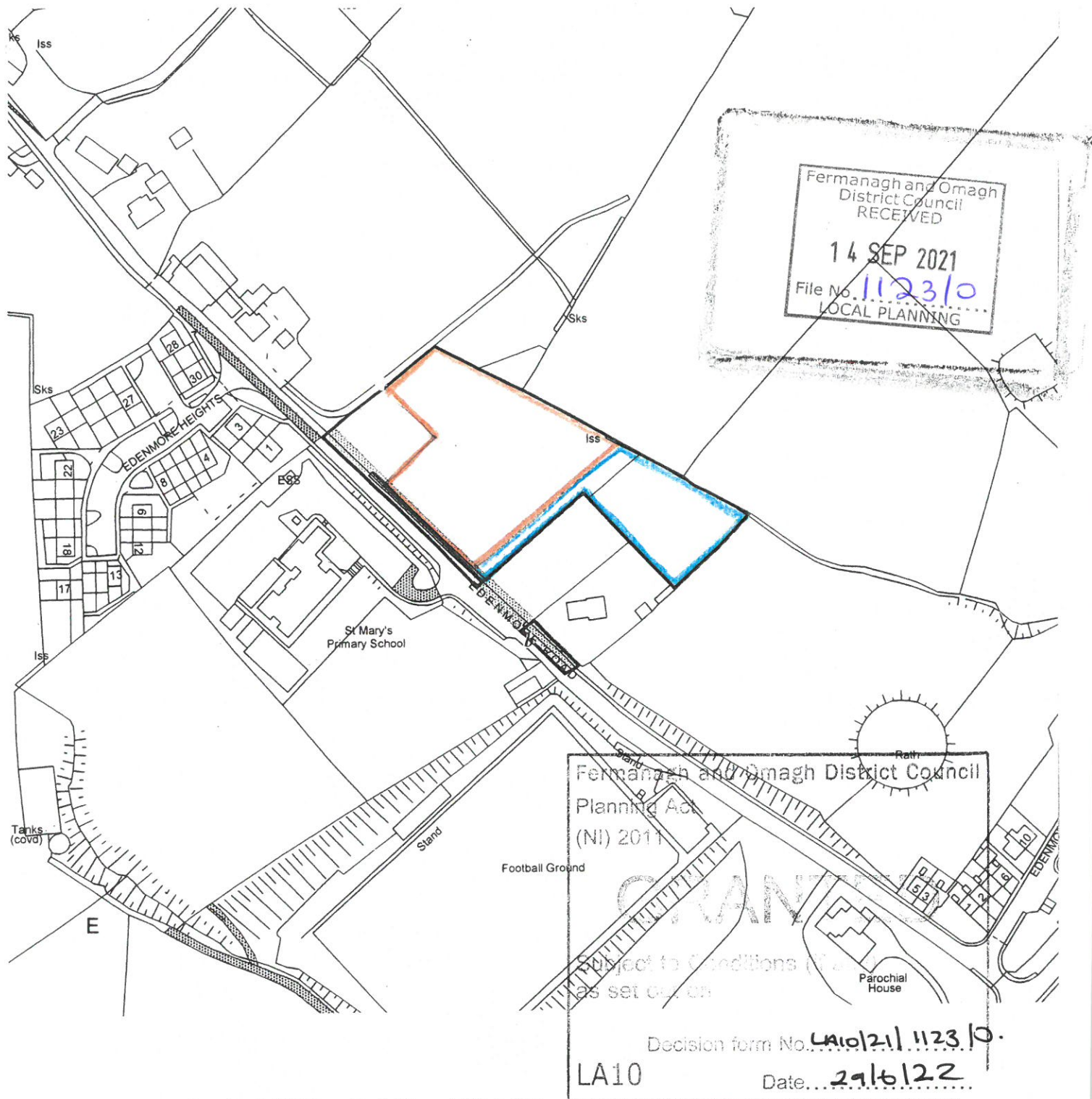
Dated: 29th June 2022

Authorised Officer

Louise Stewart









Fermanagh and Omagh  
District Council  
RECEIVED

27 APR 2022

File No. 1123/0  
LOCAL PLANNING

Amended 27/04/2022

Amended C704 2022

Planning Act  
(NI) 2011

• existing trees

 new trees

Subject to Conditions (a) through (f)  
as set out on

Decision form

LA10

11/12/11 2310

Date 29/6/20

APPROVED SITE

LA10/2026/0268/0

E D E N M O R E L A N E

Fermanagh and Omagh District Council  
Drawing  
Number... D2REVISION D1

Approved by  
LAW/2020/0153/20

2 m wide footpath to  
link up with existing  
footpath

existing fast path

Proposed Housing Development comprising 7no dwellings with attached/detached domestic garages

Drawing Number 4843  
September 2021

Funston Howe Architecture, 30 Cullion Road, Edenmore, Tempo BT94 3AR

Telephone 028 89541416 – [info@eugenehowe.com](mailto:info@eugenehowe.com) – September 2021