

EIR Request (received 25 June 2021) - Reference: DFI/2021-0234

Planning Application LA09/2020/0763/F - Proposed Silo with agricultural access provided to fields at the rear, at a farmyard at 29, Crancussy Road, Cookstown, Co. Tyrone.

I am writing to you to request under the Freedom of information act (FOI). I request that as per your consultation document that you supply me with the distance that is referred to in your letter so that all parties are informed as to what would be an infringement of the public verge. I would appreciate that my request be acknowledged as per the criteria.

The Amended drawings for this application have now been revised 5 times yet are still ignorant of the fact that Crancussy Road is a single track road. Squeezing the fence to the public verge serves no purpose other than to allow the applicant to build his access road. This makes the definite public boundary critical as in the fence is clearly narrowing what is a single track highway. I walk my dogs on this road and was hit by a vehicle from behind on Crancussy Road in December 2020. As an informative the land is part of an ASSI where no landform change is allowed and the Silo site is currently approved as a access road to a wind turbine. I believe that this project is therefore ineligible of consultation.

The drawing supplied within the application mentions drainage. Loughdoo ASSI is an iceage esker with grass covering. The application as per the amended drawings shows that the ground will be excavated from its natural state to near a metre in depth to accommodate the access road. Once the grass cover is removed the land is then sand and gravel which will express water from the steep gradient at a rate that is unknown. The drawing provided is beyond vague in the notes reference drainage. The drawing states that it is the applicants' responsibility to detail how surface water will not flood the road. There is zero detail given that the landform will be newly porous and an unknown amount of water may inundate the site.

This application is a very poorly thought out operation reference the Crancussy Road and a full survey of the issues I have raised is required.

Response (issued 02 August 2021)

Thank you for your e-mail dated 25 June 2021 requesting information held by this office, under the Freedom of Information Act 2000 (FOI). You requested the following detail, referred to in DfI Roads' response, as a statutory consultee, when approached about Planning Application LA09/2020/0763/F.

'I request that as per your consultation document that you supply me with the distance that is referred to in your letter'.

In considering your request on behalf of the Department I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

EIR gives rights of public access to access to environmental information held by public authorities.

In response to your request, the distance referred to is the minimum sightline required for this access onto the public road at this location as required by Planning Policy Statement 3 – Access, Movement and Parking. In this instance the unobstructed sightline required for this standard of road is 2.4m (x-distance) by 29m (y distance), which is achievable within the specified area. The public verge is the area beyond the running carriageway and the adjacent boundary fence / wall etc. maintainable by DFI Roads.

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