

REC'D 5<sup>th</sup> DEC 2019



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

## OUTLINE PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: LA09/2019/1247/O

Date of Application: 20th September 2019

Site of Proposed Development: 85m East of 3 Tulnacross Road  
Cookstown

Description of Proposal: Replacement Dwelling

Applicant: Wesley Carson  
Address: 245 Orritor Road  
Cookstown  
BT80 9NE

Agent: APS Architects LLP  
Address: 4 Mid Ulster Business Park  
Sandholes Road  
Cookstown  
BT80 9TN

Drawing Ref: 01,

Mid Ulster District 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 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. 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 and details of a native species hedge to be planted to the rear of the of the visibility splays. 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: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

4. The existing hedgerow and trees as indicated in yellow on the approved plan 01, date stamped 20th September 2019 shall be retained at a minimum height of 5 metres and shall be allowed to grow on or as agreed in writing with the Council.

Reason: To ensure the maintenance of screening to the site.

5. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the occupation of the building for its permitted use another tree or trees shall be planted at the same place and that/those tree(s) shall be of such size and species and shall be planted at such time as may be specified by the Council.

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



6. The proposed dwelling shall have a ridge height of no more than 7.5 metres above finished floor level and a low angle of roof pitch not exceeding 40 degrees.

Reason: To ensure that the development is not prominent and satisfactorily integrated into the landscape.

7. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.3 metres at any point.

Reason: In the interest of visual amenity.

8. 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 the dwelling integrates into the landform.

9. The dwelling hereby permitted shall not be occupied until the existing buildings, coloured green on the approved plan No 01 date stamped 20th September 2019 is demolished, all rubble and foundations have been removed and the site restored in accordance with a scheme to be submitted to the Council and approved in writing.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

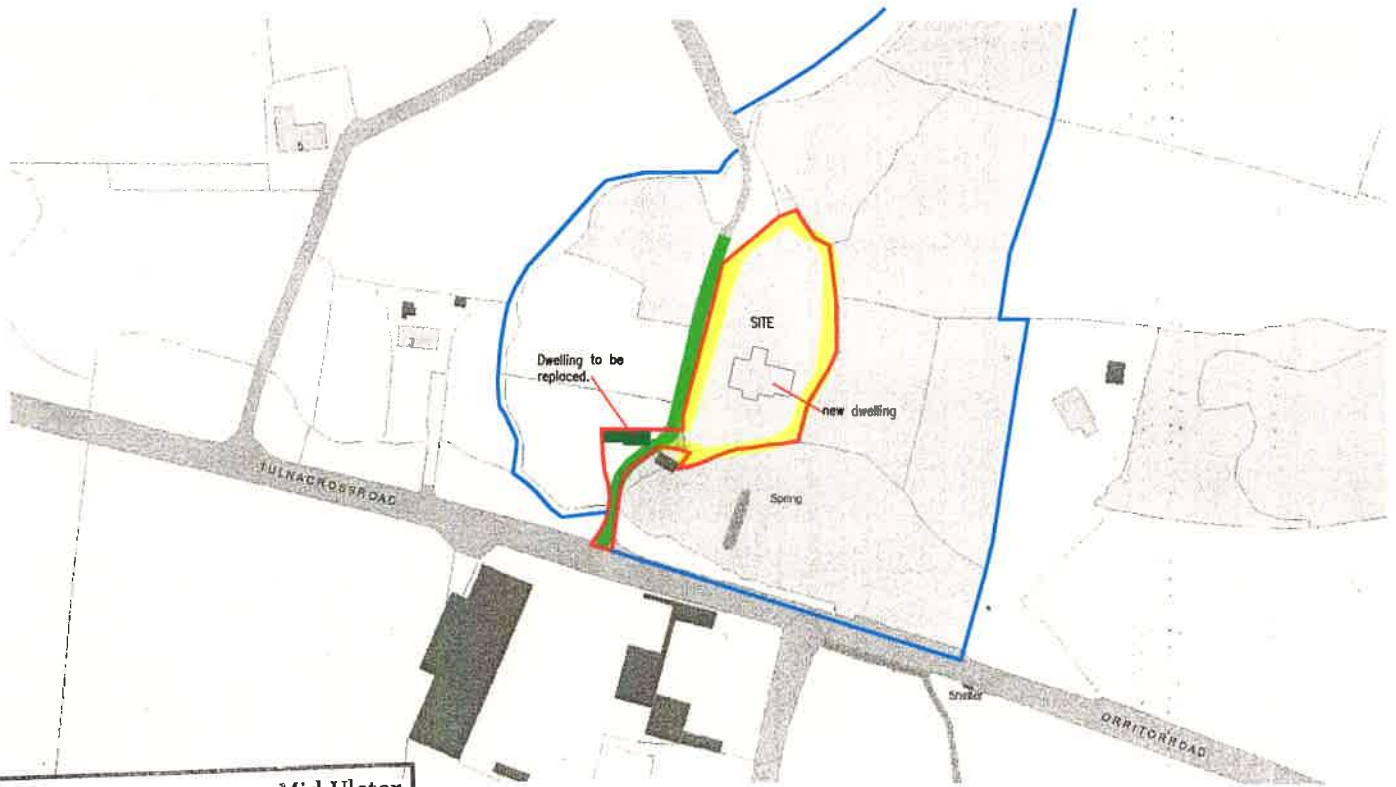
#### Informatives

1. 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.
2. 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.
3. 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.

Dated: 27th November 2019

Planning Manager

*pp E. McLaughlin*



**LA09/19/1247**

Planning Act (NI) 2011 Mid Ulster District Council

**GRANTED**

For the reasons set out on

Decision form No LA09/2019/1247/0  
 3 Date 23<sup>rd</sup> November 2019

Mid Ulster District Council  
 Drawing Number 01

3 Planning Office RECEIVED  
 20 SEP 2019  
 File No.....  
 Mid Ulster District Council

**APS**  
 Architects LLP

Unit 4  
 Mid Ulster Business Park  
 Sandholes Road  
 Cookstown  
 BT80 9LU  
 T 028 867 60036  
 E terry@aps-architects.co.uk

Proposed Replacement Dwelling  
 Project Ref: C.140a  
 MR WESLEY CARSON  
 Location: 85m East of  
 3 Tulnacross Road  
 Cookstown

Drawing: Location Map  
 Drawing Number: A01  
 Scale: 1:2500  
 Date: SEPTEMBER 2019

## Form P19

### EXPLANATORY NOTES TO ACCOMPANY APPROVALS

Type of Approval	See Notes
(a) Planning Permission or Approval of Reserved Matters	1, 2, 3 & 4
(b) Consent to Display Advertisements	1, 2, 4 & 5
(c) Listed Building Consent	1, 2, 4 & 6

#### Notes

1. If you are unhappy with the conditions placed on the permission/approval/consent granted by the Council or Department for Infrastructure (the Department) you may appeal to the Planning Appeals Commission, Park House, 87-91 Great Victoria Street, Belfast BT2 7AG [Tel: (028) 9024 4710] within 4 months of receipt of the notice. Guidance on Appeal procedures is available on the Planning Appeals Commission's website ([www.pacni.gov.uk](http://www.pacni.gov.uk)) or by contacting the Commission directly at the aforementioned address.
2. You should check whether further approval is required under other legislation, such as the Building Regulations or the Water Act.
3. If your proposal involves an access or any vehicular crossing of the highway, it is in your interest to notify your intentions to the authorities responsible for electricity, telephones, water, etc to allow them the opportunity to carry out any planned works first and so avoid breaking through any newly made surfaces.
4. Failure to adhere to the approval plans or comply with conditions attached to this permission is a contravention of the Planning Act (Northern Ireland) 2011 [or the Planning (Control of Advertisements) Regulations (Northern Ireland) 1973 in the case of advertisements], and may result in enforcement action.
5. If you intend to display an advertisement on land which is not in your possession you should first obtain the consent of the landowner or the person(s) entitled to grant such permission.
6. If you have obtained Listed Building Consent to demolish a building you must not do so before the Department for Communities Historic Environment Division has:
  - (i) Been given reasonable access to the building for one month following the granting of consent; or
  - (ii) Stated that it has completed its record of the building; or
  - (iii) Stated that it does not wish to record it.

The Department for Communities Historic Environment Division can be contacted at [HEDPlanning.General@doeni.gov.uk](mailto:HEDPlanning.General@doeni.gov.uk) or Tel: (028) 9082 3177 or (028) 9082 3126.