



APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA10/2021/1209/F**

Date of Application: **27th September 2021**

Site of Proposed
Development:

**121 Lisnarick Road
Drumadavy
Irvinestown**

Description of Proposal:

**5 Camping Pods, 4 Bell Tents, amenity building and
associated parking**

Applicant:

Address:

Agent:

Address:

Chris Allen

Unit 5

Cathcart Square

Dublin Road

Enniskillen

BT74 6HJ

Drawing Ref: 01, 02 Rev 01, 03

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

GRANTS 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. The vehicular access, including visibility splays of (2.4m * 90.0m) and any forward sight distance shall be provided in accordance with Drawing No. 02 (Rev.01) bearing the date stamp 02/02/22, prior to the commencement of any 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 and such splays 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.

2. The width of the vehicular access to be (6.0m) for the first (20.0m), including (10.0m) radii and shall be provided in accordance with Drawing No. 02 (Rev.01), bearing the date stamp 02/02/22, 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 user.

3. No works are to be carried out until a lighting plan has been submitted to the Planning Authority with details showing that light will only be directed onto the proposed site and that there will be no light spill of more than 1lux onto mature trees/boundaries of the surrounding area. Also no light spill to occur on the watercourse.

Reason: to minimise the impact of the proposal on bats and other wildlife

4. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars as shown on site layout Drawing No. 02 (Rev.01) bearing the date stamp 02/02/22, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations.

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

5. No development activity, including vegetation clearance, infilling, disturbance by machinery, dumping or storage of materials, shall take place within 10 metres of the stream on site.

Reason: To protect/minimise the impact of the development on the biodiversity value of the watercourse.

6. 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.





Informatives

1. Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the DfI Roads 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 DfI Roads Section Engineer whose address is Castle Barracks, Wellington Road, Enniskillen. A monetary deposit will be required to cover works on the public road.
2. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the DfI Roads for which separate permissions and arrangements are required.
3. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site. This planning approval does not give authority to discharge any drainage into a DfI Roads drainage system.
4. The applicant's attention is drawn to Article 10 of The Wildlife (Northern Ireland) Order 1985 (as amended), under which it is an offence to intentionally or recklessly:
 - Kill, injure or take any wild animal included in the Schedule 5 of this order, which includes the badger;
 - Damage or destroy, or obstruct access to, any structure or place which badgers use for shelter or protection;
 - Damage or destroy anything which conceals or protects any such structure;
 - Disturb a badger while it is occupying a structure or place it uses for shelter or protection.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

If there is evidence of badger on the site, all works must cease immediately and further advice must be sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Lower Ormeau Road, Belfast. BT7 2JA. Tel. 028 9056 9558 or 028 9056 9557.

5. The applicant's attention is drawn to The Conservation (Natural habitats, etc)





Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill any wild animal of a European protected species included in Schedule II of these regulations, which includes all species of Otter (*Lutra lutra*). It is also an offence;

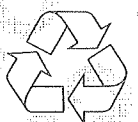
- a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes the otter (*Lutra lutra*) and all species of bat;
- b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- c) Deliberately to disturb such an animal in such a way as to be likely to;
 - i. affect the local distribution or abundance of the species to which it belongs;
 - ii. Impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - iii. Impair its ability to hibernate or migrate;
- d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat and/or otter activity on the site, all works should cease immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 028 9056 9558 or 028 9056 9557.

6. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:

- kill, injure or take any wild bird; or
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or
- obstruct or prevent any wild bird from using its nest; or
- take or destroy an egg of any wild bird; or
- disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence. It is therefore advised that any tree or hedgerow loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season (e.g. between 1st March and 31st August). No





Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

works should be carried out on any buildings or structures containing bird's nests unless an appropriate survey has been carried out prior to works commencing and it is confirmed that no active nests are present.

Dated: 29th March 2022

Authorised Officer

